EXECUTIVE ORDER

PRINCIPLES OF POLICE SERVICE

The police are the public and the public is the police; the police are the only members of the public who are paid to give fulltime attention to duties which are incumbent on every citizen to perform.

The basic mission for which the police exist is to prevent crime and the breach of public order.

The test of police effectiveness is the absence of crime and the presence of public order, not the evidence of police action in coping with crime and disorder.

The success of the police mission is solely dependent upon public approval of police existence, action, and behavior, and the ability of the police to secure and maintain public respect.

The primary trust of a peace officer's duties consists of an attempt to enforce the law. In the performance of that duty, the officer must first and foremost have reverence for the law. The solution of a crime or the arrest of a lawbreaker can never justify the peace officer violating, as an expedient, the rights of the accused.

The police must use every method at their disposal to secure the cooperation of the public in voluntary observation of the law.

The police shall use physical force only to the extent necessary to secure observance of the law or for the restoration of order and only when persuasion, advice, and warning are found to be insufficient.

Crime prevention entails the cooperation of the public and the police working toward a common goal.

Line officers perform the primary task for which police were created. They are the operating professionals. Supervisors and managers exist to define problems, establish objectives, and to assist line officers in the performance of the police mission.

All employees are directly affected by the decisions made by management. Employees should be encouraged to make recommendations which might lead to an improvement in the delivery of police services and the success of the police mission.

It must be recognized that the public and the police cannot successfully resolve the problems of crime. A spirit of cooperation and mutual support with the totality of the criminal justice system and aligned agencies is essential and it is incumbent upon the police to engender this feeling.

The police seek public favor, not by catering to public opinion, but by demonstrating absolute impartiality in serving the public without regard to race or social standing; by the exercise of courtesy and by readily offering individual sacrifice in protecting and preserving life.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

LAW ENFORCEMENT CODE OF ETHICS AND CANONS

LAW ENFORCEMENT CODE OF ETHICS AND CANON OF ETHICS

CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

CODE OF PROFESSIONAL CONDUCT AND RESPONSIBILITIES FOR PEACE OFFICERS

Developed by California Peace Officers' Association

Forward

Like other professions, law enforcement must establish minimum standards of ethical conduct for its incumbents. The Law Enforcement Code of Ethics was jointly developed in 1959 by the California Peace Officers' Association (CPOA) and the Peace Officers' Research Association of California (PORAC).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Although the Code remains a universally accepted and valid statement of peace officer conduct, there is need for more detailed ethical standards for peace officers of all ranks and types. This Code of Professional Conduct and Responsibilities is intended as a vital supplement to the Law Enforcement Code of Ethics.

This Code was developed by the Standard and Ethics Committee of the California Peace Officers' Association. With representation from every peace officer rank, the Code required more than three years of effort to develop. Special recognition is given to Donald Oliver, Undersheriff of San Diego County Sheriff's Department (Retired), whose efforts and leadership were essential to its development.

To provide recognition to California's peace officers that is so richly deserved, this Code has been copyrighted by CPOA in their behalf. Permission for reprinting this Code is granted for non-profit purposes. Copies may also be purchased from CPOA.

I. PREAMBLE

WHEREAS, peace officers are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character; and

WHEREAS, the need to maintain high standard of moral character, integrity, knowledge and trust requires the establishment of a Code of Professional Conduct and Responsibility for Peace Officers as a matter of the highest significance to the health, welfare and safety of the citizens of this state; and

WHEREAS, the establishment of a Code of Professional Conduct and Responsibility for Peace Officers, which includes Canon of Ethics and minimum standards, requires the granting of authority to enforce those standards of professional conduct through disciplinary action as necessary for the protection of the health, welfare and safety of the public; therefore

BE IT RESOLVED that the need to maintain high standards of moral character, integrity, knowledge and trust require that peace officers establish and conform to a Code of Professional Conduct and Responsibility for Peace Officers.

II. GENERAL STATEMENT

Peace Officers are granted a public trust that requires that they consistently demonstrate the highest degree of integrity. To be worthy of this public trust and to ensure that their professional conduct is above reproach, members of the peace officer profession must not only conform to a Code of Ethics but must also abide by these Canons of Ethics and Ethical Standards which constitute this Code of Professional Conduct and Responsibility as a means of internal regulation.

The essence of a profession that requires that in addition to prescribing a desired level of performance, it must establish minimum standards of ethical conduct with prescribed rules of

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

internal discipline to ensure compliance. Accordingly, this Code of Professional Conduct and Responsibility is established for the peace officer profession.

Nothing in the Code of Professional Conduct and Responsibility for Peace Officers is intended to limit or supersede any provision of law relating to the duties and obligations of peace officers or the consequences of a violation thereof. Whereas these rules specify certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned.

Nothing in this Code is intended to limit the authority of an agency to adopt and enforce rules and regulations that are more stringent or comprehensive than those that are contained in this Code of Professional Conduct and Responsibility for Peace Officers.

III. DEFINITIONS

This Code of Professional Conduct and Responsibility for Peace Officers is comprised of nine Canons of Ethics, with explanatory statements in the form of Ethical Standards. Examples of Disciplinary Rules and Enforcement Procedure are included as an Addendum of individual agency consideration. Following are definitions of these terms, as used in the context of the code.

A. **PEACE OFFICER:** means a regular employed and full-time sheriff, undersheriff, or deputy sheriff of a county; a chief of police, or any police officer of a city or any chief of police or police officer of a district authorized by law to maintain a police department, or any other person within the state who is defined as a peace officer.

B. **CANONS**: are statements that express in general terms standards of professional conduct expected of peace officers in their relationship with the public, the criminal justice system and the peace officer profession. They embody the general concepts from which the Ethical Standards and The Disciplinary Rules are derived.

C. **ETHICAL STANDARDS:** are statements that represent the objectives toward which every peace officer shall strive. They constitute principles that can be relied upon by the peace officer for guidance in specific situations.

D. **DISCIPLINARY RULES:** specify an unacceptable level of conduct for all peace officers, regardless of their rank or the nature of their assignment. Any peace officer who violates any agency rule that applies to these canons and standards is guilty of unprofessional conduct and is subject to disciplinary action ranging from oral reprimand to termination and/or criminal prosecution or other administrative action sanctioned by law, as dictated by the individual case.

E. **ENFORCEMENT PROCEDURES:** are the fundamental rights of an accused officer that are applicable to a disciplinary investigation or proceeding against the officer.

F. **ADMINISTRATIVE INVESTIGATION:** is an investigation conducted to determine whether an officer has violated any provision of this code, or an agency rule or regulation; or whether an officer is impaired or unfit to perform the duties and responsibilities of a peace officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

G. **FORMAL DISCIPLINE:** refers to the final adjudication of administrative or disciplinary charges. Formal discipline shall be deemed final only after an officer has exhausted or waived all legal remedies available and actual discipline has been invoked.

IV. CANON OF ETHICS

Canon One: Peace Officers shall uphold the Constitution of the United States, the State Constitution, and all laws enacted or established pursuant to legally constituted authority.

Ethical Standards Standard 1.1

Peace Officers shall recognize the primary responsibility of their profession and of the individual officer in the protection of the people within the jurisdiction of the United States through upholding of their laws, the most important of which are the Constitution of the United States and State Constitutions and laws derived therefrom.

Standard 1.2

Peace officers shall be aware of the extent and the limitations of their authority in the enforcement of the law.

Standard 1.3

Peace officers shall diligently study principles and new enactments of the laws they enforce.

Standard 1.4

Peace officers shall be responsible for keeping abreast of current case law as applied to their duties.

Standard 1.5

Peace officers shall endeavor to uphold the spirit of the law, as opposed to enforcing merely the letter of the law.

Standard 1.6

Peace officers shall respect and uphold the dignity, human rights, and Constitutional rights of all persons.

Canon Two: Peace Officers shall be aware of and shall use proper and ethical procedures in discharging their official duties and responsibilities.

Ethical Standards Standard 2.1

Peace officers shall be aware of their lawful authority to use that force reasonably necessary in securing compliance with their lawful enforcement duties.

Standard 2.2

Peace officers shall truthfully completely, and impartially report, testify, and present evidence in all matters of an official nature.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Standard 2.3

Peace officers shall follow legal practices in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

Standard 2.4

Peace officers shall follow the principles of integrity, fairness, and impartiality in connection with their duties.

Canon Three: Peace officers, as professionals, shall maintain an awareness of those factors affecting their responsibilities.

Ethical Standards

Standard 3.1

Peace officers, as professionals, shall maintain an awareness of those factors affecting their responsibilities.

Standard 3.2

Peace officers, during their tour of duty, shall diligently devote their time and attention to the effective and professional performance of their responsibilities.

Standard 3.3

Peace officers shall ensure that they are prepared for the effective and efficient undertaking of their assignment.

Standard 3.4

Peace officers shall safely and efficiently use equipment and material available to them.

Standard 3.5

Peace officers shall be prepared to and shall respond effectively to the demands of their office.

Standard 3.6

Peace officers, with due regard for compassion, shall maintain an objective and impartial attitude in official contacts.

Standard 3.7

Peace officers shall not allow their personal convictions, beliefs, prejudices, or biases to interfere unreasonably with their official acts or decisions.

Standard 3.8

Peace officers shall recognize that their allegiance is first to the people, then to their profession and the governmental entity or agency that employs them.

Canon Four: Peace officers will so conduct their public and private life that they exemplify the high standards of integrity, trust and morality demanded of a member of the peace officer profession.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Ethical Standards

Standard 4.1

Peace officers shall refrain from consuming intoxicating beverages to the extent that it results in impairment that brings discredit upon the profession or their employing agency, or renders them unfit for their next tour of duty.

Standard 4.2

Peace officers shall not consume intoxicating beverages while on duty, except to the degree permitted in the performance of official duties, and under no circumstances while in uniform.

Standard 4.3

Peace officers shall not use any narcotics, hallucinogens, or any other controlled substance except when legally prescribed. When such controlled substances are prescribed, officers shall notify their superior officer prior to reporting for duty.

Standard 4.4

Peace officers shall maintain a level of conduct in their personal and business affairs in keeping with the high standards of the peace officer profession. Officers shall not participate in an incident involving moral turpitude.

Standard 4.5

Peace officers shall not overtake financial obligations that they know or reasonably should know they will be unable to meet and shall pay all just debts when due.

Standard 4.6

Peace officers shall not engage in illegal political activities.

Standard 4.7

Peace officers shall not permit or authorize for personal gain the use of their name or photograph and official title identifying them as peace officers in connection with testimonials or advertisements for any commodity, commercial enterprise, or commercial service that is not the product of the officer involved.

Standard 4.8

Peace officers shall not engage in any activity that would create a conflict of interest or would be in violation of any law.

Standard 4.9

Peace officers shall at all times conduct themselves in a manner that does not discredit the peace officer profession or their employing agency.

Standard 4.10

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Peace officers shall not be disrespectful, insolent, mutinous, or insubordinate in attitude or conduct.

Standard 4.11

Peace officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors, and subordinates.

Section 4.12

Peace officers shall not engage in any strike, work obstruction or abstention, in whole or in part, from the full, faithful and proper performance of their assigned duties and responsibilities, except as authorized by law.

Section 4.13

Peace officers shall maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration, while acting in an official capacity.

Canon Five: Peace officers shall recognize that our society holds the freedom of the individual as a paramount precept that shall not be infringed upon without just, legal and necessary cause.

Ethical Standards Standard 5.1

Peace officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.

Standard 5.2

Peace officers shall recognize the rights of individuals to be free from capricious or arbitrary acts that deny or abridge their fundamental rights as guaranteed by law.

Peace officers shall not use their official position to detain any individual, or to restrict the freedom of any individual, except in the manner and means permitted or prescribed by law.

Canon Six: Peace officers shall assist in maintaining the integrity and competence of the peace officer profession.

Ethical Standards Standard 6.1

Peace officers shall recognize that every person in our society is entitled to professional, effective and efficient law enforcement services.

Standard 6.2

Peace officers shall perform their duties in such a manner as to discourage double standards.

Standard 6.3

Peace officers shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.

Standard 6.4

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Peace officers shall maintain the integrity of their profession through complete disclosure of those who violate any of these rules of conduct, violate any law, or who conduct themselves in a manner that tends to discredit the profession.

Standard 6.5

Peace officers shall have responsibility for reporting to proper authorities any known information that would serve to disqualify candidates from transferring within or entering the profession.

Standard 6.6

Peace officers shall be responsible for maintaining a level of education and training that will keep them abreast of current techniques, concepts, laws, and requirements of the profession.

Chief executive peace officers shall accept the responsibility of utilizing all available resources and the authority of their office to maintain the integrity of their agency and the competency of their officers. These Canons and Ethical Standards shall apply to all legally defined peace officers, regardless of rank.

Standard 6.8

Peace officers shall assume a leadership role in furthering their profession by encouraging and assisting in the education and training of other members of the profession.

Canon Seven: Peace officers shall cooperate with other officials and organizations who are using legal and ethical means to achieve the goals and objectives of the peace officer profession.

Ethical Standards Standard 7.1

Peace officers, within legal and agency guidelines, shall share with personnel both within and outside their agency, appropriate information that will facilitate the achievement of criminal justice goals or objectives.

Standard 7.2

Peace officers, whether requested through appropriate channels or called upon individually, shall render needed assistance to any other officer in the proper performance of their duty.

Standard 7.3

Peace officers shall, within legal and agency guidelines, endeavor to communicate to the people of their community the goals and objectives of the profession, and keep them apprised of conditions that threaten the maintenance of an ordered society.

Canon Eight: Peace officers shall not compromise their integrity, nor that of their agency or profession, by accepting, giving or soliciting any gratuity.

Ethical Standards Standard 8.1

Peace officers shall refuse to offer, give or receive gifts, favors or gratuities, either large or small, which can be reasonably interpreted as capable of influencing official acts or judgments. This

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

standard is not intended to isolate peace officers from normal social practices, or to preclude gifts among friends, associates, or relatives, where appropriate.

Standard 8.2

Peace officers shall not consider their badge of office as a license designed to provide them with special favor or consideration.

Canon Nine: Peace Officers shall observe the confidentiality of information available to them through any source as it relates to the peace officer profession.

Ethical Standards Standard 9.1

Peace officers shall be aware of and shall meticulously observe all legal restrictions on the release and dissemination of information.

Standard 9.2

Peace officers shall treat as confidential the official business of their employing agency, and shall release or disseminate such information solely in an authorized manner.

Standard 9.3

Peace officers shall treat as confidential that information confided to them personally. They shall disclose such information as required in the proper performance of their duties.

Standard 9.4

Peace officers shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties.

Standard 9.5

Peace officers shall treat as confidential all matters relating to investigations, internal affairs, and personnel.

V. INVESTIGATIVE PROVISIONS (Optional provisions of this section may require legislation)

A. INVESTIGATIVE PROCEDURES. Peace officers under investigation for an alleged violation of any of these standards or agency disciplinary rules shall be afforded, as a minimum, the rights established by law and contract, to ensure fair and just treatment in the enforcement of disciplinary rules of conduct or agency rules.

B. EXERCISE OF RIGHTS. By reason of the lawful exercise of rights, officers shall not be discharged, disciplined, demoted, transferred, or denied promotion or reassignment, or discriminated against with regard to employment, nor threatened with any such action.

C. CRIMINAL INVESTIGATIONS. When the investigation focuses on an officer for prosecution of a criminal offense, the officer shall be afforded the same constitutional rights, privileges, or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

guarantees enjoyed by any person. This section, however, shall not deprive the agency of the right to pursue the investigation administratively.

D. AGENCY APPEAL OR REVIEW PROCESS. To ensure due process, officers shall be provided with an internal administrative appeal or review process or procedure. This process shall be in addition to any external appeal process the employing agency may have established for the review of disciplinary cases.

VI. RECOMMENDED PROVISIONS REQUIRING STATE LEGISLATION

A. ADMISSIBILITY. No Canon or Ethical Standard, or the enforcement of a Canon, Ethical Standard, or agency disciplinary rule, shall be admissible as evidence of a standard of care of negligence in any civil action other than administrative or disciplinary proceedings.

B. CONFIDENTIALITY OF INVESTIGATIVE FILES. To promote the complete investigation and reporting of complaints against peace officers, the City finds that the need to preserve and protect the work product of an agency outweighs the public interest in full or partial disclosure, discovery, or production in any manner of an agency's investigative files pertaining to complaints against officers. Accordingly, administrative investigative files, records, reports or other documentation may be subpoenaed in either criminal or civil proceedings only in accordance with existing law.

C. CONSTRUCTION AND SEVERABILITY. The provisions of this Code shall be severable and if any phrase, clause, sentence or provision of this Code is declared to be unconstitutional or the applicability thereof to any agency, person, or circumstances is held invalid, the constitutionality of this Code and the applicability thereof to any other agency, person or circumstance shall, with respect to all severable matters, not be affected thereby. It is intended that the provisions of this Code be reasonably and liberally constructed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

MISSION STATEMENT
Mission Statement

Protecting the public from crime and disorder through quality service.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Table of Contents

Executive Order 1

Law Enforcement Code of Ethics and Canons 2

Mission Statement 12

Chapter 1 - Law Enforcement Role and Authority 20
100 - Law Enforcement Authority 21
102 - Chief Executive Officer 24
104 - Oath of Office 25
106 - Policy Manual 26

Chapter 2 - Organization and Administration 30
200 - Organizational Structure and Responsibility 31
204 - Interim Directives 33
206 - Emergency Management Plan 34
207 - Tactical Action Plan 35
208 - Training Policy 37
212 - Electronic Mail 42
214 - Administrative Communications 44
218 - License to Carry a Firearm 45
220 - Retiree Concealed Firearms 53
221 - Police Assistance to City Council/City Manager 58

Chapter 3 - General Operations 59
300 - Use of Force 60
301 - Breaching Shotguns 70
305 - Conducted Energy Device (TASER) 72
306 - Handcuffing and Restraints 78
308 - Control Devices and Techniques 82
309 - Officer-Involved Shootings and Deaths 87
311 - Firearms 96
312 - Firearms Used For Training 106
313 - Vehicle Pursuits 108
315 - Officer Response to Calls 120
316 - Robbery Report Response 123
317 - Canines 124
319 - Domestic Violence 132
321 - Search and Seizure 140
322 - Non-Intrusive Sensor and Scanning Devices 142
323 - Temporary Custody of Juveniles 145
324 - Juvenile Diversion Program 156
325 - Adult Abuse 159
327 - Discriminatory Harassment 169

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

329 - Child Abuse 174
331 - Missing Persons 183
333 - Public Alerts 189
335 - Victim and Witness Assistance 194
337 - Hate Crimes 197
340 - Standards of Conduct 207
341 - Information Technology Use 216
343 - Report Preparation 217
344 - Public Information Officer/Law Enforcement Social Media Unit 223
345 - Media Relations 225
346 - Court Appearance And Subpoenas 229
348 - Reserve Officers 232
350 - Outside Agency Assistance 238
353 - Arrested Person's Medical Expenses 240
354 - Registered Offender Information 241
356 - Major Incident Notification 244
357 - Nixle 246
358 - Death Investigation 248
360 - Identity Theft 251
362 - Private Persons Arrests 252
364 - Anti-Reproductive Rights Crimes Reporting 254
366 - Limited English Proficiency Services 256
368 - Communications with Persons with Disabilities 264
370 - Mandatory Employer Notification 272
372 - Biological Samples 274
374 - Chaplains 277
376 - Public Safety Video Surveillance System 283
378 - Child and Dependent Adult Safety 287
380 - Service Animals 290
381 - Lost Property 293
382 - Volunteer Program 294
383 - Use of the Automated External Defibrillator 300
384 - Off-Duty Law Enforcement Actions 303
385 - Miranda Warning and Suspect Interviews 305
387 - Graffito Reward Procedure 306
390 - Gun Violence Restraining Orders 307
391 - Department Use of Social Media 312

Chapter 4 - Patrol Operations 315

400 - Patrol Function 316
402 - Bias-Based Policing 318
404 - Briefing Training 321
406 - Crime and Disaster Scene Integrity 322
407 - SWAT/CNT Response 324
408 - SWAT/Tactical Medic 334
409 - Mutual Aid Request for the Bearcat Armored Vehicle 338
410 - Ride-Along Policy 339

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

411 - Mobile Field Force (MFF) . . . 342
412 - Hazardous Material Response . . . 349
413 - Immigration Violations . . . 351
414 - Hostage and Barricade Incidents . . . 356
415 - Weapons of Mass Destruction Response . . . 361
417 - Response to Bomb Calls . . . 364
419 - Mental Illness Commitments . . . 369
420 - Labor Disputes . . . 375
421 - Cite and Release Policy . . . 377
422 - City Code Arrest Citation Release . . . 382
423 - Foreign Diplomatic and Consular Representatives . . . 384
424 - Arrest and Release - 849B, 849.5, 851.6 PC . . . 388
426 - Rapid Response and Deployment . . . 389
427 - Rescues Under Fire . . . 392
428 - Reporting Police Activity Outside of Jurisdiction . . . 394
431 - Calls for Service at Solano County Buildings . . . 395
432 - Emergency Utility Service . . . 396
433 - Intersection Observation Plan -- Code 666 . . . 397
434 - Patrol Rifles . . . 400
436 - Aircraft Accidents . . . 403
438 - Field Training Officer Program . . . 407
440 - Obtaining Air Support . . . 410
442 - Contacts and Temporary Detentions . . . 411
444 - Criminal Organizations . . . 415
446 - Watch Commanders . . . 419
450 - Mobile Data Computer Use . . . 420
452 - Body-Worn Cameras . . . 423
454 - Medical Marijuana . . . 431
455 - "VARDA" Portable Audible Radio Alarm System . . . 436
460 - Foot Pursuits . . . 437
461 - Bicycle Patrol Program . . . 442
462 - Automated License Plate Reader (ALPR) . . . 443
463 - Pawn Shop and Secondhand Dealer Reports . . . 446
465 - Response to Active Shooter Incidents . . . 447
466 - Homeless Persons . . . 449
467 - Response to Nuisance Calls . . . 452
469 - Field Radio Equipment and Maintenance . . . 454
474 - Civil Disputes . . . 455
475 - First Amendment Assemblies . . . 457
476 - Medical Aid and Response . . . 463
477 - Public Recording of Law Enforcement Activity . . . 469
478 - Crisis Intervention Incidents . . . 472

Chapter 5 - Traffic Operations . . . 477

500 - Traffic Function and Responsibility . . . 478
502 - Traffic Collision Reporting, Investigation, and Documentation . . . 482
503 - Traffic Collision Review . . . 489

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

510 - Vehicle Towing and Release 490
512 - Vehicle Impound Hearings 494
514 - Impaired Driving 496
516 - Traffic Citations 502
520 - Disabled Vehicles 505
524 - 72-Hour Parking Violations 506
527 - Police Motorcycles 508
528 - Dual Sport Police Motorcycles 510
529 - Police Motorcycle Training 512
531 - LATE REPORTED COLLISIONS 515
533 - Vehicle and Nuisance Abatement 516
535 - Sally Port Parking and Door Operation 518
537 - Fictitions Identity Documents 519
539 - Suspect Identification from Photographs 520
541 - Use of "Fictitious" Citations 521
543 - Release of Stored or Impounded Vehicles 522
545 - DUI/Drivers License Checkpoints 523
547 - RADAR/LIDAR Operations 526
549 - Speedometer Calibration 527
551 - Fifteen Passenger Vans 528

Chapter 6 - Investigation Operations 530

600 - Investigation and Prosecution 531
602 - Sexual Assault Investigations 538
603 - Registrants 544
606 - Asset Forfeiture 545
608 - Informants 552
609 - Unlawful Firearm Possession Reward Program 557
610 - Eyewitness Identification 559
611 - Crime Scene Log 563
612 - Brady Material Disclosure 564
613 - Declaration To Increase Bail 566
615 - Prostitution Operations 567
617 - Rape/Sexual Assault Physical Examination Protocol 568
618 - Warrant Service 571
619 - Operations Planning and Deconfliction 575
620 - Unmanned Aerial System (UAS) Operations 580

Chapter 7 - Equipment 583

700 - Department Owned and Personal Property 584
702 - Personal Communication Devices 586
704 - Vehicle Maintenance 590
705 - Assigned Vehicle Program 593
706 - Vehicle Use 597
707 - Pool Vehicles 602
709 - Exempt Registration Process 603
710 - Personal Protective Equipment (PPE) 605

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 8 - Support Services 610
800 - Crime Analysis 611
802 - The Dispatch Center 613
804 - Property and Evidence 629
805 - Destruction of Bulk Marijuana Quantities 641
806 - Records Bureau 643
807 - Indexing Records 647
808 - Restoration of Firearm Serial Numbers 648
810 - Records Maintenance and Release 650
812 - Protected Information 660
814 - Computers and Digital Evidence 665
815 - Fingerprinting City Applicants and Volunteers 669
816 - Peer Support 670
817 - False Alarm Penalty 676
819 - Petty Cash 677
821 - Registration of Firearms 678
822 - Purchasing Card (CAL-CARD or IMPAC VISA CARD) 679
824 - Department of Justice (DOJ) Information Bulletins 680
826 - Contacts with the Public 681
828 - Burglary Alarm Response 682
830 - Use of Radio Channels 683
832 - Telephone Calls Placed for Field Personnel 684
834 - AT&T Telephone Traces and Address Information 685
836 - Optional Methods of Filing a Police Report 686
838 - Fire Response to Alarms 687
840 - Fire Duty Chief Notification 688
842 - City Hall Complex Fire Alarm Monitoring Panel 689
844 - Arrest Register 690
846 - Information Received on Private Property Tows 691
848 - Radio Procedure 692
850 - Radio Usage and Allied Agencies 694
852 - Communications Equipment Repair 696
854 - Fire Evacuation Alert Tone 697
856 - Solano County Radio Call Number Identifiers 698
858 - Issuing Radio Call Number Identifiers 701
860 - Radio Paging System 703
862 - Alert Tones 704
864 - Computer System Security 705
866 - Free Format Automated Computer Messages 706
868 - Downtime CAD Operations 707
870 - Manual Data Collection Card 709
873 - CAD SYSTEM FILE MAINTENANCE 712
873 - Cost Recovery for Specified Emergency Responses 713
875 - Verbal Notice of Suspension of Driver's License 716
877 - Control, Indexing and Review of Permanent Records 717
879 - Police Report Release Fees 718
881 - Taxi Driver Permit 719

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

883 - Record Expungements 721
885 - Criminal History Local Review 722
887 - Hospital/Doctor Notification (11160/11161 P.C.) 723
889 - Juvenile Record Sealing 724
891 - Solicitor Identification Card 725

Chapter 9 - Custody 727
901 - Custodial Searches 728

Chapter 10 - Personnel 733
1000 - Recruitment and Selection 734
1002 - Evaluation of Employees 739
1004 - Promotional and Transfer Policy 744
1005 - Relocation Expenses 748
1008 - Anti-Retaliation 749
1009 - Hepatitis and HIV Testing for Assault on Officer Suspects 753
1010 - Reporting of Employee Convictions 755
1012 - Drug- and Alcohol-Free Workplace 757
1014 - Sick Leave 760
1015 - Vacation/Shift Selection Policy 762
1016 - Communicable Diseases 764
1018 - Smoking and Tobacco Use 769
1020 - Personnel Complaints 770
1021 - Internal Department Audits 783
1022 - Seat Belts 786
1024 - Body Armor 788
1026 - Personnel Records 790
1028 - Request for Special Assignment 798
1029 - Honor Guard 799
1030 - Commendations and Awards 802
1032 - Fitness for Duty 806
1034 - Meal Periods and Breaks 809
1035 - Lactation Break Policy 811
1036 - Payroll Records 813
1038 - Overtime Compensation Requests 814
1040 - Outside Employment 816
1042 - Occupational Disease and Work-Related Injury Reporting 821
1044 - Personal Appearance Standards 823
1046 - Uniform Regulations 826
1048 - Police Explorers 828
1050 - Nepotism and Conflicting Relationships 830
1052 - Department Badges 832
1053 - Proficiency Incentive Program 834
1054 - Temporary Light-Duty Assignments 836
1055 - Employee Absences 842
1057 - Departure from Employment 844
1058 - Employee Speech, Expression, and Social Networking 848

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1059 - Line-of-Duty Deaths 852

Attachments 863
Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf 864
Hate Crime Checklist.pdf 865
Statutes and Legal Requirements.pdf 866

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 1 - Law Enforcement Role and Authority

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Fairfield Police Department to perform their functions based on established legal authority.

100.2 PEACE OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law (Penal Code § 830.1 et seq.).

100.2.1 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE FAIRFIELD POLICE DEPARTMENT

The arrest authority outside the jurisdiction of the Fairfield Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person committed a felony.

(b) When the officer has probable cause to believe the person has committed a misdemeanor in the presence of the officer and the officer reasonably believes there is immediate danger to person or property or of escape.

(c) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized even if not committed in the presence of the officer such as certain domestic violence offenses and there is immediate danger to person or property or of escape or the arrest is mandated by statute.

(d) When authorized by a cross jurisdictional agreement with the jurisdiction in which the arrest is made.

(e) In compliance with an arrest warrant.

On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot or fresh pursuit, while following up on crimes committed within the City, or while assisting another agency.

On-duty officers who discover criminal activity outside the jurisdiction of the City should when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

100.2.2 ARREST AUTHORITY INSIDE THE JURISDICTION OF THE FAIRFIELD POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Fairfield Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person has committed a felony, whether or not committed in the presence of the officer.

(b) When the officer has probable cause to believe the person has committed a misdemeanor in this jurisdiction and in the presence of the officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) When the officer has probable cause to believe the person has committed a public offense outside this jurisdiction, in the presence of the officer and the officer reasonably believes there is an immediate danger to person or property, or of escape.

(d) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized or required by statute even though the offense has not been committed in the presence of the officer such as certain domestic violence offenses.

(e) In compliance with an arrest warrant.

100.2.3 TIME OF MISDEMEANOR ARRESTS

Officers shall not arrest a person for a misdemeanor between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next day unless (Penal Code § 840):

(a) The arrest is made without a warrant pursuant to Penal Code § 836 which includes:

1. A misdemeanor committed in the presence of the officer.
2. Misdemeanor domestic violence offenses (See the Domestic Violence Policy).

(b) The arrest is made in a public place.

(c) The arrest is made with the person in custody pursuant to another lawful arrest.

(d) The arrest is made pursuant to a warrant which, for good cause shown, directs that it may be served at any time of the day or night.

100.2.4 OREGON AUTHORITY

Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide law enforcement assistance have Oregon peace officer authority within 50 miles from the California-Oregon border (ORS 133.405). Such authority shall only apply when officers are acting:

(a) In response to a request for law enforcement assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police.

(b) In response to a reasonable belief that emergency law enforcement assistance is necessary to preserve life, and circumstances make it impractical for Oregon law enforcement officials to formally request assistance.

(c) For the purpose of assisting Oregon law enforcement officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents or other similar public safety situations, regardless of whether an Oregon law enforcement official is present at the scene of the incident.

Fairfield Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide law enforcement services. As soon as practicable, officers exercising law enforcement authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

100.3 POLICY

It is the policy of the Fairfield Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate the abuse of law enforcement authority.

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When an officer enters an adjoining state in close or fresh pursuit of a person believed to have committed a felony (ARS § 13-3832; NRS 171.158; ORS 133.430).

The person arrested out of state must be taken without unnecessary delay before a magistrate of the county in which the arrest was made (ARS § 13-3833; NRS 171.158; ORS 133.440).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and California Constitutions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chief Executive Officer

102.1 PURPOSE AND SCOPE

The California Commission on Peace Officer Standards and Training (POST) has mandated that all sworn officers and dispatchers employed within the State of California shall receive certification by POST within prescribed time periods.

102.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment (Penal Code § 832.4).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Oath of Office

104.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

104.2 POLICY

It is the policy of the Fairfield Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

104.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. All sworn members shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Cal. Const. Art. 20, § 3; Government Code § 3102). The oath shall be as follows:

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

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Policy Manual

106.1 PURPOSE AND SCOPE

The manual of the Fairfield Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

106.1.1 DISCLAIMER

The provisions contained in this Policy Manual are not intended to create an employment contract, nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Fairfield Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or employees. Violations of any provision of any policy contained within this manual shall only form the basis for departmental administrative action, training, or discipline. The Fairfield Police Department reserves the right to revise any policy content, in whole or in part.

106.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

106.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Fairfield Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Fairfield Police Department reserves the right to revise any policy content, in whole or in part.

106.2.2 STAFF

Staff shall consist of the following:

- Chief of Police
- Captains

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Lieutenants
- Civilian Managers

The staff shall review all recommendations regarding proposed changes to the manual at staff meetings.

106.2.3 OTHER PERSONNEL
All Department employees suggesting revision of the contents of the Policy Manual shall forward their suggestion, in writing, to their Division Commander who will consider the recommendation and forward to staff.

106.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws. The Chief of Police or the authorized designee is authorized to issue Interim Directives, which shall modify those provisions of the manual to which they pertain. Interim Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

106.3.1 ACCEPTABLE ABBREVIATIONS
The following abbreviations are acceptable substitutions in the manual:

- Interim Directives may be abbreviated as "ID"
- Policy Manual sections may be abbreviated as "Section 106.X" or "§ 106.X"

106.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CCR - California Code of Regulations (Example: 15 CCR 1151).

CHP- The California Highway Patrol.

CFR - Code of Federal Regulations.

City - The City of Fairfield.

Civilian - Employees and volunteers who are not sworn peace officers.

Department/Fairfield Police Department - The Fairfield Police Department.

DMV - The Department of Motor Vehicles.

Employee/Personnel - Any person employed by the Department.

Juvenile- Any person under the age of 18 years.

Manual - The Fairfield Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Member - Any person employed or appointed by the Fairfield Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers

Officer/Sworn - Those employees, regardless of rank, who are sworn peace officers of the Fairfield Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The California Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g.; officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

106.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing.No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Interim Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

106.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

106.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective.Revisions may be provided in the form of an Interim Directive, or update to the Policy Manual.Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Division Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 2 - Organization and Administration

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the City of Fairfield Police Department. There are two Divisions in the Department, they are as follows: Operations Division and Support Services Division.

200.2.1 OPERATIONS DIVISION

The Operations Division is commanded by a Captain whose primary responsibility is to provide general management direction and control for the Operations Division. The Operations Division includes, but is not limited to; the Patrol Bureaus, Traffic Bureau, Patrolling Public Service Areas, Community Service Officers, and the Investigations Bureau.

200.2.2 SUPPORT SERVICES DIVISION

The Support Services Division is commanded by a Captain whose primary responsibility is to provide general management direction and control for that Division. The Support Services Division consists of Community Services, Administrative Services, Records, Property, and Dispatch.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate a Division Commander to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

(a) Support Services Division Captain

(b) Operations Division Captain

(c) Administration Services Lieutenant

(d) Patrol Bureau Lieutenant

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Interim Directives

204.1 PURPOSE AND SCOPE

Interim Directives establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. Interim Directives will immediately modify or change and supersede sections of this manual to which they pertain.

204.1.1 INTERIM DIRECTIVE PROTOCOL

Interim Directives will be incorporated into the manual as required upon approval of Staff. Interim Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Interim Directives have now been incorporated in the updated Policy Manual as of the below revision date.

Any Interim Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number 01. For example, 12-01 signifies the first Interim Directive for the year 2012.

204.2 RESPONSIBILITIES

204.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Interim Directive.

204.2.2 CHIEF OF POLICE

The Chief of Police, or designee shall issue all Interim Directives.

204.3 ACCEPTANCE OF INTERIM DIRECTIVES

All employees are required to read and obtain any necessary clarification of all Interim Directives. All employees are required to acknowledge in writing the receipt and review of any new Interim Directive. Signed acknowledgment forms and/or e-mail receipts showing an employee's acknowledgment will be maintained by the Training Sergeant.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Emergency Management Plan

206.1 PURPOSE AND SCOPE

The City has prepared an Emergency Management Plan for use by all employees in the event of a major disaster or other emergency event. The plan provides for a strategic response by all employees, and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610).

206.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Management Plan can be activated on the order of the official designated by the local ordinance.

206.2.1 RECALL OF PERSONNEL

In the event that the Emergency Management Plan is activated, all employees of the Fairfield Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

206.3 LOCATION OF THE PLAN

The Emergency Management Plan is available in the Support Services and the Watch Commander's office. All supervisors should familiarize themselves with the Emergency Management Plan. The Support Services Captain should ensure that department personnel are familiar with the roles police personnel will play when the plan is implemented.

206.4 UPDATING OF MANUALS

The Chief of Police or designee shall review the Emergency Management Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) and should appropriately address any necessary revisions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Tactical Action Plan

207.1 PURPOSE AND SCOPE

This procedure is intended to establish guidelines, in the event of a natural or man-made disaster or unusual occurrence, for the mobilization of maximum departmental resources. These events could include, but are not limited to: civil unrest, major floods, earthquakes or other natural disasters, terrorist events, extensive fires, etc. The procedure should be activated by a command-level officer, above the rank of lieutenant, in the event of a major public safety emergency requiring immediate and sustained maximum staffing.

207.2 PROCEDURE

The term Tactical Action Plan is established as a term to signify that our department has mobilized for maximum deployment. This term indicates to all employees that by executive order, all available departmental personnel are required to suspend their regular days off, including vacations, training, etc., for the duration of the event. A typical duration would be one week, or longer.

Tactical Alerts can be either at STAGE ONE or STAGE TWO.

207.2.1 STAGE ONE TACTICAL ALERT

A **STAGE ONE** Tactical Alert would involve primarily personnel assigned to the Patrol Bureau (Patrol, Traffic, and CSOs).

All Patrol shifts would be compressed as follows: All Day Team officers and CSOs would immediately change their schedules to a Tactical Alert schedule of 0600 hrs - 1800 hrs. All Night Team officers and CSOs would immediately change their schedules to a Tactical Alert schedule of 1800 hrs - 0600 hrs. The Cover Teams and Traffic Units would merge into the above schedules for the duration of the event and days off would be suspended.

207.2.2 STAGE TWO TACTICAL ALERT

A **STAGE TWO** Tactical Alert would add all sworn and support personnel from specialized units (in Investigation). The officers and CSOs assigned to these units would be assigned as needed to augment the Patrol Bureau personnel or other units.

Non-sworn personnel would be reassigned to non-hazardous duties as they are identified. Examples of appropriate duties are: assist dispatch with non-emergency call taking, informational liaisons, logistical support, transportation, etc.

207.3 NOTIFICATIONS

Personnel will be notified of a Tactical Alert via Nixle messages sent to all known employee telephone numbers. Emergency announcements will be sent through local and regional broadcast media, email, and/or personal contact from messengers, if necessary. Employees with department-issued phones are urged to keep them with you at all times, and fully charged.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Once contacted, all personnel are required to report to the police administration building for deployment. If unable to travel to the department, employees must make every effort to call the office for instructions.

207.4 STAGING AREA

For employees living outside of the City of Fairfield who are unable to travel to the department, transportation will be arranged to ferry employees to the department or a field assignment from the following staging areas:

- From Vacaville: The commercial lot at Peabody Road/Alamo Drive, or
  - Lagoon Valley Park
  - I-80 at Davis Street Park-N-Ride
- From Vallejo: Park-N-Ride lot, Green Valley/Business Center, or
  - Park-N-Ride lot I-80/Red Top
- From Rio Vista: Highway 12 at AM/PM Market (West entrance to Rio Vista)

207.5 DISPATCH STAFFING

The following Tactical Alert Plan outlines our emergency response and coverage for dispatch.

A fully staffed dispatch consists of;16 dispatchers, one part-time dispatcher, three supervisors, and one manager.

All dispatchers with regular start times between 0600-1300 hours would be assigned to work 0600-1800 hours. All dispatchers with start times from 1400-2000 hours would be assigned to work 1800-0600 hours. One supervisor would be assigned 0600-1800 hours. One supervisor would be assigned to 1400-0200 hours. One supervisor would be assigned 1800-0600 hours. The dispatch manager would work 0800-2000 hours.

The following positions/channels will be staffed in this order: Patrol 1, Fire Main, Patrol 2, City Emergency and call takers.

Business lines can be call-forwarded to a designated line to be screened by call takers outside of dispatch, as necessary.

207.6 TERMINATION OF TACTICAL ALERT

A command-level officer may terminate the Tactical Action Plan when the need for such deployment has passed. Because this plan causes significant disruption of personnel, every effort should be made to terminate the mobilization as soon as practicable.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Training Policy

208.1 PURPOSE AND SCOPE

It is the policy of this Department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possesses the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

208.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST).

208.3 OBJECTIVES

The objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public

(b) Increase the technical expertise and overall effectiveness of our personnel

(c) Provide for continued professional development of department personnel

208.4 TRAINING PLAN

A training plan will be developed and maintained by the Supervisor of the Training Unit. It is the responsibility of the Personnel and Training Supervisor to maintain, review, and update the training plan on an annual basis. The plan will address the following areas:

- Legislative Changes
- State Mandated Training
- Critical Issues Training
- Special Assignment Training

208.5 TRAINING NEEDS ASSESSMENT

The Training Unit will conduct an annual training-needs assessment of the Department. The needs assessment will then be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

208.6 TRAINING COMMITTEE

The Training Sergeant shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Training Sergeant may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

(a) Any incident involving the death or serious injury of an employee.

(b) Incidents involving a high risk of death, serious injury or civil liability.

(c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Training Sergeant to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training Sergeant. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Training Sergeant will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

208.7 TRAINING MATERIALS

The Training Unit is responsible for editing and disseminating training material. The method used to disseminate this information will vary depending upon the subject matter. Normally, training bulletins, roll call training items, electronic bulletins, video tapes or a combination of the aforementioned will be used. Subject material should be based upon established goals and needs of the department. Some examples of proper subject matter are:

- New legislation/court decisions, etc.
- Procedural clarifications
- Developed ideas authored by department personnel

208.7.1 TRAINING MATERIAL SUBMITTED BY DEPARTMENT PERSONNEL AFTER ATTENDING OUTSIDE-AGENCY TRAINING COURSES

Department personnel who attend training courses outside this agency are encouraged to help prepare training material that will share new information with other members of the department. Topics should be thoroughly researched before they are submitted for publication. They may be

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

submitted in draft format for editing by Training Unit personnel. Accurate records of information provided to employees in the form of training bulletins must be maintained.

208.7.2 TRAINING BULLETIN PROCEDURE
It shall be the responsibility of the Training Unit to disseminate the information to personnel in accordance with "need-to-know/right-to-know" rules governing such dissemination. The following method of distributing training bulletins will be used:

(a) Training Bulletins and e-bulletins will be routed through the command staff prior to general distribution to employees. Command staff will have 96 hours to review the bulletins and provide feedback to the Training Unit. After 96 hours, if no feedback has been received, the Administrative Services Lieutenant, or a designee, may authorize the bulletins to be distributed as normal.

(b) If it is determined that a training bulletin warrants an employee signature confirming receipt of the bulletin, the Training Unit will prepare packets containing enough bulletins for every employee in the division/unit receiving the bulletin. The packet will also contain a form with the name of each employee in the division/unit, a signature block next to each employee's name and a place for the date the training is received. This form will include a statement saying an employee has read and understands the contents of the training bulletin, which is verified by the presence of his or her signature.

(c) These packets will be given to division/unit supervisors who must distribute the material. The division/unit supervisor is responsible for obtaining signatures of each employee in his or her unit to verify the training information has been received and understood.

(d) Division/unit supervisors must then forward the completed verification forms to the Training Unit by the listed deadline. The verification forms will be maintained on file by the Training Unit.

208.8 TRAINING PROCEDURES

All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:

(a) Court appearances

(b) First choice vacation

(c) Sick leave

(d) Physical limitations preventing the employee’s participation

(e) Emergency situations

When an employee is unable to attend mandatory training, that employee shall:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.

(b) Document his/her absence in Schedule Express.

(c) Make arrangements through his/her supervisor and the Training Sergeant to attend the required training on an alternate date.

208.9 ONGOING REQUIRED TRAINING

The Department maintains an ongoing training program based on State law, California POST requirements, and the training needs of different job classifications and ranks within the organization. The following training is required by all sworn officers and Sergeants:

(a) Quarterly Training:

1. Firearms (including rifle, if issued)
2. Defensive Tactics
3. Force Options Simulator

(b) Annual Training:

1. Firearms Qualification (including rifle and shotgun, if issued, and all off-duty and back-up weapons)
2. Taser
3. Carotid
4. Respiratory Protection Fit Testing
5. Bloodborne Pathogens

(c) Biennial Training:

1. Arrest and Control (POST Perishable Skills Program)
2. Driver Training/Awareness (POST Perishable Skills Program)
3. Tactical Firearms (POST Perishable Skills Program)
4. Tactical Communications
5. CPR/First Aid
6. Domestic Violence Update
7. CLETS Less than Full Access Operator
8. Workplace Harassment (supervisors)

(d) Quinquennial Training:

1. Racial and Cultural Diversity Training

Sworn managers and executives shall attend all annual, biennial, and quinquennial training. Community Services Officers shall attend annual Respiratory Protection Fit Testing and Bloodborne Pathogen training, as well as biennial CPR/First Aid and CLETS training. Personnel

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

may be assigned to attend required training other than those listed here based on the needs and direction of the Department and/or City Administration.

Employees will be responsible for making sure their attendance at each required training is recorded on the appropriate sign-in sheet. Failure to sign in for training will result in the employee not receiving credit for the required training. Failure to attend required training will be referred to the employee's supervisor for follow up. Records of training attendance will be maintained by the Training Unit.

208.10 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) is a web-accessed system that provides training on the Fairfield Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Sergeant.

Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Training Sergeant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Electronic Mail

212.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Department's electronic mail (email) system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

212.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Department's email system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

212.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire department, department distribution lists or other city departments are only to be used for official business related items that are of particular interest to all users. This includes emails being forwarded from other agencies relating to non-emergency officer safety information, information bulletins (information from the Training Unit is covered under §208), etc. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password by others.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

212.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Administrative Communications

214.1 PURPOSE AND SCOPE
Administrative communications of this department are governed by the following policies.

214.2 MEMORANDUMS
Memorandums may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

214.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. Personnel should use Department letterhead only for official business and with approval of their supervisor.

214.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police or a Division Captain.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

License to Carry a Firearm

218.1 PURPOSE AND SCOPE

The Chief of Police is given the statutory discretion to issue a license to carry a firearm to residents within the community (Penal Code § 26150; Penal Code § 26155). This policy will provide a written process for the application and issuance of such licenses. Pursuant to Penal Code § 26160, this policy shall be made accessible to the public.

218.1.1 APPLICATION OF POLICY

Nothing in this policy shall preclude the Chief or other head of a municipal police department from entering into an agreement with the Sheriff of the county or preclude the Sheriff of the county from entering into an agreement with the Chief of any municipal police department to process all applications and license renewals for the carrying of concealed weapons (Penal Code § 26150; Penal Code § 26155).

218.2 POLICY

The Fairfield Police Department will fairly and impartially consider all applications to carry firearms in accordance with applicable law and this policy.

218.3 QUALIFIED APPLICANTS

In order to qualify for a license to carry a firearm, the applicant must meet certain requirements, including:

(a) Be a resident of the City of Fairfield (Penal Code § 26150; Penal Code § 26155).

(b) Be at least 21 years of age (Penal Code § 29610).

(c) Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.

(d) Be free from criminal convictions that would disqualify the applicant from carrying a firearm. Fingerprints will be required and a complete criminal background check will be conducted.

(e) Be of good moral character (Penal Code § 26150; Penal Code § 26155).

(f) Show good cause for the issuance of the license (Penal Code § 26150; Penal Code § 26155).

(g) Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.

(h) Provide proof of ownership or registration of any firearm to be licensed.

(i) Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).

(j) Complete required training (Penal Code § 26165).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

218.4 APPLICATION PROCESS

The application process for a license to carry a firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

218.4.1 PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)

(a) Any individual applying for a license to carry a firearm shall first fully complete a California Department of Justice (DOJ) application to be signed under penalty of perjury. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).

1. In the event of any discrepancies in the application or background investigation, the applicant may be required to undergo a polygraph examination, at no cost to the applicant.

2. If an incomplete application package is received, the Chief of Police or authorized designee may do any of the following:

(a) Require the applicant to complete the package before any further processing.

(b) Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.

(c) Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction, absence of good cause).

(b) At the time the completed application is submitted, the applicant shall submit a check made payable to the California Department of Justice for the required California DOJ application fee, along with a separate check made payable to the City of Fairfield for a non-refundable 20 percent of the application fee to cover the cost of processing the application (Penal Code § 26190).

1. Additional fees may be required for fingerprinting, training or psychological testing, in addition to the application fee.

2. Full payment of the remainder of the application fee will be required upon issuance of a license.

3. Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).

(c) The applicant shall be required to submit to fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for department use. No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 will be

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

issued a license to carry a firearm. A license shall not be issued if the California DOJ determines that the applicant is prohibited by state or federal law from possessing, receiving, owning or purchasing a firearm (Penal Code § 26195).

(d) The applicant should submit at least three signed letters of character reference from individuals other than relatives.

(e) The applicant shall submit proof of ownership or registration of each firearm to be licensed.

Once the Chief of Police or authorized designee has reviewed the completed application package and relevant background information, the application will either be advanced to phase two or denied.

In the event that an application is denied at the conclusion of, or during, phase one, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

218.4.2 PHASE TWO

This phase is to be completed only by those applicants successfully completing phase one.

(a) Upon successful completion of phase one, the applicant shall be scheduled for a personal interview with the Chief of Police or authorized designee. During this stage, there will be further discussion of the applicant's statement of good cause and any potential restrictions or conditions that might be placed on the license.

1. The determination of good cause should consider the totality of circumstances in each individual case.
2. Any denial for lack of good cause should be rational, articulable and not arbitrary in nature.
3. The Department will provide written notice to the applicant as to the determination of good cause (Penal Code § 26202).

(b) The Chief of Police may, based upon criteria established by the Chief of Police, require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed $150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190).

(c) The applicant shall complete a course of training approved by the department, which complies with Penal Code § 26165. The applicant will not be required to complete and pay for any training courses prior to any determination of good cause (Penal Code § 26165; Penal Code § 26202).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) The applicant shall submit any firearm to be considered for a license to the Rangemaster or other department authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).

(e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed, to be administered by the department Rangemaster, or provide proof of successful completion of another department-approved firearms safety and proficiency examination, including completion of all releases and other forms. The cost of any outside inspection/ examination shall be the responsibility of the applicant.

Once the Chief of Police or authorized designee has verified the successful completion of phase two, the license to carry a firearm will either be granted or denied.

Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

218.5 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED FIREARM

The authority to issue a limited business license to carry a concealed firearm to a non-resident applicant is granted only to the Sheriff of the county in which the applicant works. A Chief of a municipal police department may not issue limited licenses (Penal Code § 26150). Therefore, such applicants may be referred to the Sheriff for processing.

An individual who is not a resident of the county but who otherwise successfully completes all portions of phases one and two above, may apply for and be issued a limited license subject to approval by the Sheriff and subject to the following:

(a) The applicant physically spends a substantial period of working hours in the applicant's principal place of employment or business within the City of Fairfield (Penal Code § 26150).

(b) Such a license will be valid for a period not to exceed 90 days from the date of issuance (Penal Code § 26220).

(c) The applicant shall provide a copy of the license to the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

(d) Any application for renewal or reissuance of such a license may be granted only upon concurrence of the original issuing authority and the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

218.6 ISSUED FIREARMS PERMITS

In the event a license to carry a firearm is issued by the Chief of Police, the following shall apply:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner and circumstances under which the person may carry the firearm.

1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
2. The licensee will be required to sign a Restrictions and Conditions Agreement. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.

(b) The license shall be laminated, bearing a photograph of the licensee with the expiration date, type of firearm, restrictions and other pertinent information clearly visible.

1. Each license shall be numbered and clearly identify the licensee.
2. All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.

(c) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).

1. A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.
2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.

(d) If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).

(e) The licensee shall notify this department in writing within 10 days of any change of place of residency.

218.6.1 LICENSE RESTRICTIONS

(a) The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:

1. Consuming any alcoholic beverage while armed.
2. Falsely representing him/herself as a peace officer.
3. Unjustified or unreasonable displaying of a firearm.
4. Committing any crime.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

5. Being under the influence of any medication or drug while armed.
6. Interfering with any law enforcement officer's duties.
7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
8. Loading the permitted firearm with illegal ammunition.

(b) The Chief of Police reserves the right to inspect any license or licensed firearm at any time.

(c) The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

218.6.2 AMENDMENTS TO LICENSES

Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written Application for License Amendment along with the current processing fee to the Department in order to (Penal Code § 26215):

(a) Add or delete authority to carry a firearm listed on the license.

(b) Change restrictions or conditions previously placed on the license.

(c) Change the address or other personal information of the licensee (Penal Code § 26210).

In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

218.6.3 REVOCATION OF LICENSES

Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

(a) The licensee has violated any of the restrictions or conditions placed upon the license.

(b) The licensee becomes psychologically unsuitable to carry a firearm.

(c) The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.

(d) The licensee engages in any conduct which involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.

(e) If the license is one to carry "loaded and exposed," the license shall be revoked immediately upon a change of the licensee's place of residence to another county (Penal Code § 26210).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The issuance of a license by the Chief of Police shall not entitle the holder to either a property or liberty interest as the issuance, amendment or revocation of such license remains exclusively within the discretion of the Chief of Police as set forth herein.

If any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

218.6.4 LICENSE RENEWAL

No later than 90 days prior to the expiration of any valid license to carry a firearm, the licensee may apply to the Chief of Police for a renewal by:

(a) Verifying all information submitted in the original application under penalty of perjury.

(b) Completing a department-approved training course pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to the determination of good cause (Penal Code § 26165).

(c) Submitting any firearm to be considered for a license renewal to the Rangemaster for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).

(d) Paying a non-refundable renewal application fee.

Once the Chief of Police or authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a firearm will either be granted or denied. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later (Penal Code § 26205).

218.7 DEPARTMENT REPORTING AND RECORDS

Pursuant to Penal Code § 26225, the Chief of Police shall maintain a record of the following and immediately provide copies of each to the California DOJ:

(a) The denial of a license.

(b) The denial of an amendment to a license.

(c) The issuance of a license.

(d) The amendment of a license.

(e) The revocation of a license.

The Chief of Police shall annually submit to the State Attorney General the total number of licenses to carry firearms issued to reserve peace officers and judges.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

218.8 CONFIDENTIAL RECORDS

The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner or judge contained in an application shall not be considered public record (Government Code § 6254(u)(2)).

Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of his/her family shall not be considered public record (Government Code § 6254(u)(1)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Retiree Concealed Firearms

220.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Fairfield Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

220.2 POLICY

It is the policy of the Fairfield Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

220.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

(a) Separated from service in good standing from this department as an officer.

(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

(c) Has not been disqualified for reasons related to mental health.

(d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.

(e) Is not prohibited by federal law from receiving or possessing a firearm.

220.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Fairfield Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

220.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:

1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

220.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

(a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.

(b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

220.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

(a) A photograph of the retiree.

(b) The retiree’s name and date of birth.

(c) The date of retirement.

(d) The name and address of this department.

(e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped “No CCW Privilege.”

220.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Fairfield Police Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.

(b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.

(c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

220.4.3 QUALIFIED RETIRED RESERVES

Qualified retired reserve officers who meet the department requirements shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).

220.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

220.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

(a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

(d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

220.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

(a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer's expense.

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Not engage in conduct that compromises public safety.

(d) Only be authorized to carry a concealed firearm inspected and approved by the Department.

220.6 DENIAL, SUSPENSION, OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

220.7 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

(a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

(b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

(c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization, and one selected jointly (Penal Code § 26320).

1. The decision of such hearing board shall be binding on the Department and the retiree.
2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."

(d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.

1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
3. The personal and written notification should be as follows:
   (a) The retiree's CCW endorsement is immediately and temporarily suspended.
   (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
   (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

220.8 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Police Assistance to City Council/City Manager

221.1 PURPOSE AND SCOPE

Because it is highly desirable for the Police Chief to be informed and made aware of specific requests for police assistance by City Councilmembers or by the City Manager, the following procedure has been established.

221.2 PROCEDURE

If a member of the City Council or the City Manager requests police assistance, the dispatcher will complete the normal CAD entry and then immediately notify the on-duty Supervisor of the nature of the service request and our proposed response. The Supervisor shall then evaluate the situation and determine if the response level is appropriate or if it should be changed.

As soon as practical, the Supervisor shall notify the Chief, or the Operations Division Captain in the absence of the Chief, and provide information relating to the nature of the request for service and our intended response.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 3 - General Operations

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall promptly report these observations to a supervisor as soon as feasible (Government Code § 7286(b)).

300.2.2 FAIR AND UNBIASED USE OF FORCE

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)). See the Bias-Based Policing Policy for additional guidance.

300.2.3 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

(a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).

(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).

(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).

(d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).

(e) The effects of suspected drugs or alcohol.

(f) The individual's apparent mental state or capacity (Penal Code § 835a).

(g) The individual’s apparent ability to understand and comply with officer commands (Penal Code § 835a).

(h) Proximity of weapons or dangerous improvised devices.

(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).

(k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.

(l) Training and experience of the officer.

(m) Potential for injury to officers, suspects, bystanders, and others.

(n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(o) The risk and reasonably foreseeable consequences of escape.

(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(r) Prior contacts with the subject or awareness of any propensity for violence.

(s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the officer.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 CAROTID CONTROL HOLD

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, use of the carotid control hold is subject to the following:

(a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.

(b) The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances:

1. The subject is violent or physically resisting.

2. The subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others.

(c) The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:

1. Females who are known to be pregnant.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. Elderly individuals.
3. Obvious juveniles.
4. Individuals who appear to have Down syndrome,who appear to have obvious neck deformities or malformations, or visible neck injuries.

(d) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by medical personnel, and should be monitored until examined.

(e) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.

(f) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.

(g) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Fairfield Police Department for this specific purpose.

300.3.6 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, [officers_deputies] should consider actions that may increase officer safety and may decrease the need for using force:

(a) Summoning additional resources that are able to respond in a reasonably timely manner.

(b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.

(c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)(1)). Such alternatives may include but are not limited to:

(a) Attempts to de-escalate a situation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

300.4 DEADLY FORCE APPLICATIONS

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a(5)(c)(1)(B)).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b); Government Code § 7286(b)).

The use of deadly force is only justified when the officer reasonably believe it is necessary in the following circumstances (Penal Code § 835a):

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.

(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer’s subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, officers should use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

(a) If the officer does not perceive an imminent threat but reasonably believes that the potential for such threat exists (e.g., building search), firearms should generally be kept in the low-ready or other position not directed toward an individual.

(b) If the officer reasonably believes that an imminent threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such imminent threat until the officer no longer perceives such threat.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.

(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.

(c) The individual subjected to the force complained of injury or continuing pain.

(d) The individual indicates intent to pursue litigation.

(e) Any application of a TASER device or control device.

(f) Any application of a restraint device other than handcuffs, shackles, or belly chains.

(g) The individual subjected to the force was rendered unconscious.

(h) An individual was struck or kicked.

(i) An individual alleges unreasonable force was used or that any of the above has occurred.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

300.5.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Bureau Policy.

300.6 MEDICAL CONSIDERATION

Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SURRENDER OF FIREARM

Peace officers shall surrender their firearms only as a last resort and after using every tactical tool at their disposal. Surrender of a weapon rarely de-escalates a serious situation and can, in fact, put an officer and innocent persons in jeopardy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

300.8 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.
2. The fact that a recorded interview was conducted should be documented in a property or other report.
3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(e) Identify any witnesses not already included in related reports.

(f) Review and approve all related reports.

(g) Determine if there is any indication that the subject may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.8.1 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy.

300.9 TRAINING

Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Subject to available resources, the Training Sergeant should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

(a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.

(b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

300.10 USE OF FORCE ANALYSIS

At least annually, the Professional Standards Unit should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

(a) The identification of any trends in the use of force by members.

(b) Training needs recommendations.

(c) Equipment needs recommendations.

(d) Policy revision recommendations.

300.11 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

300.12 POLICY REVIEW

The Chief of Police or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

300.13 POLICY AVAILABILITY

The Chief of Police or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.14 PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records, Personnel Complaints, and Records Maintenance and Release policies (Government Code § 7286(b)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Breaching Shotguns

301.1 PURPOSE AND SCOPE

To quickly force entry through locked and/or barricaded doors, the Department authorizes the use of the breaching shotgun. The use of the breaching shotgun allows officers to defeat doors more efficiently than mechanical beaching tools, or where mechanical breaching tools would be unable to open the door. The primary function of the breaching shotgun is for forcing entry. Although the breaching shotgun is a firearm, it has been modified for breaching purposes. Additionally, the selected ammunition is frangible and designed to defeat door locks and hinges.

301.2 WHEN THE BREACHING SHOTGUN MAY BE USED

Patrol Deployments

When a decision has been made to conduct an emergency entry, the breaching shotgun may be used when it appears reasonably necessary to prevent death or great bodily injury. Officers are also required to obtain the approval of a supervisor unless the circumstances make it impractical to obtain authorization and/or delayed response would jeopardize the safety of citizens, officers, or suspect(s).

SWAT Deployments

The breaching shotgun may be used in tactical operations when reasonably necessary to provide a tactical advantage and enhance the safety of citizens, officers, or suspects(s). Deployment during tactical operations shall be approved by the SWAT Commander or designee unless the circumstances make it impractical to obtain authorization and/or delayed response would jeopardize the safety of citizens, officers, or suspects(s).

301.2.1 DEPLOYMENT CONSIDERATIONS

Supervisors and officers should consider various factors in determining the effectiveness of the breaching shotgun for incidents where it is deployed. These factors include but are not limited to:

(a) Selection of personnel to deploy the breaching shotgun. For example, using SWAT team members to deploy the breaching shotgun versus using such personnel for entry purposes.

(b) The risk of a failed breach and secondary options.

(c) The need for manual breaching tools to support the shotgun breach.

(d) Verbal warning to the occupants behind the door.

(e) Advisement to other officers that a shotgun breach is about to occur.

(f) Preparation of any team to follow the shotgun breach if necessary.

(g) Protective clothing, such as long sleeves, gloves, safety glasses, and helmet to be used, if possible.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

301.2.2 TRAINING
Only officers trained and having shown adequate proficiency in the use of a breaching shotgun and the Use of Force policy are authorized to carry the device. Training for the breaching shotgun shall occur annually.

All training and proficiency for the breaching shotgun will be documented in the officer's training record. Officers failing to demonstrate proficiency with the weapon or knowledge of the Use of Force policy will be provided remedial training.

301.2.3 WEAPONS OF OPPORTUNITY
Although the primary function of the breaching shotgun is for forcing entry, this policy does not restrict the use of the breaching shotgun as a lethal weapon of opportunity if the use of this device complies with the Use of Force policy.

301.3 SUPERVISOR RESPONSIBILITIES
Supervisors shall respond to the scene of any events involving the discharge of a breaching shotgun. Supervisors shall investigate the circumstances and ensure documentation occurs and photographs are obtained.

301.4 REVIEW, INSPECTION AND APPROVAL
Every breaching shotgun and accompanying frangible ammunition will be periodically inspected by the SWAT Commander or designee.

301.4.1 TYPE OF AMMUNITION
The Royal Arms International TASAR #2 ammunition will be available to SWAT operators for SWAT and Patrol deployment. Any other ammunition must be approved by the SWAT Commander or designee.

301.4.2 STORAGE OF BREACHING SHOTGUNS
Breaching shotguns will be stored in the locked trunks or locked storage device/cabinet of the patrol vehicles. Breaching shotguns will be returned to the SWAT truck, weapon cage, or locker while the officer is not on duty.

301.5 DOCUMENTATION REQUIREMENTS
Any officer discharging the breaching shotgun outside of training shall document his/her actions in a police report. The report shall include the type of incident and the justification for discharging the breaching shotgun. In the case of a SWAT operation this criteria and report documentation can be covered by the team leader completing the after action report.

All property damaged by the breaching shotgun shall be photographed and documented.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Conducted Energy Device (TASER)

305.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance, carry, and use of TASER devices.

305.2 POLICY

The TASER device is intened to control a violent, or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

305.3 ISSUANCE AND CARRYING TASER DEVICES

All sworn members of the department are issued TASERS and are required to successfully complete department approved training before carrying the TASER device.

Officers shall only use the TASER device and cartridges that have been issued by the department. Uniformed officers shall wear the TASER device in an approved holster on their person. Non-uniformed officers may secure the TASER device in their vehicle. All officers shall carry the TASER on their person and in an approved holster while conducting enforcement activities unless otherwise directed by a supervisor. The use of nylon pouches and vest pockets can be authorized by a supervisor for non-unformed personnel; however, cargo pockets, pants pockets, or other pockets that cannot be secured are not acceptable.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform, officers shall carry the TASER device in a holster on the side opposite the duty firearm.

a. All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

b. Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.

c. Officers shall be responsible for ensuring that their TASER device is properly maintained and in good working order.

d. Officers should not hold both a firearm and the TASER device at the same time.

305.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

a. Provide the individual with a reasonable opportunity to voluntarily comply.

b. Provide other officers and individuals with a warning that the TASER device may be deployed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that cartiridge has not been loaded into the device), or the laser in a further attempt to gain complaince prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

305.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

305.5.1 APPLICATION OF THE TASER DEVICE

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

a.The subject is violent or is physically resisting.

b.The subject has demonstrated, by words or actions, the intent to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

305.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would represent a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

a. Individuals who are known to be pregnant.

b. Elderly individuals or obvious juveniles.

c. Individuals with obviously low body mass.

d. Individuals who are handcuffed or otherwise restrained.

e. Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

f. Individuals who position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain complaince, the use of the drive-stun mode generally should be limited to supplementing the probe mode to complete the circuit, or as a distraction technique to gain seperation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

305.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest, and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest, or groin until the subject is examined by paramedics or other medical personnel.

305.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommendaed and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

a. Whether the probes are making proper contact.

b. Whether the individual has the ability and has been given a reasonable opportunity to comply.

c. Whether verbal commands, other options, or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

305.5.5 ACTIONS FOLLOWING DEPLOYMENT

Officers shall notify a supervisor of all TASER device discharges. Photographs shall be taken of the areas where darts contacted the skin, areas where "drive-stun" applications were made, and any secondary injuries sustained as a result of the use of the TASER. In critical incidents such as an OIS or in-custody death, or at the discretion of the supervisor, the expended cartridge, along with both probes and wire, shoud be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

305.5.6 DANGEROUS ANIMALS
The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

305.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes,vehicles or other area under their control, in a manner that will keep the device inaccessible to others.

305.6 DOCUMENTATION
Officers shall document all TASER device discharges in the related arrest/crime report and Use of Force Report. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation, and arcing the device will also be documented on the Use of Force Report.

305.6.1 USE OF FORCE REPORT FOR TASER USE
Items that shall be included in the Use of Force Report for TASER use are:

a. The type and brand of TASER device.

b. Date, time, and location of the incident.

c. Whether any display, laser, or arc deterred a subject and gained complaince.

d. The number of TASER device activations, the duration of each cycle, the duration (as best as can be determined) the duration that the subject received applications.

e. The range at which the TASER device was used.

f. The type of mode used (probe or drive-stun).

g. Location of any probe impact.

h. Location of contact in drive-stun mode.

i. Description of where missed probes went.

j. Whether medical care was provided to the subject.

k. Whether the subject sustained any injuries.

l. Whether any officers sustained any injuries.

The Training Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

305.6.2 REPORTS
The officer should include the following in the arrest/crime report:

a. Identification of all personnel firing TASER devices.

b. Identification of all witnesses.

c. Medical care provided to the subject.

d. Observations of the subjects's physical and physiological actions.

e. Any known or suspected drug use, intoxication or other medical problems.

305.7 MEDICAL TREATMENT

Consistenent with local medical personnel protocols and absent extenuating circumstances, only Emergency Room (ER) medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes, or who have been subjected to the electric discharge of the device, shall be medically assessed at the ER prior to booking. Additionally, any such individual who falls under any of the following categories shall, as soon as practicable, be examined at the ER:

a. The person is suspected of being under the influence of controlled substances and/or alcohol.

b. The person may be pregnant.

c. The person reasonably appears to be in need of medical attention.

d. The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

e. The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio or video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

305.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisos should respond to calls when they reasonaly believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER may be used. A supervisor should respond to all incidents where the TASER device was activated.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The supervisor shall ensure that photographs of probe sites have been taken and witnesses interviewed.

305.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Supervisor. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors, and investigators should receive TASER device training as appropiate for the investigations they conduct and review.

The Training Unit Supervisor is responsible for ensuring that all personnel issued TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification. Annually the Training Unit Supervisor will ensure that each TASER device has its onboard memory downloaded and saved in a digital file maintained by the Training Unit.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Supervisor should ensure that all training includes:

a. A review of this policy.

b. A review of the Use of Force Policy.

c. Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.

d. Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest, and groin.

e. Handcuffing a subject during the application of the TASER device and transisitioning to ther force options.

f. De-escalation techniques.

g. Restraint techniques that do not impair respiration following the application of the Taser device.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Handcuffing and Restraints

306.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

306.2 POLICY

The Fairfield Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

306.3 USE OF RESTRAINTS

Only members who have successfully completed Fairfield Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

306.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

306.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety.Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

determination that such restraints are necessary for the safety of the arrestee, officers, or others (Penal Code § 3407; Penal Code § 6030).

306.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer, or damage property.

306.3.4 NOTIFICATIONS
Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

306.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable, or after the person has been searched and is safely confined within a detention facility.

306.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

306.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

306.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.

(b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

306.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility, or the person no longer reasonably appears to pose a threat.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.

(d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

306.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.

(b) Supervisor notification and approval of restraint use.

(c) The types of restraint used.

(d) The amount of time the person was restrained.

(e) How the person was transported and the position of the person during transport.

(f) Observations of the person's behavior and any signs of physiological problems.

(g) Any known or suspected drug use or other medical problems.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Control Devices and Techniques

308.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

308.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Fairfield Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

308.4 RESPONSIBILITIES

308.4.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

308.4.2 TRAINING OFFICER RESPONSIBILITIES

The Training Officer shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Training Officer or the designated instructor for a particular control device. The inspection shall be documented.

308.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Training Officer for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

308.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

308.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or Crisis Response Unit Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

308.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

308.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

308.7.2 INVENTORY, REPAIR AND MAINTENANCE

Sergeants shall control the inventory and document which officers have the control devices on their respective shifts.

All damaged, inoperative and/or expended control devices shall be returned to the Training Unit for disposition, repair or replacement. The Training Unit should be advised of the problem with any damaged or inoperative device.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

All routine maintenance, charging and cleaning of thge devices (except those individually assigned) shall be the responsibility of the Training Unit.

308.7.3 PEPPER PROJECTILE SYSTEMS
Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. Accidental discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

308.7.4 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

308.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.

308.9 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

308.9.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.

(b) The suspect has made credible threats to harm him/herself or others.

(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.

(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

308.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.

(b) Type of munitions employed.

(c) Type and thickness of subject's clothing.

(d) The subject's proximity to others.

(e) The location of the subject.

(f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

308.10 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer's training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officer-Involved Shootings and Deaths

309.1 PURPOSE AND SCOPE

This policy is to establish procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting, or dies as a result of other action by an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

309.2 POLICY

The policy of the Fairfield Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner. Officer-involved shootings and death investigations will conform to the Solano County Officer Involved Fatal Incident Protocol.

309.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

309.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

309.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Fairfield Police Department would control the investigation if the suspect's crime occurred in the City of Fairfield.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

309.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS
The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

309.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION
Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

309.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

309.5.1 UNINVOLVED OFFICER RESPONSIBILITIES
Upon arrival at the scene of an officer-involved shooting, the first uninvolved Fairfield Police Department officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

(a) Secure the scene and identify and eliminate hazards for all those involved.

(b) Take reasonable steps to obtain emergency medical attention for injured individuals.

(c) Request additional resources from the Department or other agencies.

(d) Coordinate a perimeter or pursuit of suspects.

(e) Check for injured persons and evacuate as needed.

(f) Brief the supervisor upon arrival.

309.5.2 WATCH COMMANDER RESPONSIBILITIES
Upon learning of an officer-involved shooting or death, the Watch Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Watch Commander.

309.5.3 NOTIFICATIONS
The following person(s) shall be notified as soon as practicable:

- Chief of Police
- Operations Division Captain
- Investigations Bureau Commander
- Officer Involved Shooting rollout team

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Outside agency investigator (if appropriate)
- Professional Standards Unit Supervisor
- Psychological/peer support personnel
- Chaplain
- Coroner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

309.5.4 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved Fairfield Police Department supervisor should ensure completion of the duties as outlined above, plus:

(a) Attempt to obtain a brief overview of the situation from any uninvolved officers.

1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.

(b) If necessary, the supervisor may administratively order any Fairfield Police Department officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.

(c) Provide all available information to the Watch Commander and the Dispatch Center. If feasible, sensitive information should be communicated over secure networks.

(d) Take command of and secure the incident scene with additional Fairfield Police Department members until properly relieved by another supervisor, or other assigned personnel or investigator.

(e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.

1. Each involved Fairfield Police Department officer should be given an administrative order not to discuss the incident with other involved officers or Fairfield Police Department members pending further direction from a supervisor.

2. When an involved officer’s weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

309.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

(a) Any request for legal or union representation will be accommodated.

1. Involved Fairfield Police Department officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.

2. Requests from involved non-Fairfield Police Department officers should be referred to their employing agency.

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).

(d) A licensed psychotherapist shall be provided by the Department to each involved Fairfield Police Department officer. A licensed psychotherapist may also be provided to any other affected Fairfield Police Department members, upon request.

1. Interviews with a licensed psychotherapist will be considered privileged.

2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.

3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).

(e) Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer (Government Code § 8669.4).

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved Fairfield Police Department officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave.

309.6 CRIMINAL INVESTIGATION

It shall be the policy of the Fairfield Police Department to adhere to the Solano County Officer Involved Fatal Incident Protocol when conducting the criminal investigation into the circumstances of any officer-involved shooting, which results in injury or death. The Fairfield Police Department shall have final decision making authority regarding investigative decisions.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the District Attorney's Office to avoid duplicating efforts in related criminal investigations.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

(a) Fairfield Police Department supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of Fairfield Police Department officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators (Government Code § 3303(i)). However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

(c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

(d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

309.6.1 REPORTS BY INVOLVED FAIRFIELD POLICE DEPARTMENT OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved Fairfield Police Department officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved Fairfield Police Department officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved Fairfield Police Department officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

309.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

(a) Identification of all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

309.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Investigations supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Investigations supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

309.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of Fairfield Police Department officers to determine conformance with department policy. The investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).

3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).

4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.

6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.

7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

309.8 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review his/her available Mobile Audio/Video (MAV) or body-worn video prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

Any MAV, body-worn, and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney's Office, as appropriate.

309.9 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

309.10 DEBRIEFING

Following an officer-involved shooting or death, the Fairfield Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

309.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Support Services Division Captain is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other civilian personnel). The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards Unit personnel.

309.10.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

309.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Watch Commander, Investigation Division Commander and Public Information Officer in the event of inquiries from the media.

The Department shall not subject any involved Fairfield Police Department officer to visits by the media (Government Code § 3303(e)). No involved Fairfield Police Department officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Division Commander. Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

309.12 REPORTING

If the death of an individual occurs in the Fairfield Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Patrol Division Commander will ensure that the Records Manager is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Firearms

311.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

311.2 AUTHORIZED WEAPONS

No firearms will be carried on-duty that have not been thoroughly inspected by a Department firearms instructor during a regularly scheduled range date. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that weapon.

All other weapons prohibited or restricted by law or that are not covered elsewhere by department policy, may not be carried by personnel in the performance of their official duty without the express written authorization of the employee's Division Captain.

311.2.1 DUTY WEAPONS

The Fairfield Police Department issues Glock pistols to sworn personnel for carrying while on duty. The following models of Glock pistols are authorized for on-duty carry by members of this department:

SIZE	MODEL	CALIBER
Standard	G17	9mm
Compact	G19	9mm
Subcompact	G26	9mm
Subcompact	G43	9mm

G26 subcompact pistols may only be carried as a primary/only handgun during non-uniformed, primarily administrative, or covert assignments.

G43 subcompact pistols may be carried as a secondary handgun while on-duty, or as a concealed carry handgun while off duty. The G43 may be carried as a primary/only weapon while in business attire for court and/or meetings, while in training, or in teaching assignments. Undercover officers may also carry the G43 as a primary/only weapon for undercover activities that are not enforcement related.

The following shoulder-fire weapons are authorized for on-duty carry by members of this department who have been trained and qualified by Range staff:

MAKE	MODEL	CALIBER
Remington	870	Shotgun- 12 gauge

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Colt	AR15	.223
Colt	Commando	.223
Colt	M/4	.223
Accuracy International	AT	.308

311.2.2 AUTHORIZED SECONDARY HANDGUN

The Department will issue a Glock 43 subcompact 9mm pistol to officers upon request, for use as a secondary handgun on-duty and/or for concealed carry while off duty. Officers desiring to carry a personally owned secondary handgun are subject to the following restrictions:

(a) The handgun shall be in good working order and approved by the Rangemaster or a designated Department firearms instructor.

(b) Only one secondary handgun may be carried at a time.

(c) The purchase of the handgun and ammunition shall be the responsibility of the officer. If the caliber of the handgun is the same as department issue, Department ammunition may be used.

(d) Secondary handguns shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.

(e) Personally owned handguns used as secondary handguns on-duty shall be inspected by a Department firearms instructor prior to being carried, and thereafter shall be subject to inspection at any time by a firearms instructor.

(f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Rangemaster shall approve the ammunition.

(g) Prior to carrying the secondary handgun, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the Department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the handgun functions properly.

(h) During the initial inspection, and each qualification shoot thereafter, a Department firearms instructor shall record the make, model, serial number, and caliber of the personally owned secondary handgun.

311.2.3 AUTHORIZED OFF-DUTY FIREARM

The carrying of firearms by sworn officers while off-duty is permitted by the Chief of Police, but may be rescinded should circumstances dictate (e.g., administrative leave). The Department will issue a Glock 43 subcompact 9mm pistol to officers upon request, which may be carried concealed while off duty. Sworn officers who choose to carry a firearm while off-duty, whether the firearm is Department-issued or personally owned, will be required to meet the following guidelines:

(a) The firearm shall be of good quality, workmanship, and approved by the Rangemaster or designated Department firearms instructor. Off-duty firearms shall be limited in caliber from .32 to .45.

(b) The purchase of the personally owned firearm and ammunition shall be the responsibility of the officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) The firearm shall be carried concealed at all times, in an approved holster, or in such a manner as to prevent accidental cocking, discharge, or loss of physical control. Concealed carry methods will be demonstrated on the range and approved by a Department firearms instructor.

(d) It will be the responsibility of the officer to submit the firearm to a Department firearms instructor for inspection prior to being carried. Thereafter the firearm shall be subject to periodic inspection by a Department firearms instructor.

(e) Prior to carrying any off-duty firearm, the officer shall demonstrate to a Department firearms instructor that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.

(f) The officer will successfully qualify with the firearm prior to it being carried and thereafter according to the Department qualification schedule. The range qualification dates will be specified by the Training Unit.

(g) During the initial inspection, and each qualification shoot thereafter, a Department firearms instructor shall record the make, model, serial number, and caliber of any personally owned off-duty firearm.

(h) If any member desires to carry more than one firearm while off-duty, he/she may do so, as long as the officer meets all the requirements set forth in this policy for each firearm carried.

(i) Officers shall only carry factory-loaded ammunition from a reputable manufacturer. No reloaded, armor-piercing, or steel-core ammunition is to be carried on or off-duty.

(j) When armed while off-duty, officers shall carry their Department identification.

(k) The Department will issue an approved concealed carry holster for the department-owned Glock 43. Officers may choose to purchase a different holster, however the holster must be approved by a Department firearms instructor.

311.2.4 AMMUNITION

Officers shall carry only department-issued ammunition on-duty. Officers shall be issued fresh duty ammunition in the specified quantity for all department issued firearms during the officer's first scheduled qualification each year. Officers carrying personally owned, Department authorized secondary handguns of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above at their own expense. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by a Department firearms instructor when needed in accordance with established policy.

311.2.5 ALCOHOL AND DRUGS

Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drug that would tend to adversely affect the officer's senses or judgment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

311.2.6 PATROL UNIT SHOTGUNS

All uniformed personnel who are assigned shotguns shall have their shotguns secured in their vehicles, or in their possession, while on-duty unless prior arrangements have been made with the officer's direct supervisor. Officers shall secure shotguns in their patrol units in the following manner:

- Weapon uncocked (slide moves freely)
- Chamber empty
- Magazine loaded to capacity with "00" buck rounds
- Safety in "on" position
- Ammo carrier on shotgun frame to be loaded with three or four "00" buck rounds and two or three rounds of rifled slugs

Department shotguns shall be stored in the officer's locker or in the gun cage when off-duty. Officers assigned take-home vehicles shall not take shotguns home without prior approval from their Lieutenant.

311.2.7 SURRENDER OF FIREARM

Peace officers may surrender their firearms only as a last resort and after using every tactical tool at their disposal. Surrender of a weapon rarely de-escalates a serious situation and may put an officer and innocent persons in greater jeopardy.

311.3 SAFE HANDLING OF FIREARMS

The intent of this policy is to promote proper firearm safety on and off duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

311.3.1 SAFETY CONSIDERATIONS

A. Officers shall not unnecessarily display or handle any firearm.

B. Officers shall be governed by all rules and regulations pertaining to the use of the Range, and shall obey all orders issued by a Department firearms instructor.

C. Officers shall not clean, repair, load, or unload a firearm anywhere in the Department, except where clearing barrels are present.

D. Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle.

E. Officers shall not place or store any firearm or other weapon on Department premises except, where the place of storage is locked.

F. Officers shall not use any automatic weapon, heavy caliber rifle, gas, or other type of chemical weapon from the armory, except with the approval of a supervisor.

G. Any weapon authorized by the department to be carried on- or off-duty, that is found by the officer to be malfunctioning or needing service, shall not be carried. It shall be promptly presented to a Department firearms instructor for inspection. Any weapon determined to be in need of service or repair during an inspection will be

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

immediately removed from service. If the weapon is the officer's primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is serviceable.

311.3.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles, or any other area under their control. And in a manner that will keep them inaccessible to children and others who should not have access (Penal Code § 25100).

Members shall not permit department-issued firearms to be handled by anyone who is not authorized by the Department to do so.

Members shall be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

Shotguns and rifles shall not be stored at home without prior approval from the officer's Lieutenant.

311.4 FIREARMS QUALIFICATIONS

All sworn personnel are required to qualify annually with their duty weapons (pistol, shotgun, and rifle, if assigned), secondary duty weapon, and off-duty weapon on an approved course of fire. In addition, all sworn personnel are required to attend quarterly firearms trainings. Officers accepting a department owned Glock 43 for concealed, off-duty carry will be required to attend an initial training, and two annual qualifications each year.

The Rangemaster, in coordination with the Training Unit, shall keep accurate records of qualifications, repairs, maintenance, or as directed by the Training Unit Supervisor. In addition to regular qualification schedules, the Rangemaster shall be responsible for providing all sworn personnel with quarterly practical training designed to simulate field situations. At least annually, all personnel carrying a firearm will receive training on the department Use of Force policy and demonstrate their knowledge and understanding.

311.4.1 NON-QUALIFICATION

If any officer is unable to qualify for any reason, including; injury, illness, duty status, or scheduling conflict, that officer shall notify his or her immediate supervisor prior to the end of the required shooting period.

Members who fail to qualify will be relieved from field assignment and appropriate disciplinary action may follow.

Sworn members who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated, and will be subject to the following requirements:

(a) Additional range assignments may be required until consistent weapon proficiency is demonstrated.

(b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.

(c) No range credit will be given for the following:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. Unauthorized range make-up.
2. Failure to qualify after remedial training.

Officers on modified duty status, or who are off-duty due to injury are subject to the standard firearms qualification unless their condition prohibits such activity. Officers will not be allowed to carry a firearm if they have not met the qualification requirements while on modified duty or off-duty because of injury status. Prior to resuming full-duty status, officers shall report to the Training Sergeant to schedule a qualification shoot, as necessary.

311.4.2 HOLSTERS

While on-duty, and for their primary handgun, only department-approved holsters shall be used and worn by members. While off-duty, and for secondary handguns, members shall ensure their handguns are carried in a way that provides proper security and retention of the handgun. Department-issued G43 pistols shall be carried in a department-issued holster or other holster approved by a firearms instructor. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

311.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

311.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

311.5 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe.

311.5.1 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle’s interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If the vehicle does not have a trunk or a locked container, then the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock, or other similar locking device (Penal Code § 25140).

Officers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

311.6 DESTRUCTION OF ANIMALS

Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available, or would likely be ineffective.

In circumstances in which officers have sufficient advance notice that a potentially dangerous animal may be encountered, officers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any officer from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

311.6.1 INJURED ANIMALS

With the approval of a supervisor, an officer may euthanize an animal (with the exception of dogs and cats) that is so badly injured that human compassion requires its removal from further suffering, and where other dispositions are impractical (Penal Code § 597.1(e)). Injured animals may only be euthanized after a reasonable search to locate the owner has been made (Penal Code § 597.1(b)). Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.

311.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shooting and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall notify his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, the member will notify the on-duty supervisor as soon as practicable.

311.8 RANGEMASTER DUTIES

The Range will be under the exclusive control of the Rangemaster or the designated Department firearms instructor on duty. All members attending the Range will follow the directions of the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Rangemaster or other members of the Range staff. The firearms instructor will maintain a roster of all members attending the Range and will submit the roster to the Training Sergeant after each range date. Failure of any officer to sign in and out on the roster will result in non-qualification. The firearms instructor on duty will initial the roster next to each member who attended the Range before submitting the roster to the Training Unit. It will be the responsibility of the highest ranking firearms instructor present, or the most senior firearms instructor if all instructors present are of the same rank, to review the roster for accuracy and completeness prior to submitting it to the Training Unit.

The Range shall remain operational and accessible to department members during hours established by the department.

The Rangemaster has the responsibility of ensuring periodic inspection, at least once a year, of all duty weapons carried by officers of this department to verify proper operation. Department firearms instructors have the authority to deem any privately owned weapon unfit for service. The officer will be responsible for all repairs to his or her personal weapon and it will not be returned to service until inspected by a Department firearms instructor.

311.9 MAINTENANCE AND REPAIR

Firearms carried on duty shall be maintained in a clean, serviceable condition. Since the use of personally owned weapons is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance, and repair of such weapon.

311.9.1 REPAIR OR MODIFICATIONS OF DUTY WEAPONS

The Rangemaster shall be the only person to authorize the modification of any department-owned weapon. All repairs and/or modifications of department issued weapons not performed by the Rangemaster or a Department armorer certified to perform the needed repair, must be approved in advance by the Rangemaster and accomplished by a department approved gunsmith.

Any repairs or modifications to the officer's personally owned weapon shall be done at his or her expense and must be approved by the Rangemaster.

311.10 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.

(b) Officers must carry their Department identification card which must contain a full-face picture, the officer's signature, the signature of the Chief of Police or the official seal of the Department, and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) The Fairfield Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Fairfield Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message to airport personnel as authorization to travel while armed on the day of travel.

(d) An official letter signed by the Chief of Police authorizing armed travel must accompany the officer. The letter must outline the officer's need to fly armed, must detail his/her itinerary, and should include that the officer has completed the mandatory TSA training for law enforcement officer flying while armed.

(e) Officers must have completed the mandated TSA security training covering officers flying while armed. The Training Unit will facilitate the required training upon request.

(f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier's check-in counter.

(g) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officers must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(h) Officers should not surrender their firearm, but should try to resolve any problems through the flight captain, ground security manager, or other management representative of the air carrier.

(i) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

311.11 CARRYING FIREARMS OUT OF STATE

Qualified active full-time officers and qualified retired officers (see Policy Manual § 220) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC 926B and C):

(a) The officer shall carry his/her Department identification card whenever carrying such weapon.

(b) Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.

(c) The officer is not the subject of any current disciplinary action.

(d) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(e) The officer will remain subject to this and all other Department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Visiting active and retired peace officers from other states are subject to all requirements set forth in 18 USC 926B and C.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Firearms Used For Training

312.1 PURPOSE AND SCOPE

This policy establishes procedures for the acquisition, storage, inventory and access to firearms used for training purposes. These firearms will be used to expose officers to the variety of firearms they may come into contact with while performing their duties. Exposing officers to a variety of firearms will increase their knowledge of firearms and assist them in making firearms "safe" for handling while in the field. The firearms used in this program will not be fired by officers during training. If rounds are needed for training purposes, "dummy" rounds shall be used. This program will be overseen by the Training Sergeant, or designee.

312.2 ELIGIBLE FIREARMS

All firearms used in this program must be approved by the Chief of Police, or designee. Written approval from the Chief of Police, or designee, is needed to obtain firearms held for destruction, or found by officers or citizens. Firearms that have been used in a crime or held for safekeeping must be obtained by court order. The Rangemaster must inspect all firearms to ensure they are in an appropriate condition before they are released for training purposes.

312.3 PROCESS FOR OBTAINING FIREARMS TO BE USED FOR TRAINING

Periodically, a member of the Training Unit will inspect firearms that are in custody of the City of Fairfield Police Department's Property Unit to identify firearms that may be useful for training.

- Once a firearm has been identified as one that would be useful for training, a designee from the Training Unit will contact the Property Unit Supervisor.
- The case number and identifying marks of the firearm will be provided to the Property Unit Supervisor. The Property Unit Supervisor shall ensure the firearm is eligible to be released to the City of Fairfield Police Department's Training Unit, and not under a court order for destruction.
- Once a firearm has been identified as eligible for release to the Training Unit, a member of the department's Training Unit shall complete a memo to the Chief of Police requesting the release of the firearm from the Property Unit to the Training Unit.
- If the Chief of Police approves the release of the firearm, a supplement report stating that the firearm was released from the Property Unit to the Training Unit shall be attached to the original report. The firearm will then be released from the Property Unit to the Training Unit.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

312.4 NOTIFICATION TO THE DEPARTMENT OF JUSTICE

To comply with California Penal Code 12030(e), the Department of Justice shall be notified of any firearm retained for training purposes. This notification shall consist of a complete description of each firearm, including:

- Name of the manufacturer or brand name
- Model and caliber
- Serial number (if the firearm has one)

The Property Unit Supervisor shall provide this information to the Department of Justice through CLETS.

312.5 STORAGE AND DOCUMENTATION

All firearms used in this program will be stored inside the armory at the City of Fairfield Police Department's Training Facility. A locked container inside the Armory will be designated for these weapons.Only City of Fairfield Police Department Firearms Instructors will have access to these firearms.At least one City of Fairfield Police Department Firearms Instructor shall be present when these firearms are used for training.

A check in/out log shall be maintained by the Training Unit supervisor. This log will include:

(a) Date

(b) Time

(c) Serial number (or firearm identification number if the firearm doesn't have a serial number)

(d) Instructor who checked out/in the firearm(s)

Firearms used in this program shall be recorded in the City of Fairfield Police Department's Weapon Inventory Log, which is maintained by the Training Unit. An annual audit shall be performed to ensure the retention of all firearms.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle Pursuits

313.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to reduce the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officer's conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual’s desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

313.1.1 VEHICLE PURSUIT DEFINED

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

313.2 OFFICER RESPONSIBILITIES

It shall be the policy of this department that a vehicle pursuit shall be conducted only with red light and siren as required by Vehicle Code § 21055 for exemption from compliance with the rules of the road. The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code § 21056.

313.2.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

(a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others.

(c) Apparent nature of the fleeing suspects (e.g., whether the suspects represent a serious threat to public safety).

(d) The identity of the suspects has been verified and there is comparatively minimal risk in allowing the suspects to be apprehended at a later time.

(e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic, and the speed of the pursuit relative to these factors.

(f) Pursuing officers familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.

(g) Weather, traffic, and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.

(h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.

(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) Availability of other resources such as helicopter assistance.

(l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner in the police vehicle.

313.2.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect’s escape.

The factors listed in "When to Initiate a Pursuit", of this policy are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term “terminate” shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

In addition to the factors listed in "When to Initiate a Pursuit" of this policy, the following factors should also be considered in deciding whether to terminate a pursuit:

(a) Distance between the pursuing officers and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.

(b) Pursued vehicle's location is no longer definitely known.

(c) Officer's pursuit vehicle sustains any type of damage that renders it unsafe to drive.

(d) Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged.

(e) There are hazards to uninvolved bystanders or motorists.

(f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

(g) Pursuit is terminated by a supervisor.

313.2.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety, and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

(a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.

(b) Pursuit speeds have exceeded the driving ability of the officer.

(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle, thus making its operation unsafe.

313.3 PURSUIT UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor); however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspects. All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

313.3.1 MOTORCYCLE OFFICERS

A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle or unmarked police unit as primary and/or secondary pursuit unit as soon as practical.

313.3.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Vehicles not equipped with red light and siren are generally prohibited from initiating or joining in any pursuit. Officers in such vehicles, however, may become involved in emergency activities involving serious crimes or life threatening situations. Those officers should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of emergency police vehicles or any police helicopter. The exemptions provided by Vehicle Code § 21055 do not apply to officers using vehicles without emergency equipment.

313.3.3 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to him/herself or other persons.

Notify the Dispatch Center that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

(a) Reason for the pursuit.

(b) Location and direction of travel.

(c) Speed of the fleeing vehicle.

(d) Description of the fleeing vehicle and license number, if known.

(e) Number of known occupants.

(f) The identity or description of the known occupants.

(g) Information concerning the use of firearms, threat of force, injuries, hostages, or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

313.3.4 SECONDARY UNITS RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) The officer in the secondary unit should immediately notify the dispatcher of entry into the pursuit.

(b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

(c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

313.3.5 PURSUIT DRIVING TACTICS

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

(a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:

1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
2. Pursuing units should exercise due caution when proceeding through controlled intersections.

(c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:

1. Requesting assistance from an air unit.
2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
3. Requesting other units to observe exits available to the suspects.

(d) Notifying the California Highway Patrol (CHP) and/or other jurisdictional agency if it appears that the pursuit may enter their jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

313.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

313.3.7 PURSUIT TRAILING

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspects.

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

313.3.8 AIRCRAFT ASSISTANCE

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit.

313.4 SUPERVISORY CONTROL AND RESPONSIBILITY

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that aircraft are requested if available.

(g) Ensuring that the proper radio channel is being used.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(i) Controlling and managing Fairfield Police Department units when a pursuit enters another jurisdiction.

(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

313.4.1 WATCH COMMANDER RESPONSIBILITY

Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Watch Commander has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command.

The Watch Commander shall review all pertinent reports for content and forward to the Division Commander.

313.5 COMMUNICATIONS

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel, unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

313.5.1 COMMUNICATION CENTER RESPONSIBILITIES

Upon notification that a pursuit has been initiated, the Dispatch Center will:

(a) Initiate a Code 33.

(b) Coordinate pursuit communications of the involved units and personnel.

(c) Notify and coordinate with other involved or affected agencies as practicable.

(d) Ensure that a field supervisor is notified of the pursuit.

(e) Assign an incident number and log all pursuit activities.

(f) Broadcast pursuit updates as well as other pertinent information as necessary.

(g) Notify the Watch Commander as soon as practicable.

313.5.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

313.6 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

313.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit, and assistance of the Fairfield Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and CHP units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this department, the CHP should relinquish control.

313.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

(a) Ability to maintain the pursuit.

(b) Circumstances serious enough to continue the pursuit.

(c) Adequate staffing to continue the pursuit.

(d) The public's safety within this jurisdiction.

(e) Safety of the pursuing officers.

As soon as practicable, a supervisor or the Watch Commander should review a request for assistance from another agency. The Watch Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency’s pursuit.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

313.7 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable or forcibly position it such that further flight is not possible or practicable.

313.7.1 WHEN USE IS AUTHORIZED

Use of pursuit intervention tactics should be employed only after approval from a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable, in light of the circumstances confronting the officer at the time of the decision.

It is imperative that officers act within the bounds of legality, good judgment, and accepted practices.

313.7.2 DEFINITIONS

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a violator’s vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.

Ramming - The deliberate act of impacting a violator’s vehicle with another vehicle to functionally damage or otherwise force the violator’s vehicle to stop.

Roadblocks - A tactic designed to stop a violator’s vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the violator’s vehicle.

Spikes or tack strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

313.7.3 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

313.7.4 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and subject to the requirements for such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by officers who have received training in such tactics after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
2. All other reasonable intervention techniques have failed or reasonably appear ineffective.
3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.
4. The target vehicle is stopped or traveling at a low speed.
5. At no time should civilian vehicles be used to deploy this technique.

(b) Only those officers trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure, and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time; including the potential for risk of injury to officers, the public, and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:

1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.
3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions presented at the time, as well as the potential risk of injury to officers, the public, and occupants of the pursued vehicle.

(e) The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public, and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged, and should not be deployed without prior approval of a supervisor. And only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective, and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

313.7.5 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit, along with the apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspects.

313.8 REPORTING REQUIREMENTS

The following reports should be completed upon conclusion of all pursuits:

(a) The primary officer should complete appropriate crime/arrest reports.

(b) The Watch Commander shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1). The primary officer should complete as much of the required

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

information on the form as is known, and forward the report to the Watch Commander for review and distribution.

(c) After first obtaining the available information, a field supervisor shall promptly complete a Supervisor's Log, briefly summarizing the pursuit, and submit it to his/her Watch Commander. This log should at a minimum contain the following information:

1. Date and time of pursuit
2. Length of pursuit
3. Involved units and officers
4. Initial reason for pursuit
5. Starting and termination points
6. Disposition (arrest, citation), including arrestee information if applicable
7. Injuries and/or property damage
8. Medical treatment
9. Name of supervisor at scene
10. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted

313.8.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).

313.8.2 POLICY REVIEW

Each sworn member of this department shall certify in writing that they have received, read, and understand this policy initially, and upon any amendments. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member's training file.

313.9 APPLICATION OF VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officer Response to Calls

315.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

315.2 RESPONSE TO CALLS

Officers responding Code-3 to a call shall immediately notify the Dispatch Center and shall continuously operate emergency lighting equipment, including at minimum, a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055. Officers should only respond Code-3 when circumstances reasonably indicate an emergency response is required.

Responding with emergency light(s) and siren(s) does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Any call that does not warrant a Code-3 response is considered a routine call. Officers not responding Code-3 to a call shall observe all traffic laws and proceed without the use of emergency lights and siren.

315.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify the Dispatch Center.

If circumstances permit, the requesting officer should give the following information:

- The unit number.
- The location.
- The reason for the request and type of emergency.
- The number of units required.

315.3.1 NUMBER OF UNITS ASSIGNED

Normally, only one unit should respond to an emergency call Code-3, unless the Watch Commander or the field supervisor authorizes an additional unit(s) or the call dictates otherwise.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

315.4 INITIATING CODE 3 RESPONSE

If an officer believes a Code-3 response to any call is appropriate, the officer shall immediately notify the Dispatch Center. The number of units responding Code- 3 should be dictated by the circumstances of the call. Should another officer believe a Code-3 response is appropriate, the Dispatch Center shall be notified and the Watch Commander or field supervisor will make a determination as to whether one or more officers driving Code-3 is appropriate.

315.5 RESPONSIBILITIES OF RESPONDING OFFICERS

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

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify the Dispatch Center. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

315.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall assign a Code-3 response when an officer requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death, and immediate police response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Watch Commander or a field supervisor prior to assigning units Code-3. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance.

(b) Immediately notify the Watch Commander.

(c) Confirm the location from which the unit is responding.

(d) Notify and coordinate allied emergency services (e.g.; fire and ambulance).

(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.

(f) Control all radio communications during the emergency and coordinate assistance under the direction of the Watch Commander or field supervisor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

315.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Watch Commander or the field supervisor shall verify the following:

(a) The proper response has been initiated.

(b) No more than those units reasonably necessary under the circumstances are involved in the response.

(c) Affected outside jurisdictions are being notified as practical.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Watch Commander or the field supervisor should consider the following:

- The type of call.
- The necessity of a timely response.
- Traffic and roadway conditions.
- The location of the responding units.

315.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the Watch Commander, field supervisor, or the Dispatch Center of the equipment failure so that another unit may be assigned to the emergency response.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Robbery Report Response

316.1 PROCEDURE

The procedure outlined below is to occur if the robbery suspects have fled the scene.

(a) Communications Center. Dispatch personnel will advise patrol officers to "Take a Report regarding a robbery," and have Fairfield units standby for BOL. This format provides responsibility for the report, controls radio traffic, and prevents random response by all units to the scene. If an in-progress possibility exists, a Code 33 can be used until the responding unit goes Code 4. Dispatch personnel should keep the victim/reporting party on the telephone until the officer arrives.

(b) Arrival of Officers. Upon arrival at the scene, the officer shall establish contact with Dispatch to provide and update crime/suspect information.

(c) Cover Officer(s). The officer assigned to cover shall immediately begin checking the area for witnesses, suspects, vehicles, and evidence.

(d) Perimeter Assignments. Other units should stand by in a general perimeter area according to the time element, and wait for perimeter assignments. The dispatcher (at the discretion of the supervisor) shall establish a radius around the crime scene according to the known time element and manpower available, and assign units to a perimeter on the radius where major streets cross. Officers may broadcast their location if they are closer to another perimeter point, thereby giving the dispatcher the opportunity to change assignments if appropriate.

(e) Unassigned Officers. Officers who are not given a perimeter assignment shall patrol the areas along the radius between perimeter units and act as apprehension units if a possible suspect is sighted.

(f) Abandonment of Perimeter. When the perimeter is abandoned (the time to be determined by a supervisor), all units will converge towards the scene maintaining perimeter areas and search the area from perimeter to the scene.

(g) "Just Occurred" Rule of Thumb. A minimum time lapse of three minutes and a minimum radius of ten blocks will be presumed when a "just occurred" robbery is reported. All radiuses will be roughly estimated on this basis. The Communications Center will attempt to establish an accurate time element as soon as possible and broadcast this information so units can respond to a proper distance from the scene.

(h) Unnecessary Radio Traffic. Keep radio traffic to a minimum. The primary and cover officers shall acknowledge receipt of their assignments; it is not necessary for each officer to acknowledge broadcast. Request repeats/updates on alternate channels.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Canines

317.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment police services in the community, including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

317.2 POLICY

It is the policy of the Fairfield Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

317.3 ASSIGNMENT

Canine teams are assigned to the Operations Division. Canine teams may be assigned to patrol, specialized units, or other assignments based on the current operational needs, and at the discretion of the Operations Division Captain.

Canine teams assigned to patrol will be assigned to a Public Service Area, but may be assigned as a cover unit with the approval of the Watch Commander.

317.3.1 PERFORMANCE STANDARDS/EVALUATIONS

In order for a canine team to qualify for participation in the program, the Canine Coordinator must certify that the team is capable of performing all of the basic entry-level skills. Basic entry-level skills include: agility, obedience and control, apprehension work, the revier, call offs, article and evidence searches, and tracking.

The basic entry-level skills will be the minimum performance level expected of the canine teams during their tenure with the program. Canine teams shall demonstrate entry level skills whenever requested by the Canine Coordinator, the Operations Division Captain, or the Chief of Police. Canine teams operating at a substandard performance level in the basic entry-level canine skills or in the expectations of the unit to which they are assigned are subject to suspension or removal from the canine program.

317.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Division or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

(a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.

(b) Maintaining a liaison with the vendor kennel.

(c) Maintaining a liaison with Command Staff and functional supervisors.

(d) Maintaining a liaison with other agency canine coordinators.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Maintaining accurate records to document canine activities.

(f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.

(g) Scheduling all canine-related activities.

(h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

317.4.1 CANINE SELECTION PROCESS

Dogs entering the program shall be of working breed, and approved by the Department. The dog shall have proper physical conformation consistent with his breed's standard, be a good representative of his breed, and be of sound health and temperament.

The dog shall be examined by a licensed veterinarian and certified free of medical illness, including hip and shoulder dysplasia. The examination shall include hip and shoulder x-rays and blood and stool laboratory work.

The dog's temperament and ability to adapt to police work shall be certified by a dog trainer approved by the Chief of Police.

317.5 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Watch Commander.

317.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Watch Commander and are subject to the following:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.

(b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.

(c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

(d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

317.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

(a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Watch Commander. Absent a change in circumstances that presents an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

317.6.1 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

317.6.2 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, be transported

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements. However, the canine shall be made available for examination at any reasonable time if requested by the local health department. The canine handler shall also notify the local health department if the canine exhibits any abnormal behavior after a bite (Health and Safety Code § 121685).

317.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

(a) Absent a change in circumstances that present an immediate threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

317.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

317.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

317.8 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Watch Commander as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

317.9 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current POST guidelines or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by the California Narcotic Canine Association (CNCA), or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty, unless otherwise approved by the canine coordinator or Watch Commander.

317.9.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to current POST, CNCA, or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

(a) Canine teams should receive training as defined in the current contract with the Fairfield Police Department canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the Canine Coordinator.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

317.9.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, and pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

317.9.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

317.9.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Fairfield Police Department may work with outside trainers with the applicable licenses or permits.

317.9.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (Health & Safety Code § 11367.5; 21 USC § 823(f)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Fairfield Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

317.9.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine’s accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

(a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.

(c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator, with a copy forwarded to the dispensing agency.

(e) All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering, and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Property or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

317.9.7 EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (Penal Code § 18800; 18 USC § 842; 27 CFR 555.41).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

(a) All explosive training aids, when not in use, shall be properly stored in a secure container appropriate for the type of materials.

(b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

(c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.

(d) Only members of the canine team shall have access to the explosive training aids storage container.

(e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.

(f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

317.10 CARE FOR THE CANINE AND EQUIPMENT

The canine handler shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions. The canine handler will be responsible for the following:

(a) The handler shall maintain all department equipment under the handler's control in a clean and serviceable condition, including the assigned canine vehicle.

(b) Handlers shall permit the Canine Coordinator or designee to conduct spontaneous on-site inspections of areas of their residences used for canine housing, as well as their assigned canine vehicle, to verify that conditions and equipment conform to this policy.

(c) Any changes in the living status of the handler which may affect the lodging or environment of the canine shall be reported to the Canine Coordinator within 24 hours.

(d) When off duty, canines shall be maintained in kennels, provided by the City, at the homes of the canine handlers.When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off duty, canines may only be let out of their kennels while under direct supervision of their handlers.

(e) Canines should be permitted to socialize in the home with the handlers' families for short periods of time and under the direct supervision of their handlers.

(f) Under no circumstances will the canine be lodged at another location, unless approved by the Canine Coordinator or the Operations Division Captain in the coordinator's absence.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Domestic Violence

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent, and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims, and to guide officers in the investigation of a domestic violence incident.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

319.2 POLICY

The Fairfield Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

319.3 OFFICER SAFETY

The investigation of domestic violence cases often placeofficers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

319.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations in the event that the injuries later become visible.

(f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

(i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Whether the suspect lives on the premises with the victim.
2. Claims by the suspect that the victim provoked or perpetuated the violence.
3. The potential financial or child custody consequences of arrest.
4. The physical or emotional state of either party.
5. Use of drugs or alcohol by either party.
6. Denial that the abuse occurred where evidence indicates otherwise.
7. A request by the victim not to arrest the suspect.
8. Location of the incident (public/private).
9. Speculation that the complainant may not follow through with the prosecution.
10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
11. The social status, community status, or professional position of the victim or suspect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

319.4.1 IF A SUSPECT IS ARRESTED
If a suspect is arrested, officers should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.

(b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.

(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

319.4.2 IF NO ARREST IS MADE
If no arrest is made, the officer should:

(a) Advise the parties of any options, including but not limited to:

1. Voluntary separation of the parties.

2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

(b) Document the resolution in a report.

319.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. In this case,Officers should:

(a) Recognize that a victim's behavior and actions may be affected.

(b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.

(c) Alert the victim to any available victim advocates, shelters, and community resources.

(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.

(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.

(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety, or if the officer determines that a need exists.

(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(h) Seek or assist the victim in obtaining an emergency order, if appropriate.

Officers shall inform victims that strangulation may cause internal injuries and encourage them to seek medical attention (Penal Code § 13701(c)).

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

319.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

319.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

319.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.

  1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).

(b) Check available records or databases that may show the status or conditions of the order.

  1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

319.9 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

319.9.1 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

(a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.

1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).

(b) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of his/her right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).

(c) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):

1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender's child)
3. Penal Code § 273.6 (violation of protective order) If violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party
4. Penal Code § 646.9 (stalking)
5. Other serious or violent felonies specified in Penal Code § 1270.1

(d) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.

(e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer's presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

319.9.2 COURT ORDERS

(a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located, and shall provide the person protected or the person's parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

(b) At the request of the petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code § 13710).

(c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)(2)).

(d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).

(e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide him/her with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

319.9.3 PUBLIC ACCESS TO POLICY

A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

319.9.4 REPORTS AND RECORDS

(a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

and notations specific to domestic violence incidents as required by Penal Code § 13730.

(b) Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.

(c) Officers who seize any firearm or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)(2)).

319.9.5 CHILDREN PRESENT AT SCENE OF DOMESTIC VIOLENCE - REPORTING REQUIREMENTS

Even when children are not direct targets of the abuse, they can be harmed by witnessing domestic violence. The witnessing of domestic violence by a child can be auditory or visual.

It is the policy of the Fairfield Police Department to ensure that all incidents of domestic violence where children are present, and there is a direct impact on the child/ children present, shall be reported pursuant to Penal Code § 11166(k) to Child Welfare Services. Direct impact includes, but is not limited to, the following: the child/children witness the abuse or incident and/or the child/ children suffer a physical injury of any degree as a result of the domestic violence incident.

When the investigation determines a direct impact to the child/children has occurred, the following will be completed:

The "Suspected Child Abuse Report" form shall be faxed to Child Welfare Services (CWS) at (707)421-7535 immediately, or as soon as practicable. Addtionally, a telephone report shall be made to Child Welfare Services at (800)544-8696 immediately, or as soon as practicable. If a Child Abuse criminal charge is alleged, the "Suspected Child Abuse Report" shall also be faxed to the District Attorney's Office at (707)784-2529.

319.9.6 RECORD-KEEPING AND DATA COLLECTION

This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710); as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Records Manager to maintain and report this information as required.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

319.9.7 DECLARATION IN SUPPORT OF BAIL INCREASE

Any officer who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee's appearance or to protect the victim or family member of a victim, the officer shall prepare a declaration in support of increased bail (Penal Code § 1269c).

319.10 OFFICER INVOLVED DOMESTIC VIOLENCE

The requirements set forth in this section shall be adhered to whether or not the incident is reported to a police agency other than the City of Fairfield Police Department.

319.10.1 OFFICER RESPONSIBILITY

(a) Any sworn member of the Department who is involved in a domestic violence incident shall immediately notify their supervisor or the on-duty Watch Commander of the incident. The supervisor or Watch Commander shall immediately notify the Support Services Captain, or the Professional Standards Unit supervisor in their absence, who will begin an Administrative Investigation or Internal Affairs Investigation. The need for immediate notifications and response is crucial to a complete and thorough investigation.

319.10.2 PROFESSIONAL STANDARDS UNIT RESPONSIBILITY

(a) The sergeant assigned to the Professional Standards Unit (PSU) is responsible for conducting the Administrative Investigation on incidents of possible domestic violence on an immediate call-out basis.

(b) The Support Services Captain shall immediately notify the Chief of Police.

(c) The PSU sergeant will prepare a verbal report for command staff within forty-eight hours of the incident and complete a written report as soon as possible. In the event a criminal case is filed against the employee, the PSU sergeant shall keep the command staff informed of the status of the criminal case as well as the Administrative Investigation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Search and Seizure

321.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Fairfield Police Department personnel to consider when dealing with search and seizure issues.

321.2 POLICY

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

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

321.3 SEARCHES

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

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

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

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

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

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

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

321.4 SEARCH PROTOCOL

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

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations, or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.
2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing, or clothing that could not reasonably conceal a weapon.

321.5 DOCUMENTATION

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

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

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

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Non-Intrusive Sensor and Scanning Devices

322.1 PURPOSE AND SCOPE

The purpose of this policy is to comply with applicable federal and state law while maintaining the safety and security of the public, suspects, witnesses, employees, and City of Fairfield Police Department facilities.

It is the policy of the City of Fairfield Police Department to conduct searches that meet the requirements of federal and state law. The limited warrantless search of persons seeking to enter Police Department facilities, located at 1000 Webster Street and 1100 Texas Street in the City of City of Fairfield, is reasonable and necessary in order to ensure the safety of employees and visitors, as well as witnesses and suspects in potential criminal matters.

Signs will be mounted in the lobby of each facility advising of our intent to search those individuals choosing to enter either location.

Searches will be no more intrusive than necessary to preclude weapons or other dangerous items from entering the facility.

The use of hand-held metal detectors is a non-offensive and unobtrusive method of conducting a search.

A hand-held metal detector will be maintained in good working order at both locations listed above.

322.1.1 DEFINITIONS

Non-Authorized Personnel: Persons that are not law enforcement or City of Fairfield employees with City of Fairfield identification displayed.

Non-Intrusive Sensor and Scanning Device Search: A search conducted on a clothed person using a hand-held mechanical device or other non-intrusive detection device.

322.2 PROCEDURE

- A non-intrusive sensor and scanning device search may be conducted on (non-authorized) persons who enter a building/facility secured by the City of Fairfield Police Department.
- A non-intrusive sensor and scanning device will be used only in an authorized manner, according to this policy and per manufacturer's instructions.
- Sensitivity tests should be performed once per week, and adjustments to the sensitivity levels should be made as needed and pursuant to manufacturer instructions.
- This test should be logged in a weekly log book. The log book will be kept and maintained at the police facility located at 1000 Webster Street and 1100 Texas Street. Completed log book pages will be forwarded to the Training Unit for storage.
- Persons entering the facility are deemed to have given their consent to be searched for administrative purposes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- No person will be admitted into a building secured by the City of Fairfield Police Department if they refuse to submit to this procedure.

322.3 MANUAL SEARCHES

Searches are conducted on all (non-authorized) persons, for the safety and security of officers and other department employees within the building.

(a) All bags, containers, briefcases, etc., are subject to search.

1. All bags, containers, briefcases, etc., shall be opened and inspected visually for weapons and contraband.
2. It is the responsibility of the officer, or City of Fairfield Police Department employee, to instruct persons to return any "non-illegal" items (knives, tools, stun gun devices, etc.) to their vehicle or residence prior to entry into the building. Current legislation states that mace, pepper spray, and tear gas may be purchased over the counter. However, they MAY NOT be brought into the building and must be left at home or in their vehicle.
3. The officer or City of Fairfield Police Department employee will not remove, store or confiscate any "non-illegal" items from any person.
4. If a person is wearing a device or clothing that makes it difficult to check them properly, the employee is to take the extra time to check them thoroughly. Weapons can easily be hidden in a cast, sling, boot, etc.
5. If the individual refuses to remove any of these items, he/she will not be allowed into the building.

(b) Except for peace officers, no one may enter the building at any time with firearms, contraband or explosives, without the express approval of the Chief of Police or his/her designee.

(c) Peace officers and city employees with ID displayed shall be allowed entry without having their bags, containers, or briefcases searched.

(d) If the need arises to conduct a physical "hands-on" pat search of a person, a sworn officer will be requested to conduct the search and a supervisor notified.

(e) A supervisor should be notified as soon as practical in the event a weapon or contraband is discovered during a search.

(f) Any person in possession of an "illegal" weapon or contraband who is not authorized to carry such is subject to arrest.

(g) Animals are not allowed in the building, unless they are a Service Animal.

(h) Officers shall refrain from requesting a person to remove any item of clothing that would reveal any portion of the breast, buttocks, chest, thigh, or genitalia.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

322.4 CONFISCATING WEAPONS OR CONTRABAND

(a) The confiscation of any "illegal" firearm or weapon from persons during a search will be documented by an incident report. This person may also be subject to arrest.

(b) If the scanning device sounds, the person causing the alarm will be asked to remove any keys, pagers, cell phones, or large metal objects from their person.

1. If, after rescanning, the cause is still undetermined, the person will be asked to remove his/her jacket or other outer clothing garment.
2. In the event that a person alarms the metal detector and the source of the alarm cannot be readily ascertained, a pat-down search may be conducted. A person will not be subjected to a pat-down search unless he/she consents to the search. If the person does not consent to the search, they will not be allowed entry into the facility. The pat-search will be limited to the **outer garments** only. Never place your hands into anyone's pockets.
3. A person who alarms the metal detector is free to leave the facility without further searching or questioning if he/she chooses.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Temporary Custody of Juveniles

323.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Fairfield Police Department (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

323.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person. Juveniles 11 years of age or younger are considered juvenile non-offenders even if they have committed an offense that would subject an adult to arrest.

Juvenile offender - A juvenile 12 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (Welfare and Institutions Code § 602). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1(d); 15 CCR 1150).

Safety checks - Direct, visual observation personally by a member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) A juvenile being processed in a secure booking area when a non-secure booking area is available.

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601, and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

323.2 POLICY

The Fairfield Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable, and keeping juveniles safe while they are in temporary custody at the Fairfield Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release.

323.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Fairfield Police Department:

(a) Unconscious

(b) Seriously injured

(c) A known suicide risk or obviously severely emotionally disturbed

(d) Significantly intoxicated except when approved by the Watch Commander. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol, or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).

(e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

These juveniles should not be held at the Fairfield Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed (15 CCR 1142).

323.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY
When emergency medical attention is required for a juvenile, medical assistance will be called immediately. The Watch Commander shall be notified of the need for medical attention for the juvenile. And Department members should administer first aid as applicable (15 CCR 1142).

323.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY
Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself, or any unusual behavior which may indicate the juvenile may harm him/herself while in either secure or non-secure custody (15 CCR 1142).

323.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Fairfield Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Fairfield Police Department without authorization of the arresting officer's supervisor or the Watch Commander. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Fairfield Police Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d)).

323.4.1 CUSTODY OF JUVENILE NON-OFFENDERS
Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Fairfield Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (34 USC § 11133; Welfare and Institutions Code § 206).

Juveniles 11 years of age or younger who have committed an offense that would subject an adult to arrest may be held in non-secure custody for the offenses listed in Welfare and Institutions Code § 602(b) (murder and the sexual assault offenses) and should be referred to a probation officer for a placement determination.

323.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS
Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).

323.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Fairfield Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and suspected of using a firearm in violation of Welfare and Institutions Code § 625.3 shall be transported to a juvenile facility.

A juvenile offender suspected of committing murder or a sex offense that may subject a juvenile to criminal jurisdiction under Welfare and Institutions Code § 602(b), or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

(a) Released upon warning or citation.

(b) Released to a parent or other responsible adult after processing at the Department.

(c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.

(d) Transported to his/her home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating officer or supervisor shall prefer the alternative that least restricts the juvenile's freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

323.5 ADVISEMENT OF JUVENILES AND RIGHT TO COUNSEL

Officers shall take immediate steps to notify the juvenile's parent, guardian, or a responsible relative that the juvenile is in custody, the location where the juvenile is being held and the intended disposition (Welfare and Institutions Code § 627).

Whenever a juvenile is taken into temporary custody, he/she shall be given the *Miranda* rights advisement regardless of whether questioning is intended (Welfare and Institutions Code § 625).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Prior to a custodial interrogation, and before the waiver of any Miranda rights, a youth 15 years of age or younger shall consult with legal counsel in person, or by video conference. The consultation may not be waived (Welfare and Institutions Code § 625.6(a)).

Officers must contact the Solano County Public Defender's Office to speak to the on-duty Public Defender before attempting to speak to a minor. An attorney will respond to the interview location and confer with the juvenile. Absent exigent circumstances, no interrogation should take place prior to the arrival of an attorney from the Public Defender's Office. Officers shall document their call or other means of contact with the Public Defender's Office in the police report.

Anytime a juvenile offender is placed in secure custody, he/she shall be informed of the purpose of the secure custody, the length of time the secure custody is expected to last and of the maximum six-hour limitation (Welfare and Institutions Code § 207.1(d)).

Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to his/her parent or guardian; one to a responsible relative or his/her employer; and another call completed to an attorney. The calls shall be at no expense to the juvenile when completed to telephone numbers within the local calling area. Juveniles should be asked whether they are a caregiver and provided two more phone calls in the same manner as provided to adults in the Temporary Custody of Adults Policy (Welfare and Institutions Code § 627; Penal Code § 851.5).

323.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile.

(b) Date and time of arrival and release from the Fairfield Police Department (15 CCR 1150).

(c) Watch Commander notification and approval to temporarily hold the juvenile.

(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.

(e) Any changes in status (e.g., emergency situations, unusual incidents).

(f) Time of all safety checks.

(g) Any medical and other screening requested and completed (15 CCR 1142).

(h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1(d); 15 CCR 1145).

(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Watch Commander shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

323.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d); Welfare and Institutions Code § 208; 15 CCR 1144). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Fairfield Police Department (trained in the supervision of persons in custody) shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact (15 CCR 1144).

323.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Fairfield Police Department shall ensure the following:

(a) The Watch Commander should be notified if it is anticipated that a juvenile may need to remain at the Fairfield Police Department more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the Fairfield Police Department more than six hours.

(b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(c) Personal safety checks and significant incidents/activities shall be noted on the log.

(d) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.

    1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.

    2. This does not apply to surreptitious and legally obtained recorded interrogations.

(e) Juveniles shall have reasonable access to toilets and wash basins (15 CCR 1143).

(f) Food shall be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile (15 CCR 1143).

(g) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).

(h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(i) Juveniles shall have privacy during family, guardian, and/or lawyer visits (15 CCR 1143).

(j) Juveniles shall be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody (15 CCR 1143).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(k) Blankets shall be provided as reasonably necessary (15 CCR 1143).

1. The supervisor should ensure that there is an adequate supply of clean blankets.

(l) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.

(m) Juveniles shall have adequate furnishings, including suitable chairs or benches.

(n) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.

(o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse (15 CCR 1142).

323.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Fairfield Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening (15 CCR 1142).

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Watch Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others (15 CCR 1142).

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse (15 CCR 1142).

323.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Fairfield Police Department shall ensure a thorough search of the juvenile’s property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils, and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile’s presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Fairfield Police Department.

323.11 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody (Welfare and Institutions Code § 207; 15 CCR 1145). Watch Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to him/herself or others include the following (15 CCR 1145):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Age, maturity, and delinquent history

(b) Severity of offense for which the juvenile was taken into custody

(c) The juvenile offender's behavior

(d) Availability of staff to provide adequate supervision or protection of the juvenile offender

(e) Age, type, and number of other individuals in custody at the facility

Members of this department shall not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option (15 CCR 1145).

When practicable and when no locked enclosure is available, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object (15 CCR 1148).

Juveniles shall not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter (15 CCR 1148). Supervisor approval should be documented.

The decision for securing a minor to a stationary object for longer than 60 minutes and every 30 minutes thereafter shall be based upon the best interests of the juvenile offender (15 CCR 1148).

323.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.

(b) Juveniles shall have constant auditory access to department members (15 CCR 1147).

(c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1(d)).

(d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).

    1. All safety checks shall be logged.

    2. The safety check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).

    3. Requests or concerns of the juvenile should be logged.

(e) Males and females shall not be placed in the same locked room (15 CCR 1147).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).

(g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

323.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Watch Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Fairfield Police Department (15 CCR 1142; 15 CCR 1047). The procedures will address:

(a) Immediate notification of the on-duty supervisor, Chief of Police, and Investigation Division Supervisor.

(b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.

(c) Notification of the appropriate prosecutor.

(d) Notification of the City attorney.

(e) Notification to the coroner.

(f) Notification of the juvenile court.

(g) In the case of a death, providing a report to the Attorney General under Government Code § 12525 within 10 calendar days of the death, and forwarding the same report to the Board of State and Community Corrections within the same time frame (15 CCR 1046).

(h) A medical and operational review of deaths and suicide attempts pursuant to 15 CCR 1046.

(i) Evidence preservation.

323.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

Prior to conducting a custodial interrogation, including the waiver of *Miranda* rights, an officer shall permit a juvenile 15 years of age or younger to consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (Welfare and Institutions Code § 625.6):

(a) Information is necessary to protect life or property from an imminent threat.

(b) The questions are limited to what is reasonably necessary to obtain the information relating to the threat.

323.13.1 MANDATORY RECORDINGS OF JUVENILES

Any interrogation of an individual under 18 years of age who is in custody and suspected of committing murder shall be audio and video recorded when the interview takes place at a department facility, jail, detention facility, or other fixed place of detention. The recording shall

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

include the entire interview and a *Miranda* advisement preceding the interrogation (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.

(b) The individual refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.

(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.

(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated, or another individual. Such circumstances shall be documented in a report.

(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

These recordings shall be retained until a conviction is final and all direct and habeas corpus appeals are exhausted, a court no longer has any jurisdiction over the individual, or the prosecution for that offense is barred (Penal Code § 859.5; Welfare and Institutions Code § 626.8).

323.14 FORMAL BOOKING

No juvenile offender shall be formally booked without the authorization of the arresting officer's supervisor, or in his/her absence, the Watch Commander.

Any juvenile 14 years of age or older who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted, and photographed.

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed upon the approval from the Watch Commander or Investigations supervisor, giving due consideration to the following:

(a) The gravity of the offense

(b) The past record of the offender

(c) The age of the offender

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

323.15 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Members of this department shall not divulge any information regarding juveniles unless they are certain of the legal authority to do so.

A copy of the current policy of the juvenile court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Fairfield Police Department Policy Manual. Such releases are authorized by Welfare and Institutions Code § 827.

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Manager and the appropriate Investigations supervisors to ensure that personnel of those bureaus act within legal guidelines.

323.16 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION

The Support Services Division Captain shall coordinate the procedures related to the custody of juveniles held at the Fairfield Police Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

323.17 RELIGIOUS ACCOMMODATION

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Juvenile Diversion Program

324.1 PURPOSE AND SCOPE

The purpose of the Juvenile Diversion Program is to provide a formal program to juvenile criminal offenders to correct their behavior prior to entering the formal criminal justice system. The Juvenile Diversion Program provides formal instruction on life skills, monitors the juvenile's progress in school and creates an agreement between juveniles and their guardians regarding their future behavior. Upon successful completion of the Juvenile Diversion Program the juvenile will avoid formal criminal charges for their offense. The Juvenile Diversion Program will collect data on participants and annually complete an audit to insure the Juvenile Diversion Program is functioning without bias and is effective in correcting the behavior of those enrolled.

324.2 SCREENING OF JUVENILE OFFENDERS

All juvenile offenders are screened prior to entry into the Juvenile Diversion Program. The Juvenile Diversion Officer reviews every criminal case involving juvenile offenders, both arrested and referred to the program through formal crime reports. A records check is conducted on each juvenile for local contacts, prior contacts with Solano County Probation or past referrals to the Juvenile Diversion Program.

324.2.1 ENTRY CRITERIA FOR THE JUVENILE DIVERSION PROGRAM

In general, juvenile offenders that have criminal charges for weapons violations, violent crimes or sex offenses are not eligible for entry into the Juvenile Diversion Program. Exceptions for entry of juveniles with these offenses will be considered on a case-by-case basis with consultation between the Juvenile Diversion Officer and the Youth Services Unit supervisor. Serious offenders will be referred to Solano County Probation. All other offenders are eligible for consideration of entry into the Juvenile Diversion Program.

324.2.2 PROGRAM ENTRY PROCESS

For juvenile diversion to be successful juveniles must be willing to enter the program and be open to the opportunity to adjust their behavior. Juveniles must freely accept responsibility for their actions and enter into the juvenile diversion contract willingly. Should a juvenile refuse to accept responsibility for their actions or refuse to enter into the behavioral contract, the case will be forwarded to Solano County Probation.

For entry into the Juvenile Diversion Program the juvenile and their guardian must meet in person with the Juvenile Diversion Officer for an entry interview. During this interview the predicate offense is discussed, and the juvenile is evaluated for entry into the program. Evaluation criteria include the juvenile's willingness to accept responsibility for their actions, the juvenile's past behavior, any use of illegal substances, and the juvenile's academic performance.

If the juvenile is accepted into the program the juvenile, their guardian, and the Juvenile Diversion Officer enter into a contract. This contract outlines the behavior necessary for successful completion of the program, acceptable academic behavior, as well as any formal courses or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

services that will assist the juvenile in correcting their behavior such as drug treatment programs or referrals to the Police Activities League. The contract term will typically be six months to one year in duration.

324.2.3 MENTAL HEALTH SCREENING

During the initial meeting, the Juvenile Diversion Officer will complete a Mentally Ill Crime Reduction (MIOCR) assessment of the juvenile. Should the assessment indicate mental health referral is necessary for the juvenile, the Juvenile Diversion Officer will coordinate with Solano County Probation for a referral to the appropriate program for the juvenile.

324.3 JUVENILE DIVERSION PROGRAM MONITORING

During the juvenile's time in the program their behavior is monitered by both their guardian as well as the The Youth Services Unit. The Juvenile Diversion Officer maintains contact with the juvenile's guardian as well as the juvenile's school administration. If the juvenile attends a school with an assigned School Resource Officer (SRO) the SRO may be in contact with the juvenile during school hours and provide mentoring to the juvenile. Tf the SRO has contact with Juvenile Diversion Program participants during school hours they will provide feedback to the Juvenile Diversion Officer regarding the circumstances surrounding the contact.

Periodically the Juvenile Diversion Officer will meet with program participants and their guardians to evaluate their progress in the program. Should the juvenile re-offend during their time in the Juvenile Diversion Program the new offenses would be a basis for their removal from the program. The Juvenile Diversion Officer will consider the nature and severity of the new offenses to determine the best course of action for the juvenile. If the juvenile is allowed to continue in the program, a new offense may result in an extension of their time in the program.

324.3.1 PROGRAM FAILURE

In a case where the juvenile is not successful in completion of the Juvenile Diversion Program, the juvenile and their guardian will be notified in writing. The notice will include the basis for termination of their participation in the Juvenile Diversion Program. The predicate criminal offense of the juvenile will be forwarded to the Solano County Probation Department for formal entry into the juvenile justice system.

Grounds for failure of the Juvenile Diversion Program include, but are not limited to; behavior in violation of the behavior contract, new criminal offenses and poor academic behavior such as unexcused absences without justification or disruptive behavior in school.

324.3.2 SUCCESSFUL COMPLETION OF THE PROGRAM

In cases where the juvenile successfully completes the program the Juvenile Diversion Officer will meet with the juvenile and their guardian. During this meeting the positive behavior of the juvenile will be discussed and the juvenile will be encouraged to continue in their positive behavior. The juvenile’s predicate offense will be closed with a supplemental report indicating completion of the Juvenile Diversion Program. No further action on the criminal case will be taken.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

324.4 DATA COLLECTION AND PROGRAM EVALUATION

The Juvenile Diversion Officer will maintain a juvenile tracking system. The juvenile tracking system will collect data on all juvenile offenders considered for entry into the Juvenile Diversion Program. This data will include at a minimum; juveniles age, juveniles' sex, juveniles' race, juvenile's criminal offense, reason for juvenile's removal from program if applicable, date of program entry and date of successful completion.

324.4.1 ANNUAL PROGRAM AUDIT

An annual audit of the Juvenile Diversion Program will be conducted by the Youth Services Unit supervisor. This audit will include a comprehensive review of the data collected throughout the year to insure entry into the program is fair and equitable. A review of those cases that were not successful completions of the program will be made to insure the program is functioning properly.

A written report will be completed to memorialize the annual audit. This report will be presented to the Community Services Bureau commander.

324.5 COLLECTION OF FEES AND ACCOUNTING

324.5.1 FEES FOR JUVENILE DIVERSIONPROGRAM PARTICIPATION

When a juvenile is enrolled in the Juvenile Diversion Program a fee of $75 is collected. This fee may be waived for financial hardship at the discretion of the Juvenile Diversion Officer. The purpose of this fee is to pay for online courses used as a part of the Juvenile Diversion Program.

324.5.2 CASH BOX AND ACCOUNTING

A locking cash box is utilized by the Juvenile Diversion Officer for the purpose of providing change while accepting the fee for participating in the program. When fees are collected from Juvenile Diversion Program participants the transaction is logged into the City of Fairfield finance software. Each day that funds are received a drop of the funds is conducted by the Juvenile Diversion Officer at the City of Fairfield Finance Department. The funds are then deposited into a specific account for the purpose of paying for on-line courses utilized in the Juvenile Diversion Program.

The cash box in the Juvenile Diversion Office is subject to yearly audit by the Professional Standards Unit in accordance with Fairfiled Police Department Policy §1021.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Adult Abuse

325.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Fairfield Police Department members as required by law.

325.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement (Penal Code § 368).

Abuse of an elder (age 65 or older) or dependent adult - Physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering; or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. Neglect includes self-neglect (Welfare and Institutions Code § 15610.07; Penal Code § 368.5).

325.2 POLICY

The Fairfield Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

325.3 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

(j) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code § 15640(f)).

(k) Whether a death involved the End of Life Option Act:

1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code § 443.14)
2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person's life without his/her authorization, or concealed or destroyed a withdrawal or rescission of a request for an aid-in-dying drug (Health and Safety Code § 443.17)
3. Whether coercion or undue influence was exerted on the person to request or ingest an aid-in-dying drug or to destroy a withdrawal or rescission of a request for such medication (Health and Safety Code § 443.17)
4. Whether an aid-in-dying drug was administered to a person without his/her knowledge or consent (Health and Safety Code § 443.17).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

325.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present all cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies, and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

325.5 MANDATORY NOTIFICATION

Members of the Fairfield Police Department shall notify the local office of the California Department of Social Services (CDSS) APS agency when they reasonably suspect, have observed, or have

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

knowledge of an incident that reasonably appears to be abuse of an elder (age 65 or older) or dependent adult, or are told by an elder or dependent adult that he/she has experienced abuse (Welfare and Institutions Code § 15630(b)).

Notification shall be made by telephone as soon as practicable and a written report shall be provided within two working days as provided in Welfare and Institutions Code § 15630(b)(c)).

A dependent adult is an individual, regardless of whether the individual lives independently, between 18 and 64 years of age who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23).

Notification shall also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

(a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center) notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):

1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.
2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.
3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written report to the local ombudsman within 24 hours.
4. When a report of abuse is received by the Department, the local ombudsman shall be called to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).

(b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written report shall be made to the local ombudsman as soon as practicable (Welfare and Institutions Code § 15630(b)).

(c) The California Department of Public Health (DPH) shall be notified of all known or suspected abuse in a long-term care facility.

(d) The SDSS shall be notified of all known or suspected abuse occurring in a residential care facility for the elderly or in an adult day program.

(e) If the abuse occurred in an adult day health care center, DPH and the California Department of Aging shall be notified.

(f) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(g) The District Attorney's office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.

(h) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services as soon as practicable but no later than two hours after law enforcement becomes aware of the abuse (Welfare and Institutions Code § 15630(b)).

1. When a report of abuse is received by the Department, investigation efforts shall be coordinated with the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services (Welfare and Institutions Code § 15630(b)).

(i) If during an investigation it is determined that the adult abuse is being committed by a licensed health practitioner as identified in Welfare and Institutions Code § 15640(b), the appropriate licensing agency shall be immediately notified (Welfare and Institutions Code 15640(b)).

(j) When the Department receives a report of abuse, neglect or abandonment of an elder or dependent adult alleged to have occurred in a long-term care facility, the licensing agency shall be notified by telephone as soon as practicable (Welfare and Institutions Code § 15640(e)).

The Investigations supervisor is responsible for ensuring that proper notifications have occurred to the District Attorney's Office and any other regulatory agency that may be applicable based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code § 15630(b).

Notification is not required for a person who was merely present when a person self-administered a prescribed aid-in-dying drug or a person prepared an aid-in-dying drug so long as the person did not assist the individual in ingesting the aid-in-dying drug (Health and Safety Code § 443.14; Health and Safety Code § 443.18).

325.5.1 NOTIFICATION PROCEDURE

Notification should include the following information, if known (Welfare and Institutions Code § 15630(e)):

(a) The name of the person making the report.

(b) The name and age of the elder or dependent adult.

(c) The present location of the elder or dependent adult.

(d) The names and addresses of family members or any other adult responsible for the care of the elder or dependent adult.

(e) The nature and extent of the condition of the elder or dependent adult.

(f) The date of incident.

(g) Any other information, including information that led the person to suspect elder or dependent adult abuse.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

325.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian, or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

325.6.1 EMERGENCY PROTECTIVE ORDERS

In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

325.7 INTERVIEWS

325.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

325.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the adult need to be addressed immediately.
2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

325.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

325.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking, or use of narcotics.

325.9.1 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Investigations supervisor so an interagency response can begin.

325.9.2 SUPERVISOR RESPONSIBILITIES

The Investigations supervisor should:

(a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors, to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Investigations supervisor that he/she has responded to a drug lab or other narcotics crime scene

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

325.10 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting interviews.

(c) Availability of therapy services for adults and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to adult abuse investigations.

(f) Availability of victim advocates or other support.

325.11 RECORDS BUREAU RESPONSIBILITIES

The Records Bureau is responsible for:

(a) Providing a copy of the adult abuse report to the APS, ombudsman or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)).

(b) Retaining the original adult abuse report with the initial case file.

325.12 JURISDICTION

The Fairfield Police Department has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code § 368.5).

Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and criminal neglect and may assist in criminal investigations upon request in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).

325.13 RELEVANT STATUTES

Penal Code § 368 (c)

Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered, is guilty of a misdemeanor.

Penal Code § 368 (f)

A person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

Welfare and Institutions Code § 15610.05

“Abandonment” means the desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody.

Welfare and Institutions Code § 15610.06

“Abduction” means the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, of any elder or dependent adult who does not have the capacity to consent to the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, as well as the removal from this state or the restraint from returning to this state, of any conservatee without the consent of the conservator or the court.

Welfare and Institutions Code § 15610.30

(a) “Financial abuse” of an elder or dependent adult occurs when a person or entity does any of the following:

(1) Takes, secretes, appropriates, obtains, or retains real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.

(2) Assists in taking, secreting, appropriating, obtaining, or retaining real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.

(3) Takes, secretes, appropriates, obtains, or retains, or assists in taking, secreting, appropriating, obtaining, or retaining, real or personal property of an elder or dependent adult by undue influence, as defined in Section 15610.70.

(b) A person or entity shall be deemed to have taken, secreted, appropriated, obtained, or retained property for a wrongful use if, among other things, the person or entity takes, secretes, appropriates, obtains, or retains the property and the person or entity knew or should have known that this conduct is likely to be harmful to the elder or dependent adult.

(c) For purposes of this section, a person or entity takes, secretes, appropriates, obtains, or retains real or personal property when an elder or dependent adult is deprived of any property right, including by means of an agreement, donative transfer, or testamentary bequest, regardless of whether the property is held directly or by a representative of an elder or dependent adult.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) For purposes of this section, “representative” means a person or entity that is either of the following:

(1) A conservator, trustee, or other representative of the estate of an elder or dependent adult.

(2) An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney.

Welfare and Institutions Code § 15610.43

(a) “Isolation” means any of the following:

(1) Acts intentionally committed for the purpose of preventing, and that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls.

(2) Telling a caller or prospective visitor that an elder or dependent adult is not present, or does not wish to talk with the caller, or does not wish to meet with the visitor where the statement is false, is contrary to the express wishes of the elder or the dependent adult, whether he or she is competent or not, and is made for the purpose of preventing the elder or dependent adult from having contact with family, friends, or concerned persons.

(3) False imprisonment, as defined in Section 236 of the Penal Code.

(4) Physical restraint of an elder or dependent adult, for the purpose of preventing the elder or dependent adult from meeting with visitors.

(b) The acts set forth in subdivision (a) shall be subject to a rebuttable presumption that they do not constitute isolation if they are performed pursuant to the instructions of a physician and surgeon licensed to practice medicine in the state, who is caring for the elder or dependent adult at the time the instructions are given, and who gives the instructions as part of his or her medical care.

(c) The acts set forth in subdivision (a) shall not constitute isolation if they are performed in response to a reasonably perceived threat of danger to property or physical safe

Welfare and Institutions Code § 15610.57

(a) “Neglect” means either of the following:

(1) The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care that a reasonable person in a like position would exercise.

(2) The negligent failure of an elder or dependent adult to exercise that degree of self care that a reasonable person in a like position would exercise.

(b) Neglect includes, but is not limited to, all of the following:

(1) Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.

(2) Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone in lieu of medical treatment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(3) Failure to protect from health and safety hazards.

(4) Failure to prevent malnutrition or dehydration.

(5) Failure of an elder or dependent adult to satisfy the needs specified in paragraphs (1) to (4), inclusive, for himself or herself as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health.

Welfare and Institutions Code § 15610.63

“Physical abuse” means any of the following:

(a) Assault, as defined in Section 240 of the Penal Code.

(b) Battery, as defined in Section 242 of the Penal Code.

(c) Assault with a deadly weapon or force likely to produce great bodily injury, as defined in Section 245 of the Penal Code.

(d) Unreasonable physical constraint, or prolonged or continual deprivation of food or water.

(e) Sexual assault, that means any of the following:

(1) Sexual battery, as defined in Section 243.4 of the Penal Code.

(2) Rape, as defined in Section 261 of the Penal Code.

(3) Rape in concert, as described in Section 264.1 of the Penal Code.

(4) Spousal rape, as defined in Section 262 of the Penal Code.

(5) Incest, as defined in Section 285 of the Penal Code.

(6) Sodomy, as defined in Section 286 of the Penal Code.

(7) Oral copulation, as defined in Section 287 or former Section 288a of the Penal Code.

(8) Sexual penetration, as defined in Section 289 of the Penal Code.

(9) Lewd or lascivious acts as defined in paragraph (2) of subdivision (b) of Section 288 of the Penal Code.

(f) Use of a physical or chemical restraint or psychotropic medication under any of the following conditions:

(1) For punishment.

(2) For a period beyond that for which the medication was ordered pursuant to the instructions of a physician and surgeon licensed in the State of California, who is providing medical care to the elder or dependent adult at the time the instructions are given.

(3) For any purpose not authorized by the physician and surgeon.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Discriminatory Harassment

327.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

327.2 POLICY

The Fairfield Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

327.3 DEFINITIONS

327.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

327.3.2 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

327.3.3 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Fair Employment and Housing Council guidelines.

(b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

327.3.4 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

327.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Personnel Director, or the City Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

327.4.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Chief of Police or the Personnel Director in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

327.4.2 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

(a) Behavior of supervisors and managers should represent the values of the Department and professional standards.

(b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

327.4.3 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Personnel Director, the City Manager, or the California Department of Fair Employment and Housing (DFEH) for further information, direction, or clarification (Government Code § 12950).

327.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

327.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

327.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Personnel Director, or the City Manager.

327.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

327.6 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

327.6.1 STATE-REQUIRED TRAINING

The Training Sergeant should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

(a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.

(b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.

(c) All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by DFEH online training courses, the Training Sergeant should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

327.6.2 TRAINING RECORDS

The Training Sergeant shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

327.7 WORKING CONDITIONS

The Administrative Services Uint Division Commander or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other City employees who are similarly tasked (2 CCR 11034).

327.8 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment and transgender rights in a prominent and accessible location for members (Government Code § 12950).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Child Abuse

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Fairfield Police Department members are required to notify the county Child Protective Services (CPS) of suspected child abuse.

329.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

329.2 POLICY

The Fairfield Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

329.3 MANDATORY NOTIFICATION

The child protection agency shall be notified when (Penal Code § 11166):

(a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or

(b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney's office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred should not be reported to the District Attorney (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code 11166.1; Penal Code 11166.2).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment as a peace officer.

329.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

(a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.

(b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

329.3.2 PROCEDURE FOR "SUSPECTED CHILD ABUSE REPORT" FORM

It is the policy of the City of Fairfield Police Department to ensure that all child abuse and suspected child abuse cases are documented. Notification to the proper entities must also be made.

When an officer encounters a child abuse or suspected child abuse incident, the officer will complete a "Suspected Child Abuse Report" form (per 11166 PC), along with a police report. The "Suspected Child Abuse Report" form shall be faxed to the District Attorney's Office at (707)784-2529 and to Child Welfare Services at (707)421-7535 immediately, or as soon as practicable. Additionally, a telephone report shall be made to Child Welfare Services at (800)544-8696 immediately or as soon as practicable. It shall be the responsibility of the investigating officer to make the above notifications and document within the police report the date and time of said notifications. The investigating officer must complete the police report as soon as practicable either by handwriting the report during the same shift in which the incident was reported or by dictating the report during the same shift, and using the expedited transcription process. The reviewing supervisor must insure that the appropriate notifications were made and noted in the report.

All reports of child abuse investigated by this department not determined to be unfounded shall be reported to the Department of Justice (DOJ) after the investigation is completed. The form designated for this purpose is the SS8583 form provided by DOJ. Unfounded and General Neglect reports do not require completion of an SS8583. The Records unit will send a copy of the SS8583 form to the Investigation unit. The Investigation unit is responsible for notifying the offender and mailing the SS8583 form to DOJ. DOJ uses these reports for data entry into the statewide Child Abuse Index.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

329.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

329.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address the following, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.

(b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.

(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

329.5.1 EXTRA JURISDICTIONAL REPORTS
If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9).

329.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, or a commercially exploited child under Penal Code § 647 and Penal Code § 653.22, and further has good cause to believe that any of the following conditions exist:

1. The child has an immediate need for medical care.
2. The child is in immediate danger of physical or sexual abuse.
3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child’s health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:

1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
2. There is no lawful custodian available to take custody of the child.
3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
4. The child is an abducted child.

(c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 (Detainment or concealment of child from legal custodian) or Penal Code § 278.5 (Deprivation of custody of a child or right to visitation) (Penal Code § 279.6).

A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

329.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW

An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

329.6.2 NEWBORNS TESTING POSITIVE FOR DRUGS

Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.

Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

329.7 INTERVIEWS

329.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

329.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the child need to be addressed immediately.
2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

329.7.3 INTERVIEWS AT A SCHOOL

Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

329.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

329.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

329.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations supervisor should:

(a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers, and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacturing and trafficking of other drugs.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Activate any available interagency response when an officer notifies the Investigations supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

329.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

(a) Document the environmental, medical, social, and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Investigations supervisor so an interagency response can begin.

329.10 STATE MANDATES AND OTHER RELEVANT LAWS

California requires or permits the following:

329.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code 841.5; Penal Code § 11167.5).

329.10.2 REQUESTS FOR REMOVAL FROM THE CHILD ABUSE CENTRAL INDEX (CACI)

Any person whose name has been forwarded to the California Department of Justice (DOJ) for placement in California's CACI, as a result of an investigation, may request that his/her name be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution that precipitated the entry to CACI (Penal Code § 11169). All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI hearing officer.

329.10.3 CACI HEARING OFFICER

The Investigations supervisor will normally serve as the hearing officer but must not be actively connected with the case that resulted in the person's name being submitted to CACI. Upon receiving a qualified request for removal, the hearing officer shall promptly schedule a hearing to take place during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

329.10.4 CACI HEARING PROCEDURES

The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

(a) Case reports including any supplemental reports

(b) Statements by investigators

(c) Statements from representatives of the District Attorney's Office

(d) Statements by representatives of a child protective agency who may be familiar with the case

After considering all information presented, the hearing officer shall make a determination as to whether the requesting party's name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person's name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

329.10.5 CHILD DEATH REVIEW TEAM

This department should cooperate with any interagency child death review team investigation. Written and oral information relating to the death of a child that would otherwise be subject to release restrictions may be disclosed to the child death review team upon written request and approval of a supervisor (Penal Code § 11174.32).

329.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting forensic interviews.

(c) Availability of therapy services for children and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to child abuse investigations.

(f) Availability of victim advocate or guardian ad litem support.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Missing Persons

331.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

331.1.1 DEFINITIONS

At risk - Includes, but is not limited to (Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction.
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person's location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

331.2 POLICY

The Fairfield Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Fairfield Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

331.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigation supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
- Missing person school notification form

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

331.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

331.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call for service as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).

(e) Ensure that entries are made into the appropriate missing person networks as follows:

1. Immediately, when the missing person is at risk.
2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:

1. A photograph and a fingerprint card of the missing person, if available.
2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
3. Any documents that may assist in the investigation, such as court orders regarding custody.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

331.6 REPORT PROCEDURES AND ROUTING

Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

331.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.

1. The reports should be promptly sent to the Records Bureau.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

331.6.2 RECORDS BUREAU RESPONSIBILITIES

The receiving member shall:

(a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211).

(b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).

(c) Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Forward a copy of the report to the Investigations.

(e) Coordinate with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

331.7 INVESTIGATIONS FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.

1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child's student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update CLETS, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).

(g) Should make appropriate inquiry with the Coroner.

(h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (34 USC § 41308).

(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

331.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Managershall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213):

(a) Notification is made to California DOJ.

(b) The missing person's school is notified.

(c) Entries are made in the applicable missing person networks.

(d) Immediately notify the Attorney General's Office.

(e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation within 24 hours.

331.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.

(b) Enter the unidentified person's description into the NCIC Unidentified Person File.

(c) Use available resources, such as those related to missing persons, to identify the person.

331.9 CASE CLOSURE

The Investigations supervisor may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.

(b) If the missing person is a resident of the City of Fairfield or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactivate if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

331.10 TRAINING

Subject to available resources, the Training Sergeant should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

(a) The initial investigation:

1. Assessments and interviews
2. Use of current resources, such as Mobile Audio Video (MAV)
3. Confirming missing status and custody status of minors
4. Evaluating the need for a heightened response
5. Identifying the zone of safety based on chronological age and developmental stage

(b) Briefing of department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.

(k) Update procedures for case information and descriptions.

(l) Preserving scenes.

(m) Internet and technology issues (e.g., Internet use, cell phone use).

(n) Media relations.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Public Alerts

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

333.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

333.3 RESPONSIBILITIES

333.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Fairfield Police Department should notify their supervisor, Watch Commander or Investigations Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

333.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts

(b) Canceling alerts

(c) Ensuring all appropriate reports are completed

(d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

333.4 AMBER ALERTS

The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

333.4.1 CRITERIA FOR AMBER ALERT

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.

(b) The victim is 17 years of age or younger, or has a proven mental or physical disability.

(c) The victim is in imminent danger of serious injury or death.

(d) There is information available that, if provided to the public, could assist in the child's safe recovery.

333.4.2 PROCEDURE FOR AMBER ALERT

The supervisor in charge will ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the child:

1. The child's identity, age and description
2. Photograph if available
3. The suspect's identity, age and description, if known
4. Pertinent vehicle description
5. Detail regarding location of incident, direction of travel, potential destinations, if known
6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
7. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).

(c) The press release information is forwarded to the Sheriff's Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).

(e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).

(f) The following resources should be considered as circumstances dictate:

1. The local FBI office
2. National Center for Missing and Exploited Children (NCMEC)

333.5 BLUE ALERTS

Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

333.5.1 CRITERIA FOR BLUE ALERTS

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

(a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.

(b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.

(c) A detailed description of the suspect's vehicle or license plate is available for broadcast.

(d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

333.5.2 PROCEDURE FOR BLUE ALERT

The supervisor in charge should ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle
2. Photograph, description and/or identification of the suspect
3. The suspect's identity, age and description, if known
4. Detail regarding location of incident, direction of travel, potential destinations, if known
5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
6. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.

(c) The information in the press release is forwarded to the Sheriff's Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) The following resources should be considered as circumstances dictate:

1. Entry into the California Law Enforcement Telecommunication System (CLETS)
2. The FBI local office

333.6 SILVER ALERTS

Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

333.6.1 CRITERIA FOR SILVER ALERTS

All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

(a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.

(b) The department has utilized all available local resources.

(c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

(d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

333.6.2 PROCEDURE FOR SILVER ALERT

Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

333.7 INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS)

During a large-scale emergency, the Department may need to provide the Fairfield community with life-saving information quickly. IPAWS is an integration of the nation's alert and warning infrastructure, and will save time when time matters most, protecting life and property. IPAWS provides the Department with an effective way to alert and warn the public about serious emergencies using the Emergency Alert System (EAS), Wireless Emergency Alerts (WEA), the National Oceanic and Atmospheric Administration (NOAA) Weather Radio, and other public alerting systems from a single interface.

The use of the IPAWS sytem shall be subject to the following conditions:

(a) Any messaging using the IPAWS system will require the approval of a captain or the Chief of Police, unless there is an immediate, large-scale threat to the public safety, at which time a sergeant, lieutenant, or member of the PIO Unit may issue an alert. Regardless of who approves the issuing of the alert, the Chief of Police will be notified of the alert via the chain of command as soon as practicable.

(b) Only those employees that have completed the required FEMA training for IPAWS may access or use the system.

(c) Alerts should be sent in both English and Spanish.

When deciding to use the IPAWS system the following criteria will be considered:

(a) Does the hazardous situation require the public to take immediate action?

(b) Does the hazardous situation pose a threat to life or property?

(c) Is there a high degree of probability the hazard situation will occur?

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

333.8 MUTUAL AID

The experiences of other law enforcement jurisdictions that have implemented similar plans indicate a public alert will generate a high volume of telephone calls to the handling agency.

The Sheriff's Department emergency communications facilities and staff can be made available in the event of a high call volume.

If the Watch Commander or Investigations Supervisor elects to use the services of the Sheriff's Department, the following will apply:

(a) Notify the Sheriff's Department Watch Commander of the incident and the request for assistance. He/she will provide you with a telephone number for the public to call.

(b) In the press release, direct the public to the telephone number provided by the Sheriff's Department Watch Commander.

(c) The Public Information Officer will continue to handle all press releases and media inquiries. Any press inquiries received by the Sheriff's Department will be referred back to this department.

The Fairfield Police Department shall assign a minimum of two detectives/officers to respond to the Sheriff's Department emergency communications facility to screen and relay information and any clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the emergency communications facility.

333.9 ADDITIONAL ALERTS FOR PUBLIC SAFETY EMERGENCIES

Additional public safety emergency alerts may be authorized that utilize wireless emergency alert system (WEA) and emergency alert system (EAS) equipment for alerting and warning the public to protect lives and save property (Government Code § 8593.7).

333.9.1 CRITERIA

Public safety emergency alerts may be issued to alert or warn the public about events including but not limited to:

(a) Evacuation orders (including evacuation routes, shelter information, key information).

(b) Shelter-in-place guidance due to severe weather.

(c) Terrorist threats.

(d) HazMat incidents.

333.9.2 PROCEDURE

Public safety emergency alerts should be activated by following the guidelines issued by the Office of Emergency Services (Government Code § 8593.7).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Victim and Witness Assistance

335.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

335.2 POLICY

The Fairfield Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Fairfield Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

335.3 CRIME VICTIM LIAISON

The Chief of Police shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Fairfield Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

335.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison is specifically tasked with the following:

(a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim's or derivative victim's designation as a gang member, associate, or affiliate, or on the person's documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).

(b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).

(c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.

(d) Annually providing CalVCB with his/her contact information (Government Code § 13962).

(e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).

    1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Fairfield Police Department jurisdiction (Penal Code § 680.2).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

335.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

335.4.1 VICTIMS OF HUMAN TRAFFICKING

Officers investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim's parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and his/her immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293).

335.5 VICTIM INFORMATION

The Administrative Services Uint Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims of domestic violence.

(b) Community resources for victims of sexual assault.

(c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).

(d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).

(e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(f) A clear explanation of relevant court orders and how they can be obtained.

(g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).

(h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.

(i) Notice regarding U visa and T visa application processes.

(j) Resources available for victims of identity theft.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(k) A place for the officer's name, badge number, and any applicable case or incident number.

(l) The "Victims of Domestic Violence" card containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).

(m) The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.

(n) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

335.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hate Crimes

337.1 PURPOSE AND SCOPE

This policy is designed to assist in identifying and handling crimes motivated by hate or other bias toward individuals and groups with legally defined protected characteristics, to define appropriate steps for assisting victims, and to provide a guide to conducting related investigations. It outlines the general policy framework for prevention, response, accessing assistance, victim assistance and follow-up, and reporting as related to law enforcement's role in handling hate crimes. It also serves as a declaration that hate crimes are taken seriously and demonstrates how the Fairfield Police Department may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy (Penal Code § 13519.6).

337.1.1 DEFINITION AND LAWS

In accordance with Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.6; and Penal Code § 422.87, for purposes of all other state law, unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

Bias motivation - Bias motivation is a pre-existing negative attitude toward actual or perceived characteristics referenced in Penal Code § 422.55. Depending on the circumstances of each case, bias motivation may include but is not limited to hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including but not limited to disability or gender.

Disability - Disability includes mental disability and physical disability as defined in Government Code § 12926, regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Disability bias - In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as but not limited to dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore "deserving victims," a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes but is not limited to situations where a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons, such as inebriated persons or persons with perceived disabilities different from those of the victim. Such circumstances could be evidence that the perpetrator's motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Gender - Gender means sex and includes a person's gender identity and gender expression.

Gender expression - Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.

Gender identity- Gender identity means each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender (2 CCR § 11030).

Hate crime - “Hate crime” includes but is not limited to a violation of Penal Code § 422.6, and means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(a) Disability

(b) Gender

(c) Nationality

(d) Race or ethnicity

(e) Religion

(f) Sexual orientation

(g) Association with a person or group with one or more of these actual or perceived characteristics:

1. “Association with a person or group with these actual or perceived characteristics" includes advocacy for, identification with, or being on the ground owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of those characteristics listed in the definition of “hate crime” under paragraphs 1 to 6, inclusive, of Penal Code § 422.55(a).

Note: A “hate crime” need not be motivated by hate but may be motivated by any bias against a protected characteristic.

Hate incident - A hate incident is an action or behavior motivated by hate or bias but legally protected by the First Amendment right to freedom of expression. Examples of hate incidents include:

- Name-calling
- Insults and epithets
- Distributing hate material in public places
- Displaying hate material on your own property

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hate speech - The First Amendment to the U.S. Constitution protects most speech, even when it is disagreeable, offensive, or hurtful. The following types of speech are generally not protected:

- Fighting words
- True threats
- Perjury
- Blackmail
- Incitement to lawless action
- Conspiracy
- Solicitation to commit any crime

In whole or in part - “In whole or in part because of” means that the bias motivation must be a cause in fact of the offense whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that a crime would not have been committed but for the actual or perceived characteristic.

Nationality - Nationality includes citizenship, country of origin, and national origin.

Race or ethnicity - Race or ethnicity includes ancestry, color, and ethnic background.

Religion - Religion includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

Sexual orientation - Sexual orientation means heterosexuality, homosexuality, or bisexuality.

Victim - Victim includes but is not limited to:

- Community center
- Educational facility
- Entity
- Family
- Group
- Individual
- Office
- Meeting hall
- Person
- Place of worship
- Private institution
- Public agency

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Library
- Other victim or intended victim of the offense

337.2 POLICY

It is the policy of this department to safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority.

This department will employ reasonably available resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this department should take all reasonable steps to attend to the security and related concerns of the immediate victims and their families as feasible.

All officers are required to be familiar with the policy and use reasonable diligence to carry out the policy unless directed by the Chief of Police or other command-level officer to whom the Chief of Police formally delegates this responsibility.

337.3 PLANNING AND PREVENTION

In order to facilitate the guidelines contained within this policy, department members will continuously work to build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Department personnel are also encouraged to learn about the inherent issues concerning their communities in relation to hate crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Hate incidents should be investigated and documented as part of an overall strategy to prevent hate crimes.

337.3.1 HATE CRIMES COORDINATOR

The Terrorism Liaison Coordinator will serve as the Hate Crimes Coordinator. The responsibilities of the Hate Crimes Coordinator should include but not be limited to (Penal Code § 422.87):

(a) Meeting with residents in target communities to allay fears; emphasizing the department’s concern over hate crimes and related incidents; reducing the potential for counter-violence; and providing safety, security, and crime-prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.

(b) Finding, evaluating, and monitoring public social media sources to identify possible suspects in reported hate crimes; to identify suspects or suspect groups in future hate crimes or hate incidents affecting individuals, groups, or communities that may be victimized; and to predict future hate-based events.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Providing direct and referral assistance to the victim and the victim's family.

(d) Conducting public meetings on hate crime threats and violence in general.

(e) Establishing relationships with formal community-based organizations and leaders.

(f) Expanding, where appropriate, preventive programs such as hate, bias, and crime-reduction seminars for students.

(g) Reviewing the Attorney General's latest opinion on hate crime statistics and targets in order to prepare and plan for future crimes, specifically for Arab/Middle Eastern and Muslim communities (Penal Code § 13519.6(b)(8)).

(h) Providing orientation of and with communities of specific targeted victims such as immigrants, Muslims, Arabs, LGBTQ, black or African-American, Jewish, Sikh, and persons with disabilities.

(i) Coordinating with the Training Sergeant to include in a training plan recognition of hate crime bias characteristics, including information on general underreporting of hate crimes.

(j) Verifying a process is in place to provide this policy and related orders to officers in the field; and taking reasonable steps to rectify the situation if such a process is not in place.

(k) Taking reasonable steps to ensure hate crime data is provided to the Records Bureau for mandated reporting to the Department of Justice.

(l) Reporting any suspected multi-mission extremist crimes to the agency Terrorism Liaison Officer, the assigned designee, or other appropriate resource; and verifying that such data is transmitted to the Joint Regional Information Exchange System in accordance with the protocols of the Records Bureau Policy.

(m) Maintaining the department's supply of up-to-date hate crimes brochures (Penal Code § 422.92; Penal Code § 422.87).

(n) Annually assessing this policy, including:

1. Keeping abreast of the Commission on Peace Officer Standards and Training (POST) model policy framework for hate crimes for revisions or additions, including definitions, responsibilities, training resources, and planning and prevention methods.

2. Analysis of the department's data collection as well as the available outside data (e.g., annual California Attorney General's report on hate crime) in preparation for and response to future hate crimes.

337.3.2 RELEASE OF INFORMATION

Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure often assists greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:

(a) Dissemination of correct information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Assurance to affected communities or groups that the matter is being properly and promptly investigated.

(c) The ability to request information regarding the commission of the crimes from the victimized community.

Information or records relating to hate crimes subject to public disclosure shall be released as provided by the Records Maintenance and Release Policy or as allowed by law. In accordance with the Media Relations Policy, the supervisor, public information officer, or the authorized designee should be provided with information that can be responsibly reported to the media. When appropriate, the department spokesperson should reiterate that hate crimes will not be tolerated, will be investigated seriously, and will be prosecuted to the fullest extent of the law.

The Department should consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

- Inform community organizations in a timely manner when a community group has been the target of a hate crime.
- Inform the community of the impact of these crimes on the victim, the victim's family, and the community, and of the assistance and compensation available to victims.
- Inform the community regarding hate crime law and the legal rights of, and remedies available to, victims of hate crimes.
- Provide the community with ongoing information regarding hate crimes and/or hate incidents.

337.4 RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP

337.4.1 INITIAL RESPONSE

First responding officers should know the role of all department personnel as they relate to the department's investigation of hate crimes and/or incidents. Responding officers should evaluate the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.

At the scene of a suspected hate or bias crime, officers should take preliminary actions reasonably deemed necessary, including but not limited to the following:

(a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime (see Appendix).

(b) Stabilize the victims and request medical attention when necessary.

(c) Properly protect the safety of victims, witnesses, and perpetrators.

1. Assist victims in seeking a Temporary Restraining Order (if applicable).

(d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Properly protect, preserve, and process the crime scene, and remove all physical evidence of the incident as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the property owner should be contacted to facilitate removal or covering as soon as reasonably possible. Department personnel should follow up with the property owner to determine if this was accomplished in a timely manner.

(f) Collect and photograph physical evidence or indicators of hate crimes such as:

1. Hate literature.
2. Spray paint cans.
3. Threatening letters.
4. Symbols used by hate groups.

(g) Identify criminal evidence on the victim.

(h) Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.

(i) Conduct a preliminary investigation and record pertinent information including but not limited to:

1. Identity of suspected perpetrators.
2. Identity of witnesses, including those no longer at the scene.
3. The offer of victim confidentiality per Government Code § 6254.
4. Prior occurrences in this area or with this victim.
5. Statements made by suspects; exact wording is critical.
6. The victim's protected characteristics and determine if bias was a motivation “in whole or in part” in the commission of the crime.

(j) Adhere to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law.

(k) Provide information regarding immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(l) Provide the department’s Hate Crimes Brochure (per Penal Code § 422.92) if asked, if necessary, or per policy.

(m) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

(n) Document any suspected multi-mission extremist crimes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

337.4.2 INVESTIGATION

Investigators at the scene of, or performing follow-up investigation on, a suspected hate or bias crime or hate incident should take all actions deemed reasonably necessary, including but not limited to the following:

(a) Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).

(b) Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.

(c) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

(d) Properly investigate any report of a hate crime committed under the color of authority per Penal Code § 422.6 and Penal Code § 13519.6.

(e) Document physical evidence or indicators of hate crimes, in accordance with the provisions of the Property and Evidence Policy, such as:

1. Hate literature.
2. Spray paint cans.
3. Threatening letters.
4. Symbols used by hate groups.
5. Desecration of religious symbols, objects, or buildings.

(f) Request the assistance of translators or interpreters when needed to establish effective communication.

(g) Conduct a preliminary investigation and record information regarding:

1. Identity of suspected perpetrators.
2. Identity of witnesses, including those no longer at the scene.
3. Offer of victim confidentiality per Government Code § 6254.
4. Prior occurrences, in this area or with this victim.
5. Statements made by suspects; exact wording is critical.
6. Document the victim’s protected characteristics.

(h) Provide victim assistance and follow-up.

(i) Canvass the area for additional witnesses.

(j) Examine suspect’s social media activity for potential evidence of bias motivation.

(k) Coordinate the investigation with department, state, and regional intelligence operations. These sources can provide the investigator with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(l) Coordinate the investigation with the crime scene investigation unit (if applicable) or other appropriate units of the Department.

(m) Determine if the incident should be classified as a hate crime.

(n) Take reasonable steps to provide appropriate assistance to hate crime victims, including the following measures:

1. Contact victims periodically to determine whether they are receiving adequate and appropriate assistance.
2. Provide ongoing information to victims about the status of the criminal investigation.
3. Provide victims and any other interested persons the brochure on hate crimes per Penal Code § 422.92 and information on any local advocacy groups (if asked).

(o) Document any suspected multi-mission extremist crimes.

(p) Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents, and determine if organized hate groups are involved.

337.4.3 SUPERVISION

The supervisor shall confer with the initial responding officer and take reasonable steps to ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

(a) Provide immediate assistance to the crime victim by:

1. Expressing the department's official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.
2. Expressing the department's interest in protecting victims' anonymity (confidentiality forms, Government Code § 6254) to the extent reasonably possible. Allow the victims to convey their immediate concerns and feelings.
3. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy, or a department chaplain, as well as community service agencies that provide shelter, food, clothing, child care, or other related services (per Penal Code § 422.92).

(b) Take reasonable steps to ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.

(c) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(d) In cases of large-scale hate crime waves, or in circumstances where the potential exists for subsequent hate crimes or incidents, consider directing resources to protect vulnerable sites (such as assigning an officerto specific locations that could become targets).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Verify hate crimes are being properly reported, including reporting to the Department of Justice, pursuant to Penal Code § 13023.

(f) Verify adherence to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law. Supervisors should also be aware of the immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(g) Respond to and properly initiate an investigation of any reports of hate crimes committed under the color of authority.

(h) Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For additional information refer to the California Department of Justice website.

(i) Verify reporting of any suspected multi-mission extremist crimes to the agency Hate Crimes Coordinator.

(j) Make a final determination as to whether the incident should be classified as a hate crime and forward to the Chief of Police for approval.

337.5 TRAINING

All members of this department will receive POST-approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should include (Penal Code § 422.87):

(a) Recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group, including disability bias and gender bias.

(b) Accurate reporting by officers, including information on the general underreporting of hate crimes.

(c) Distribution of hate crime brochures.

337.6 APPENDIX

See attachments:

Statutes and Legal Requirements.pdf

Hate Crime Checklist.pdf

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Standards of Conduct

340.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Fairfield Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

340.2 POLICY

The continued employment or appointment of every member of the Fairfield Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

340.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE

The following list of causes for disciplinary action constitutes a portion of the disciplinary standards of this department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient department service:

340.3.1 ATTENDANCE

(a) Leaving job to which assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized tardiness on scheduled day(s) of work. An employee who will be late for duty shall notify their immediate supervisor, or on-duty supervisor in charge, prior to the time he/she is expected to report for work.

(c) Personnel requesting any time off or a shift change must receive approval from every unit affected by such a request.

(d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

(e) Failure to notify the Department within 24 hours of any change in residence address, home phone number, or marital status.

(f) Falsely reporting sickness or injury, feigning sickness or injury or otherwise attempting to deceive a department representative to avoid work.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

340.3.2 CONDUCT

(a) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily injury on another.

(b) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Chief of Police of such action.

(c) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

(d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

(e) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through unreasonable carelessness or maliciousness.

(f) Failure of any employee to promptly and fully report activities on their own part or the part of any other employee where such activities may result in criminal prosecution or discipline under this policy.

(g) Failure of any employee to promptly and fully report activities that have resulted in official contact by any other law enforcement agency.

(h) Using or disclosing one's status as an employee with the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

(i) The use of any information, photograph, video or other recording obtained or accessed as a result of employment with the Department for personal or financial gain or without the express authorization of the Chief of Police or a designee may result in discipline under this policy.

(j) Seeking restraining orders against individuals encountered in the line of duty without the express permission of the Chief of Police.

(k) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department.

(l) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

(m) Engaging in on-duty sexual relations including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

340.3.3 DISCRIMINATION

(a) Discriminate against any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition.

340.3.4 INTOXICANTS

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Reporting for work or being at work following the use of intoxicants where such use may impair the employee's ability to perform assigned duties or where there is an immediate suspicion of ineffectiveness during public contact resulting from the use of intoxicants

(b) Unauthorized possession or use of, or attempting to bring intoxicants to the work site, except as authorized in the performance of an official assignment. An employee who is authorized to consume intoxicants is not permitted to do so to such a degree that it may impair on-duty performance

(c) Reporting for work or being at work following the use of a "controlled substance" or any drug (whether legally prescribed or otherwise) where such use may impair the employee's ability to perform assigned duties

(d) Unauthorized possession, use of, or attempting to bring controlled substance or other illegal drug to any work site

340.3.5 PERFORMANCE

(a) Unauthorized sleeping during on-duty time or assignments.

(b) Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.

(c) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors without a reasonable and bona fide excuse.

(d) Concealing, attempting to conceal, removing or destroying defective or incompetent work.

(e) Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority.

(f) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.

(g) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of the Department or subverts the good order, efficiency and discipline of the Department or which would tend to discredit any member thereof.

(h) Knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or members thereof.

(i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.

(j) Wrongfully loaning, selling, giving away or appropriating any department property for the personal use of the employee or any unauthorized person.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(k) The unauthorized use of any badge, uniform, identification card or other department equipment or property for personal gain or any other improper purpose.

(l) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the employee's duties (lawful subpoena fees and authorized work permits excepted).

(m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.

(n) Work-related dishonesty, including attempted or actual theft of department property, services or the property of others, or the unauthorized removal or possession of department property or the property of another person.

(o) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.

(p) Failure to disclose or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form or during the course of any work-related investigation.

(q) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved department practices or procedures.

(r) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when a department member knew or reasonably should have known of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by the Department.

(s) Offer or acceptance of a bribe or gratuity.

(t) Misappropriation or misuse of public funds.

(u) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(v) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions: while on department premises; at any work site; while on-duty or while in uniform; or while using any department equipment or system. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(w) Substantiated, active, continuing association on a personal rather than official basis with a person or persons who engage in or are continuing to engage in serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(x) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this agency, except as expressly authorized by the Chief of Police.

(y) Engaging in political activities during assigned working hours except as expressly authorized by the Chief of Police.

(z) Violating any misdemeanor or felony statute.

(aa) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.

(ab) Any failure or refusal of an employee to properly perform the function and duties of an assigned position.

(ac) Failure to maintain required and current licenses (e.g. driver's license) and certifications (e.g., first aid).

(ad) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

340.3.6 SAFETY

(a) Failure to observe posted rules, signs and written or oral safety instructions while on duty and/or within department facilities or to use required protective clothing or equipment.

(b) Knowingly failing to report any on-the-job or work-related accident or injury within 24 hours.

(c) Substantiated employee record of unsafe or improper driving habits or actions in the course of employment.

(d) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

(e) Any personal action contributing to involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment.

(f) Violating departmental safety standards or safe working practices.

340.3.7 SECURITY

(a) Unauthorized, intentional release of designated confidential information, materials, data, forms or reports.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

340.3.8 SUPERVISION RESPONSIBILITY

(a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and the actions of all personnel comply with all laws.

(b) Failure of a supervisor to timely report known misconduct of an employee to his or her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

340.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint Procedure Policy Manual § 1020. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one year of the discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions.

340.4.1 WRITTEN REPRIMANDS

Any employee wishing to formally respond to a written reprimand must do so pursuant to the guidelines set forth in the appropriate Memorandum of Understanding.

340.5 POST INVESTIGATION PROCEDURES

340.5.1 DIVISION CAPTAIN RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Support Services Division Captain shall review the entire investigative file and any other relevant materials.

The Support Services Division Captain shall make recommendations regarding the disposition of any allegations to the Chief. The Chief shall review the entire investigative file and the recommendations of the Support Services Division Captain and make recommendations regarding the amount of discipline, if any, to be imposed.

(a) Prior to forwarding recommendations to the Chief of Police, the Support Services Division Captain may return the entire investigation to the Professional Standards Unit or assigned supervisor for further investigation or action.

(b) If the disposition appears to be sustained, then at the request of the accused officer, the Internal Affairs Panel shall be convened pursuant to the current M.O.U..

(c) When forwarding any written recommendation to the Chief of Police, the Support Services Division Captain shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

340.5.2 RESPONSIBILITIES OF THE CHIEF OF POLICE

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials.

The Chief of Police may modify any recommendation and/or may return the file to the Support Services Division Captain for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, to be imposed.

In the event disciplinary action is recommended, the Chief of Police shall provide the employee with written (*Skelly*) notice of the following information within one year of the date of the discovery of the alleged misconduct (absent an exception set forth in Government Code § 3304(d) or Government Code § 3508.1):

(a) Specific charges set forth in separate counts, describing the conduct underlying each count.

(b) A separate recommendation of proposed discipline for each charge.

(c) A statement that the employee has been provided with or given access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(d) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the *Skelly* notice.

1. Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond.

2. If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

340.6 EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) This *Skelly* response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the *Skelly* response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

(f) Once the employee has completed his/her *Skelly* response or, if the employee has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. Once the Chief of Police determines that discipline will be imposed, a timely written decision shall be provided to the employee within 14 days, imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reason for termination and the process to receive all remaining fringe and retirement benefits.

(g) Once the Chief of Police has issued a written decision, the discipline shall become effective.

340.7 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

340.8 POST SKELLY PROCEDURE

In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief of Police's imposition of discipline pursuant to the operative Memorandum of Understanding (MOU) or collective bargaining agreement and personnel rules.

During any post-*Skelly* administrative appeal, evidence that an officer has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of penalty. (Government Code § 3305.5).

340.9 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal and the following shall be considered:

(a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee's personnel file.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the *Skelly* procedure as set forth above. This appeal process may be held prior to or within a reasonable time after the imposition of discipline.

(c) At all times during any investigation of allegations of misconduct involving a probationary officer, such officer shall be afforded all procedural rights set forth in Government Code § 3303 and applicable Department policies.

(d) A probationary employee's appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee's continuation of employment.

(e) The burden of proof for any probationary employee's appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence.

(f) In the event that a probationary employee meets his or her burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee's personnel file.

(g) In the event that a probationary employee fails to meet his or her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Information Technology Use

341.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

341.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Fairfield Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

341.2 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Report Preparation

343.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

343.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

343.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

343.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

(a) All arrests

(b) All felony crimes

(c) Non-Felony incidents involving threats or stalking behavior

(d) Situations covered by separate policy. These include:

1. Use of Force Policy
2. Domestic Violence Policy

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate Crimes Policy
6. Suspicious Activity Reporting Policy

(e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

343.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

(a) Anytime an officer points a firearm at any person

(b) Any use of force against any person by a member of this department (see the Use of Force Policy)

(c) Any firearm discharge (see the Firearms Policy)

(d) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy)

(e) Any found property or found evidence

(f) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy)

(g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy

(h) All protective custody detentions

(i) Suspicious incidents that may place the public or others at risk

(j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

343.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.

(b) Suicides.

(c) Homicide or suspected homicide.

(d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Found dead bodies or body parts.

343.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

343.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose
(b) Attempted suicide
(c) The injury is major/serious, whereas death could result
(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

343.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES
A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Bureau shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

343.2.7 DOCUMENTING CITIZEN CONTACTS
When a citizen is detained (including traffic stops) the officer has the discretion to document the incident. However, if the detention becomes invasive where an officer displays his/her weapon (lethal or less lethal) or the subject was handcuffed, searched, etc., the officer shall complete either a Field Interview (FI) card, Information Report, CR1 Crime Report, Warning Citation, or Notice to Appear. The context of the contact (i.e. was the individual handcuffed, searched, etc) should dictate the appropriate documentation method. The documentation shall contain all pertinent information about the stop including personal information and identifiers on the detainee and the reason for the stop.

343.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. All reports shall be completed before an employee leaves for his/her regularly scheduled days off unless a supervisor authorizes the report to be pended. When a supervisor authorizes a report to be pended over an employees days off, the supervisor will send an email to his/her Watch Commander explaining the reason the report was pended.

Certain reports may need to be processed with an expedited status. Expedited reports will be transcribed and processed through Records more quickly. Expedited reports will consist of all

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

homicides, robberies, and any other report a supervisor directs to be expedited. Expedited reports will be completed prior to the end of the employees current shift.

An incomplete report, unorganized report, or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

343.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

343.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state, and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

343.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

343.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Bureau for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Bureau may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

343.6 POLICIES AND PROCEDURES

Please refer to Fairfield Police Department's Report Writing Manual for the policies and procedures related to preparing and completing reports.

343.7 ELECTRONIC SIGNATURES

The Fairfield Police Department has established an electronic signature procedure for use by all employees of the Fairfield Police Department. The Patrol Captain shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature.

- Employees may only use their electronic signature for official reports or other official communications.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

343.8 ALTERNATIVE CRIME REPORTING METHODS

To ensure resources are as efficiently used as possible, the department will provide numerous methods of filing police reports. The traditional method of dispatching a police officer may not always be possible. In some cases the report may be taken over the telephone or in person at the police department. These reports can be taken by any designated police department employee. When an incident is reported to the Dispatch Center, the person answering the call shall make the determination if the nature of the call allows for handling by alternative methods other than sending staff (CSO, police officer, etc.) to the scene. The method and timing of the report shall be decided between the department representative and the reporting party.

Telephone and Office Reports. Telephone reports and office reports at the police department Records counter may be taken when the incident is determined to have no suspects, no crime scene processing is necessary, and no follow-up investigation is necessary. A Condensed Crime Report (CCR) may be used to document those types of crimes and incidents specified on the CCR Form (i.e., lost property, misdemeanor and felony thefts, vandalism). Staff receiving the report shall verify all necessary information is contained within the report. Telephone and office reports may also be scheduled for a later time or date at the discretion of the reporting party depending on available resources. Whenever delaying a report, a date and time shall be set with the reporting party to complete the report.

Telephone and office reports shall be given a case number and that number provided to the reporting party. Telephone and office reports may be handled by giving the condensed crime report to the reporting party to complete and return later to the police department. In some situations, it may be appropriate to mail a CCR to a citizen for completion and return. This request can be referred from the Dispatch Center to the Records Bureau personnel through a CAD Incident printout. The Records supervisor approves counter reports.

CAD Incident Reports. Whenever it is determined an incident can be handled by telephone and completion of a CCR is unnecessary, the employee has the option of generating a CAD incident report with the agreement of the reporting party. A CAD incident report can only be used when the report is for information purposes and there are no suspects and follow up and crime scene processing is not necessary. The CAD incident shall be given a report number and that number shall be provided to the reporting party. Lead Dispatchers shall review and approve all CAD incident reports.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

343.9 CONDENSED CRIME REPORT FOR FIELD USE

The Condensed Crime Report (CCR) may only be used for those crimes indicated at the top of the form. The CCR cannot replace the standard Crime Report that records information on numerous specified crimes such as Domestic Violence, Violent Crime, Prop 115, 293 P.C., etc.

Also see 344.6, Alternative Crime Reporting Methods, for additional uses of Condensed Crime Reports.

343.10 COURTESY CRIME REPORTS

When a crime has occurred in another jurisdiction, a courtesy report may be made at the request of a resident of City of Fairfield and a copy forwarded to the appropriate jurisdiction. When the crime is extremely serious or travel distance is not great, a person requesting to make a report should be referred to the proper agency.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Public Information Officer/Law Enforcement Social Media Unit

344.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Public Information Officer (PIO) Unit and the Law Enforcement Social Media Unit including selection, operation, and chain of command.

344.1.1 DEFINITIONS

Public Information - Any information which, by its very nature, would attract the interest of the general public or the news media, or any information disseminated with the intent of informing the public and/or publication in the media.

Major Incident - Any incident or unusual occurrence that will, or has the potential to, attract a significant amount of attention from the public and/or news media. Examples include, but are not limited to, homicide, officer-involved shooing, major injury or death of an employee in the line of duty, SWAT deployment, arrest of a public official, school official or other person in a position of public trust, or animal cruelty videos.

344.2 PUBLIC INFORMATION OFFICER

The Fairfield Police Department's Public Information Officer (PIO) shall be appointed by, and serve at the discretion of, the Chief of Police. The PIO should hold the rank of Police Lieutenant and will report directly to the Chief of Police. The PIO is responsible for all public information within the Fairfield Police Department and the management of the PIO/LESM Unit.

344.3 PUBLIC INFORMATION OFFICER/LAW ENFORCEMENT SOCIAL MEDIA UNIT

The PIO/LESM Unit shall be responsible for the dissemination of public information through official channels under the direction of the Public Information Officer.The PIO/LESM Unit shall be the primary point of contact for the news media. The Unit shall be responsible for maintaining and operating the authorized, official social media accounts of the Fairfield Police Department, along with the Department's Emergency Notification System (NIXLE).

344.4 PIO/LESM INFORMATION LINE

The PIO/LESM Unit shall maintain a dedicated information telephone line for inquiries (707)428-7444. General inquiries from the media should be referred to the on-duty supervisor. Inquiries concerning major incidents or incidents being handled by the PIO/LESM Unit should be referred to the PIO/LESM information line. During a major incident, calls and messages to the information line should be routed to the assigned PIO/LESM representative.

344.5 PIO/LESM UNIT MEMBER SELECTION PROCESS

The PIO/LESM Unit shall be made up of no less than one Police Sergeant, and any combination of sworn and civilian staff to meet the needs of the Department. The Unit will be supervised by the Police Sergeant(s), who reports directly to the Public Information Officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Due to the highly sensitive and visible nature of the position, members of the Unit shall be appointed by, and serve at the discretion of, the Chief of Police. Members should excel in public communication and community relations, be familiar with various social media tools and channels, and have strong decision making and problem solving skills.

344.6 PIO/LESM UNIT MAJOR INCIDENT NOTIFICATION

The PIO/LESM Unit should be activated at the onset of any major incident as defined in Section 344.1.1. Notification should be made as soon as possible through the chain of command to the PIO, who will assign personnel accordingly.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Media Relations

345.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities.

345.1.1 DEFINITIONS

Public Information -Any information, which by its very nature, would attract the interest of the general public or the news media, or any information disseminated with the intent of informing the public and/or publication in the media.

Major Incident -Any incident or unusual occurrence that will, or has the potential to, attract a significant amount of public and/or media attention. Examples include, but are not limited to; homicide, officer-involved shooting, major injury or death of an employee in the line of duty, kidnapping, SWAT deployment, arrest of a public official, school official or other person in a position of public trust, or animal cruelty videos.

345.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. The Public Information Officer, under the direction of the Chief of Police, shall be responsible for the coordination of the release of public information in accordance with this policy and the applicable law, primarily through the PIO/LESM Unit.

345.2.1 MEDIA INQUIRIES

Any media request for information or access to a law enforcement situation shall be referred to the designated department PIO/LESM representative, or if unavailable and time sensitive, to the first available supervisor. General inquiries from local media should be referred to the on-duty supervisor. Inquiries concerning major incidents, incidents being handled by the PIO/LESM Unit, or inquiries from the national media should be referred to the on-duty PIO or the PIO/LESM information line at (707) 428-7444. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative;

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department;

(c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

345.2.2 NEWS RELEASES

The PIO/LESM Unit is responsible for preparing public information, including News Releases and social media posts in accordance with this policy, the Department's social media policies, and the law. The PIO/LESM Unit should be activated at the onset of any major incident as defined in Section 345.1.1. Notification should be made as soon as possible through the chain of command to the Public Information Officer who will assign personnel accordingly.

News Releases for other incidents should be handled by the Watch Commander or their designee. Only those supervisors and Watch Commanders who have received training from the PIO/LESM Unit on News Releases and the proper use of Nixle should issue News Releases.

345.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Department Public Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident, and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this Department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the expressed consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

345.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except, with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person, or is otherwise prohibited by law.

345.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Watch Commander. This log will generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(b) The date, time, location, case number, name, birth date, and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim, or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Watch Commander (Welfare and Institutions Code § 827.5).

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

345.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this Department. When in doubt, authorized and available legal counsel should be obtained.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Court Appearance And Subpoenas

346.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Fairfield Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

346.2 POLICY

Fairfield Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

346.2.1 VERIFICATION OF COURT APPEARANCE

The District Attorney's Office has a telephone-answering device that can be reached after 6:00 p.m. by dialing the number listed on the employee's copy of the subpoena. On this device is listed all of the court cases scheduled for the next day and which have been canceled. Personnel who are scheduled to appear in court shall call the number after 6:00 p.m. on the day preceding the scheduled appearance to ascertain if the case has been canceled.

346.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by email service, personal service to the officer, or by delivery of two copies of the subpoena to the officer's supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)).

The party that issues a civil subpoena to an officer to testify as a witness must tender the statutory fee of $275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

(a) He/she knows that he/she will be unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena.

(b) It is less than five working days prior to the date listed for an appearance and he/she is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines that he/she is unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

346.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify, or provides information on behalf of, or at the request of any party other than the City Attorney, or the prosecutor, shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Fairfield Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Fairfield Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

346.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

346.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

346.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

346.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

346.6 COURTROOM PROTOCOL

When appearing in court, members shall:

(a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the department uniform or business attire.

(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

346.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

346.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Reserve Officers

348.1 PURPOSE AND SCOPE

The Fairfield Police Department Reserve Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

348.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS

The Fairfield Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral, and professional standards set forth by this Department.

348.2.1 PROCEDURE

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing, a POST approved basic academy or extended basic academy.

348.2.2 APPOINTMENT

Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

348.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS

Compensation for reserve officers is provided as follows:

All reserve officer appointees are issued two sets of uniforms and all designated attire and safety equipment. All property issued to the reserve officer shall be returned to the Department upon termination or resignation. Reserves shall receive a yearly uniform allowance equal to that of regular officers.

348.2.4 EMPLOYEES WORKING AS RESERVE OFFICERS

Qualified employees of this Department, when authorized, may also serve as reserve officers. However, the Department must not utilize the services of a reserve or volunteer in such a way that it would violate employment laws or labor agreements (e.g.; a detention officer working as a reserve officer for reduced or no pay). Therefore, the Reserve Coordinator should consult the Personnel Department prior to an employee serving in a reserve or volunteer capacity (29 CFR 553.30).

348.3 DUTIES OF RESERVE OFFICERS

Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Patrol

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Division. Reserve officers may be assigned to other areas within the Department as needed. Reserve officers are required to work a minimum of 16 hours per month.

348.3.1 POLICY COMPLIANCE
Police reserve officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

348.3.2 RESERVE OFFICER ASSIGNMENTS
All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

348.3.3 RESERVE COORDINATOR
The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assignment of reserve personnel

(b) Conducting reserve meetings

(c) Establishing and maintaining a reserve call-out roster

(d) Maintaining and ensuring performance evaluations are completed

(e) Monitoring individual reserve officer performance

(f) Monitoring overall Reserve Program

(g) Maintaining liaison with other agency Reserve Coordinators

348.4 FIELD TRAINING
Penal Code § 832.6 requires Level II reserve officers, who have not been released from the immediate supervision requirement per the Completion of the Formal Training Process subsection, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

348.4.1 TRAINING OFFICERS
Officers of this Department, who demonstrate a desire and ability to train reserve officers, may train the reserves during Phase II, subject to Watch Commander approval.

348.4.2 PRIMARY TRAINING OFFICER
Upon completion of the Academy, reserve officers will be assigned to a primary training officer. The primary training officer will be selected from members of the Field Training Officer (FTO) Committee. The reserve officer will be assigned to work with his/her primary training officer during the first 160 hours of training. This time shall be known as the Primary Training Phase.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

348.4.3 FIELD TRAINING MANUAL

Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Fairfield Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

348.4.4 COMPLETION OF THE PRIMARY TRAINING PHASE

At the completion of the Primary Training Phase, (Phase I) the primary training officer will meet with the Reserve Coordinator. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, he/she will then proceed to Phase II of the training. If he/she has not progressed satisfactorily, the Reserve Coordinator will determine the appropriate action to be taken.

348.4.5 SECONDARY TRAINING PHASE

The Secondary Training Phase (Phase II) shall consist of 100 hours of additional on-duty training. The reserve officer will no longer be required to ride with his/her primary training officer. The reserve officer may now ride with any officer designated by the Watch Commander.

During Phase II of training, as with Phase I, the reserve officer's performance will be closely monitored. In addition, rapid progress should continue towards the completion of the Officer's Field Training Manual. At the completion of Phase II of training, the reserve officer will return to his/her primary training officer for Phase III of the training.

348.4.6 THIRD TRAINING PHASE

Phase III of training shall consist of 24 hours of additional on-duty training. For this training phase, the reserve officer will return to his/her original primary training officer. During this phase, the training officer will evaluate the reserve officer for suitability to graduate from the formal training program.

At the completion of Phase III training, the primary training officer will meet with the Reserve Coordinator. Based upon the reserve officer's evaluations, plus input from the primary training officer, the Reserve Coordinator shall decide if the reserve officer has satisfactorily completed his/her formal training. If the reserve officer has progressed satisfactorily, he/she will then graduate from the formal training process. If his/her progress is not satisfactory, the Reserve Coordinator will decide upon the appropriate action to be taken.

348.4.7 COMPLETION OF THE FORMAL TRAINING PROCESS

When a reserve officer has satisfactorily completed all three phases of formal training, he/she will have had a minimum of 284 hours of on-duty training. He/she will no longer be required to ride with a reserve training officer. The reserve officer may now be assigned to ride with any officer for the remaining 200-hour requirement for a total of 484 hours before being considered for relief of immediate supervision.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

348.5 SUPERVISION OF RESERVE OFFICERS

Reserve officers who have attained the status of Level II shall be under the immediate supervision of a regular sworn officer (Penal Code 832.6). The immediate supervision requirement shall also continue for reserve officers who have attained Level I status unless special authorization is received from the Reserve Coordinator with the approval of the Operations Division Commander.

348.5.1 SPECIAL AUTHORIZATION REQUIREMENTS

Reserve officers certified as Level I may, with prior authorization of the Reserve Coordinator and on approval of the OperationsDivision Commander, be relieved of the "immediate supervision" requirement. Level I reserve officers may function under the authority of Penal Code § 832.6(a)(1) only for the duration of the assignment or purpose for which the authorization was granted.

In the absence of the Reserve Coordinator and the Operations Division Commander, the Watch Commander may assign a certified Level I reserve officer to function under the authority of Penal Code § 832.6(a)(1) for specific purposes and duration.

348.5.2 RESERVE OFFICER MEETINGS

All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

348.5.3 IDENTIFICATION OF RESERVE OFFICERS

All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card with the exception that "Reserve" will be indicated on the card.

348.5.4 UNIFORM

Reserve officers shall conform to all uniform regulation and appearance standards of this Department.

348.5.5 INVESTIGATIONS AND COMPLAINTS

If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Patrol Division Commander.

Reserve officers are considered at-will employees. Government Code § 3300 et seq. applies to reserve officers with the exception that the right to hearing is limited to the opportunity to clear their name.

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

348.5.6 RESERVE OFFICER EVALUATIONS

While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve.

348.6 FIREARMS REQUIREMENTS

Penal Code § 830.6(a)(1) designates a reserve officer as having peace officer powers during his/her assigned tour of duty, provided the reserve officer qualifies or falls within the provisions of Penal Code § 832.6.

348.6.1 CARRYING WEAPON ON DUTY

Penal Code § 830.6(a)(1) permits qualified reserve officers to carry a loaded firearm while on-duty. It is the policy of this Department to allow reserves to carry firearms only while on-duty or to and from duty.

348.6.2 CONCEALED FIREARMS PROHIBITED

No reserve officer will be permitted to carry a concealed firearm while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid CCW permit. An instance may arise where a reserve officer is assigned to a plain clothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by a departmental armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have demonstrated his/her proficiency with said weapon.

When a reserve officer has satisfactorily completed all three phases of training (as outlined in the Field Training section), he/she may be issued a permit to carry a concealed weapon. The decision to issue a concealed weapon permit will be made by the Chief of Police with input from the Reserve Program Coordinator and administrative staff. In issuing a concealed weapon permit a reserve officer's qualification will be individually judged. A reserve officer's dedication to the program and demonstrated maturity, among other factors, will be considered before a concealed weapon permit will be issued. Once issued, the concealed weapon permit will be valid only for as long as the reserve officer remains in good standing as a Reserve Officer with the Fairfield Police Department.

348.6.3 RESERVE OFFICER FIREARM TRAINING

All reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all areas of the firearms training section of the Policy Manual, with the following exceptions:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Should a reserve officer fail to qualify for two quarters, that reserve officer will not be allowed to carry a firearm until he/she has reestablished his/her proficiency

348.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL

The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Outside Agency Assistance

350.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

350.2 POLICY

It is the policy of the Fairfield Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this Department.

350.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Watch Commander's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this Department, the Watch Commander may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this Department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

350.3.1 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Fairfield Police Department shall notify his/her supervisor or the Watch Commander and the Dispatch Center as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

350.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

350.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report, or as directed by the Watch Commander.

350.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administrative Services Uint Division Commander or the authorized designee.

The documentation should include:

(a) The conditions relative to sharing.

(b) The training requirements for:

1. The use of the supplies and equipment.
2. The members trained in the use of the supplies and equipment.

(c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to the Dispatch Center and the Watch Commander to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Sergeant should maintain documentation that the appropriate members have received the required training.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Arrested Person's Medical Expenses

353.1 PROCEDURE

It is the intent of this Department to minimize the number of persons who are arrested who need medical treatment. Officers should evaluate the seriousness of the crime and its potential for being either continued or repeated. When practical to do so, an arrest should be deferred until such time as the subject no longer requires medical treatment and can be made pursuant to a valid arrest warrant.

The Department is not routinely responsible to pay for medical treatment of arrested individuals. When it is necessary to provide medical treatment to an arrestee before booking, regardless of whether the injury occurs before or after arrest, it is imperative for the arresting officer to inform the hospital staff that the patient is "private pay." The patient is responsible for payment of their medical treatment through their health insurance. If they are without health insurance, hospital admitting staff can help them apply for Medi-Cal benefits.

Individuals who believe the city is responsible for their medical treatment must make a claim with the City Attorney or Risk Manager, but officers should not obligate the city by signing a Financial Agreement with the medical facility.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Registered Offender Information

354.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Fairfield Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

354.2 POLICY

It is the policy of the Fairfield Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

354.3 REGISTRATION

The Investigations supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

354.3.1 CONTENTS OF REGISTRATION

The information collected from the registering offenders shall include a signed statement as required by the California DOJ, fingerprints and a photograph, and any other information required by applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

354.4 MONITORING OF REGISTERED OFFENDERS

The Investigations supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an internet search or drive-by of the declared residence.

(b) Review of information on the California DOJ website for sex offenders.

(c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the California DOJ.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Investigations supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Fairfield Police Department personnel, including timely updates regarding new or relocated registrants.

354.5 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website or the Fairfield Police Department's website. Information on sex registrants placed on the Fairfield Police Department's website shall comply with the requirements of Penal Code § 290.46.

The Dispatch and Records Manager may release local registered offender information to residents only in accordance with applicable law (Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1), and in compliance with a California Public Records Act (Government Code § 6250-6276.48) request.

354.5.1 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY

California law allows the following additional information regarding a registered sex offender on campus, whose information is not available to the public via the internet website, to be released to a campus community (Penal Code § 290.01(d)):

(a) The offender's full name

(b) The offender's known aliases

(c) The offender's sex

(d) The offender's race

(e) The offender's physical description

(f) The offender's photograph

(g) The offender's date of birth

(h) Crimes resulting in the registration of the offender under Penal Code § 290

(i) The date of last registration

For purposes of this section, campus community shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

354.5.2 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

(f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Major Incident Notification

356.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how, and to whom notification of major incidents should be made.

356.2 POLICY

The Fairfield Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this Department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

356.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on-or off-duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on-or off-duty
- Death of a prominent City of Fairfield official
- Arrest of a department employee or prominent City of Fairfield official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

356.4 WATCH COMMANDER RESPONSIBILITY

The Watch Commander is responsible for making the appropriate notifications. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Watch Commander shall attempt to make the notifications as soon as practicable. Notification should be made by calling the home telephone number first and then by any other available contact numbers.

356.4.1 STAFF NOTIFICATION

In the event an incident occurs described in the Major Incident Notification Policy, the Chief of Police shall be notified along with the affected Division Captain and the Detective Lieutenant, if that division is affected.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

356.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted who will then contact the appropriate detective.

356.4.3 TRAFFIC BUREAU NOTIFICATION

In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then contact the appropriate accident investigator. The Traffic Sergeant will notify the Traffic Lieutenant.

356.4.4 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Nixle

357.1 PURPOSE AND SCOPE

In an effort to enhance public safety and promote community awareness, the NIXLE Information System is to be used to disseminate timely and relevant information to community members and the media. The purpose of this policy is to outline criteria and procedures for sending a news release or community notification via the NIXLE system.

357.2 AUTHORITY TO RELEASE LAW ENFORCEMENT INFORMATION

It is ultimately the responsibility of the Chief of Police to release information to the public. Information of public interest pertaining to Department activity will be made readily available to the public through NIXLE, subject to guidelines established in this policy and policy 346 - News Media Relations.

The Public Information Officer (PIO) will serve as the department's NIXLE administrator. Additional administrators will be added as directed by the Chief of Police.

Personnel authorized to release information via Nixle include Captains, Lieutenants, Sergeants, PIO's, and other designated supervisors. Authorized personnel shall be trained in the operation of the Nixle system prior to sending messages.

Generally, "Alert" messages should only be sent with the approval of a Lieutenant or above, unless public safety necessitates immediate release.

In a multi-jurisdictional investigation, the lead investigative agency is responsible for providing or coordinating the release of public information. Any News Release involving a multi-jurisdictional investigation, or when the Chief of Police is quoted, shall be coordinated by the PIO.

Investigative supervisors, upon consulting with the Public Information Officer, are encouraged to use the service when a crime pattern or trend emerges and the use of NIXLE has the potential to assist in crime prevention or criminal investigation.

357.3 USE OF NIXLE

When authorized or directed to send a message via NIXLE, employees will access the Nixle system web page at https://agency.nixle.com/login/ and log on using their user ID and NIXLE password. When creating a message, choose one of three message types: Alert, Advisory, or Community. The following describes each type of message:

(A) Alert

1. Intended for "urgent, must know" and time-sensitive information, including:

    (a) Missing person (at-risk) alerts

    (b) Major building or area evacuations

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Imminent life threatening Weather/Natural Disaster advisory

(d) Shooting just occurred and shooting suspect at large

(e) Shelter in place advisory

2. Alert information is sent to every user registered in the jurisdiction or defined geographic area and users cannot opt out of receiving these messages; therefore, **Alert messages must be sent prudently.**

(B) Advisory

1. Intended for less urgent, need-to-know information, both time-sensitive and non-time-sensitive messages, including:

(a) Crime patterns

(b) School lock-downs

(c) BOLs (Be On the Lookout)

(d) Increased terror warninge. Suspicious activity

(e) Time-sensitive traffic messages, including:

i. A traffic collision that will either impact traffic or shut down a route for a specific period of time

ii. Implications during commute hours, high traffic areas, or during special events

(C) Community

(a) .Non-time-sensitive messages, news releases, and information including:

i. Police/City sponsored events

ii. Community police meetings

iii. General proactive announcements

iv. News Releases

The following should always be considered when sending a message via Nixle:

1. Information should always be sent via SMS and email.Keep the SMS, Email & Web Subject consistent.

2. Message recipients should always include “Nixle Wire” and “City of Fairfield Contacts.”

3. Specify location by nearest intersection.

4. If possible, picture(s) should be included with the message.

5. Include unit, investigator, or PIO contact information in the bottom of the notification.

6. “Set Message Expiration” should only be used for fixed date community events.

7. The option to post Nixle Messages on Twitter and Facebook should always be enabled.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Death Investigation

358.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

358.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases, unless the death is obvious (e.g.; decapitated, decomposed). A supervisor shall be notified in all death investigations.

358.2.1 CORONER REQUEST

Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

(a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities).

(b) Deaths where the deceased has not been attended by either a physician or a registered nurse, who is a member of a hospice care interdisciplinary team, as defined by Health and Safety Code § 1746 in the 20 days prior to death.

(c) Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths, and fetal deaths when the underlying cause is unknown.

(d) Known or suspected homicide.

(e) Known or suspected suicide.

(f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.

(g) Related to or following known or suspected self-induced or criminal abortion.

(h) Associated with a known or alleged rape or crime against nature.

(i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.

(j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.

(k) Accidental poisoning (food, chemical, drug, therapeutic agents).

(l) Occupational diseases or occupational hazards.

(m) Known or suspected contagious disease and constituting a public hazard.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.

(o) In prison or while under sentence. Includes all in-custody and police involved deaths.

(p) All deaths of unidentified persons.

(q) All deaths of state hospital patients.

(r) Suspected Sudden Infant Death Syndrome (SIDS) deaths.

(s) All deaths where the patient is comatose throughout the period of the physician's attendance. Includes patients admitted to hospitals unresponsive and expire without regaining consciousness.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

358.2.2 SEARCHING DEAD BODIES

The Coroner or Deputy Coroner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Coroner or a designee shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Coroner or a designee; the investigating officer shall first obtain verbal consent from the Coroner or a designee (Government Code § 27491.2).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Coroner or a designee. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or a designee, a receipt shall be obtained. This receipt shall be attached to the death report.

358.2.3 DEATH NOTIFICATION

When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

358.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Coroner arrives, the Coroner's office will issue a "John Doe" or "Jane Doe" number for the report.

358.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

358.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, Investigation shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

358.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Identity Theft

360.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

360.2 REPORTING

(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:

1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

(d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

(f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Private Persons Arrests

362.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

362.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

362.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence;

(b) When the person arrested has committed a felony, although not in his or her presence;

(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

362.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

(a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The officer must include the basis of such a determination in a related report.
2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:

1. Take the individual into physical custody for booking
2. Release the individual pursuant to a Notice to Appear
3. Release the individual pursuant to Penal Code § 849

362.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person's arrest and detention section or citation, under penalty of perjury.

In addition to the Private Person's Arrest Form (and any other related documents such as citations, booking forms, etc.), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Anti-Reproductive Rights Crimes Reporting

364.1 PURPOSE AND SCOPE

This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

364.2 DEFINITIONS

Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant.

(b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant.

(c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility.

364.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

(a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.

(b) The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to the Investigation Lieutenant.

(c) By the tenth day of each month, it shall be the responsibility of the Investigation Lieutenant to ensure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.

1. In the event that no ARRC(s) were reported during the previous month, a Summary Worksheet shall be submitted to Department of Justice with an indication that no such crimes were reported.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. Any ARRC(s) reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Limited English Proficiency Services

366.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

366.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g.; speaking or understanding) but still be LEP for other purposes (e.g.; reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Fairfield Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

366.2 POLICY

It is the policy of the Fairfield Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

366.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Patrol Division Commander or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Coordinating and implementing all aspects of the Fairfield Police Department's LEP services to LEP individuals.

(b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.

(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Commander and Dispatch and Records Manager. The list should include information regarding the following:

1. Languages spoken
2. Contact information
3. Availability

(d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.

(e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.

(f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.

(g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.

(h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.

(i) Receiving and responding to complaints regarding department LEP services.

(j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

366.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information, or service provided.

(d) The cost of providing LEP assistance and the resources available.

366.5 TYPES OF LEP ASSISTANCE AVAILABLE

Fairfield Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

366.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

366.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

366.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

366.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

(a) The competence and ability to communicate information accurately in both English and in the target language.

(b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.

(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(d) Knowledge of the ethical issues involved when acting as a language conduit.

366.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

366.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

366.10 CONTACT AND REPORTING

While all law enforcement contacts, services, and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

366.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Fairfield Police Department will take reasonable steps and will work with the Personnel Department to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

366.11.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in the Dispatch Center, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

366.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

366.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g.; name, address) should be documented so that the person can be subpoenaed for trial, if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors, or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

366.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

366.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

366.16 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

366.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

366.18 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Training Sergeant shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Sergeant shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

366.18.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Sergeant shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Communications with Persons with Disabilities

368.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

368.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, translators, sign language interpreters, and intermediary interpreters.

368.2 POLICY

It is the policy of the Fairfield Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects, and arrestees have equal access to law enforcement services, programs, and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

368.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Patrol Division Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

(a) Working with the City ADA coordinator regarding the Fairfield Police Department's efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Watch Commander and Dispatch and Records Manager. The list should include information regarding the following:

1. Contact information
2. Availability

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.

(g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

368.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g.; deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g.; emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

368.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.

(b) The nature, length, and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Fairfield Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

368.6 TYPES OF ASSISTANCE AVAILABLE

Fairfield Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services, or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

368.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

368.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g.; interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speech reading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or investigation involving the disabled individual. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.

(b) Experienced in providing interpretation services related to law enforcement matters.

(c) Familiar with the use of VRS and/or video remote interpreting services.

(d) Certified in either American Sign Language (ASL) or Signed English (SE).

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

368.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g.; booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

368.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

368.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

368.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

368.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

368.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location, or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speech-read by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device, or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

368.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

368.15 ARREST AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

368.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

368.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

368.18 TRAINING

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms, and available resources.

(b) Procedures for accessing qualified interpreters and other available resources.

(c) Working with in-person and telephone interpreters, and related equipment.

The Training Sergeant shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Sergeant shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

368.18.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing, or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.

(b) ASL syntax and accepted abbreviations.

(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.

(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all the Dispatch Center members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Mandatory Employer Notification

370.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

370.2 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any offense enumerated below, the Chief of Police or his/her designee is required to report the arrest as follows.

370.2.1 ARREST OF PUBLIC SCHOOL TEACHER

In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

370.2.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE

In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

370.2.3 ARREST OF PRIVATE SCHOOL TEACHER

In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher and to immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

370.2.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR

In the event a teacher or instructor employed in a community college district school is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591.5 or Health and Safety § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(9), or for any of the offenses enumerated in Penal Code § 290 or in Penal Code § 261(a)(1), the Chief of Police or the authorized designee is mandated to immediately notify by telephone the superintendent of the community college district employing the person, and shall immediately give written notice of the arrest to the California Community Colleges Chancellor's Office (Health and Safety Code § 11591.5; Penal Code § 291.5).

370.3 POLICY

The Fairfield Police Department will meetthe reporting requirements of California law to minimize the risks to children and others.

370.4 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES

In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential therapeutic program or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the investigating member shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Biological Samples

372.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples from those required to register, for example, sex offenders.

372.2 POLICY

The Fairfield Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practicable.

372.3 PERSONS SUBJECT TO DNA COLLECTION

Those who must submit a biological sample include (Penal Code § 296):

(a) A person, including a juvenile, upon conviction or other adjudication of any felony offense.

(b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record.

(c) An adult arrested or charged with any felony.

372.4 PROCEDURE

When an individual is required to provide a biological sample, a trained employee shall obtain the sample in accordance with this policy.

372.4.1 COLLECTION

The following steps should be taken to collect a sample:

(a) Verify that the individual is required to provide a sample pursuant to Penal Code § 296; Penal Code § 296.1.

(b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.

(c) Use a DNA buccal swab collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

372.5 USE OF FORCE TO OBTAIN SAMPLES

If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a Watch Commander. Methods to consider when seeking voluntary compliance include contacting:

(a) The person's parole or probation officer when applicable.

(b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.

(c) The judge at the person's next court appearance.

(d) The person's attorney.

(e) A chaplain.

(f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.

(g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

The supervisor shall review and approve any plan to use force and be present to document the process.

372.5.1 VIDEO RECORDING

A video recording should be made anytime force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's records retention schedule (15 CCR 1059).

372.5.2 CELL EXTRACTIONS

If the use of force includes a cell extraction, the extraction shall be video recorded, including audio. Video shall be directed at the cell extraction event. The video recording shall be retained by the Department for the length of time required by statute. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained administratively (15 CCR 1059).

372.6 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

372.6.1 DOCUMENTATION RELATED TO FORCE

The Watch Commander shall prepare prior written authorization for the use of any force (15 CCR 1059). The written authorization shall include information that the subject was asked to provide the requisite specimen, sample or impression and refused, as well as the related court order authorizing the force.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

372.6.2 BLOOD SAMPLES

A blood sample should only be obtained under this policy when:

(a) The California DOJ requests a blood sample and the subject consents, or

(b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

372.6.3 LITIGATION

The Chief of Police or authorized designee should notify the California DOJ's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use, or any aspect of the state's DNA Data Bank Program.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chaplains

374.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Fairfield Police Department chaplains to provide counseling or emotional support to members of the Department, their families, and members of the public.

374.2 POLICY

The Fairfield Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

374.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

(a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.

(b) Managing their households, families and personal affairs well.

(c) Having a good reputation in the community.

(d) Successful completion of an appropriate-level background investigation.

(e) A minimum of five years of successful counseling experience.

(f) Possession of a valid driver license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

374.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The Fairfield Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

374.4.1 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

(a) Submit the appropriate written application.

(b) Include a recommendation from employers or volunteer programs.

(c) Interview with the Chief of Police and the chaplain coordinator.

(d) Successfully complete an appropriate-level background investigation.

(e) Complete an appropriate probationary period as designated by the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

374.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Fairfield Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Fairfield Police Department identification cards, with the exception that “Chaplain” will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

374.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Administrative Services Uint Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Watch Commander.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

(a) Recruiting, selecting and training qualified chaplains.

(b) Conducting chaplain meetings.

(c) Establishing and maintaining a chaplain callout roster.

(d) Maintaining records for each chaplain.

(e) Tracking and evaluating the contribution of chaplains.

(f) Maintaining a record of chaplain schedules and work hours.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(g) Completing and disseminating, as appropriate, all necessary paperwork and information.

(h) Planning periodic recognition events.

(i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

374.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division.. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Fairfield Police Department.

374.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

374.7.2 OPERATIONAL GUIDELINES

(a) Chaplains will be scheduled to be on-call for a period of seven consecutive days during each month, beginning on Monday and ending on the following Sunday.

(b) Generally, each chaplain will serve with Fairfield Police Department personnel a minimum of eight hours per month.

(c) At the end of each watch the chaplain will complete a chaplain shift report and submit it to the Chief of Police or the authorized designee.

(d) Chaplains shall be permitted to ride with officers during any shift and observe Fairfield Police Department operations, provided the Watch Commander has been notified and has approved the activity.

(e) Chaplains shall not be evaluators of members of the Department.

(f) In responding to incidents, a chaplain shall never function as an officer.

(g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(h) Chaplains shall serve only within the jurisdiction of the Fairfield Police Department unless otherwise authorized by the Chief of Police or the authorized designee.

(i) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

374.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(b) Visiting sick or injured members in the hospital or at home.

(c) Attending and participating, when requested, in funerals of active or retired members.

(d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.

(e) Providing counseling and support for members and their families.

(f) Being alert to the needs of members and their families.

374.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Assisting members in the diffusion of a conflict or incident, when requested.

(b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances, and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the mission of the Department.

(c) Responding to all major disasters, such as natural disasters, bombings, and similar critical incidents.

(d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.

(e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(f) Participating in in-service training classes.

(g) Willingness to train others to enhance the effectiveness of the Department.

374.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Providing an additional link between the community, other chaplain coordinators and the Department.

(c) Providing liaison with various civic, business, and religious organizations.

(d) Promptly facilitating requests for representatives or leaders of various denominations.

(e) Assisting the community in any other function as needed or requested.

(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

374.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

374.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Fairfield Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient, and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Fairfield Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

374.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Sergeant, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Officer injury or death
- Sensitivity and diversity

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Public Safety Video Surveillance System

376.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

376.2 POLICY

The Fairfield Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters, and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

376.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

376.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation, or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

(a) To prevent, deter, and identify criminal activity.

(b) To target identified areas of gang and narcotics complaints or activity.

(c) To respond to critical incidents.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) To assist in identifying, apprehending, and prosecuting offenders.

(e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.

(f) To augment resources in a cost-effective manner.

(g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Watch Commander's office and the Dispatch Center. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Watch Commander or trained personnel in the Dispatch Center are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination, or retention is prohibited.

376.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

376.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

376.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

376.4.1 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

376.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

Recordings should be retained for a minimum of 30 days. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

376.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

376.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Fairfield Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

376.7 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Child and Dependent Adult Safety

378.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

378.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Fairfield Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

378.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

378.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.

  1. Unless there is evidence to the contrary (e.g.; signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

  2. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(b) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(c) Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.

(d) Notify the field supervisor or Watch Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

378.3.2 DURING THE BOOKING PROCESS

During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law (Penal Code § 851.5(c)).

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

378.3.3 REPORTING

(a) For all arrests where children are present or living in the household, the reporting employee will document the following information:

1. Name
2. Sex
3. Age
4. How, where, and with whom or which agency the child was placed

(b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

378.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

378.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car, or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

378.5 TRAINING

The Training Sergeant is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved POST-approved training on effective safety measures when a parent, guardian or caregiver is arrested (Penal Code § 13517.7).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Service Animals

380.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

380.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

380.2 POLICY

It is the policy of the Fairfield Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

380.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

380.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Fairfield Police Department affords to all members of the public (28 CFR 35.136).

380.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

380.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

380.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

380.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Lost Property

381.1 PROCEDURE

Citizens reporting lost property should be referred to the Police website for on-line reporting of the lost property.

The local libraries serve as a resource for people who do not have their own computer. Citizens may also come to the Police Department and complete a counter report during regularly scheduled business hours.

In some circumstances, such as a home-bound senior citizen, it may be necessary for an Officer or a Desk Officer to take the report.

Dispatch may enter a call if a desk officer is available if other circumstances exist where a citizen doesn't have computer access.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Volunteer Program

382.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Volunteers help to increase departmental responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

382.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support, and youth involved in a law enforcement Explorer Program, among others.

382.2 VOLUNTEER MANAGEMENT

382.2.1 VOLUNTEER COORDINATOR

The Volunteer Coordinator shall be appointed by the Administrative Services Uint Division Captain. The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator should work with other Department staff on an ongoing basis to assist in the development and implementation of volunteer-staffed positions.

The Volunteer Coordinator, or his/her designee, shall be responsible for the following:

(a) Recruiting, selecting and training qualified volunteers for various positions.

(b) Facilitating the implementation of new volunteer activities and assignments.

(c) Maintaining records for each volunteer.

(d) Tracking and evaluating the contribution of volunteers.

(e) Maintaining the volunteer handbook and outlining expectations, policies, and responsibilities for all volunteers.

(f) Maintaining a record of volunteer schedules and work hours.

(g) Completion and dissemination as appropriate of all necessary paperwork and information.

(h) Planning periodic recognition events.

(i) Administering discipline when warranted.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(j) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

(k) Maintaining liaison with the City's Volunteer Coordinator and ensuring that we follow all City procedures relative to volunteers.

382.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester's immediate supervisor. The Department's Volunteer Coordinator shall work with the City's Volunteer Coordinator for the recruitment of volunteers (except for Explorers and Interns). A complete position description and a requested time-frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

382.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

(a) Traffic and criminal background check. Fingerprints shall be obtained from all applicants and processed through the California Criminal Information Index.

(b) Employment

(c) References

(d) Credit check

A Computer Voice Stress Analysis (CVSA) may be required of each applicant depending on the type of assignment.

382.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the Department, who will normally be the Volunteer Coordinator. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

382.2.5 TRAINING

Volunteers (excluding Explorers and Interns) will be required to attend a Volunteer Academy to acquaint them with the Department, personnel, policies, and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

382.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

(a) Driver license

(b) Medical condition

(c) Arrests

(d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

382.2.7 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty except volunteers may choose to wear the uniform while in transit to or from official department assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while he/she is off-duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

382.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

(a) Take the time to introduce volunteers to employees on all levels.

(b) Ensure volunteers have work space and necessary office supplies.

(c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

382.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

382.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty. Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

382.5.1 VEHICLE USE

Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

(a) A driving safety briefing and department approved driver safety course.

(b) Verification that the volunteer possesses a valid California Driver License.

(c) Verification that the volunteer carries current vehicle insurance.

The Volunteer Coordinator should insure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all Department vehicles.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is out of service and are not authorized to operate a Department vehicle Code-3.

382.5.2 RADIO AND MDC USAGE

Volunteers shall successfully complete CLETS and radio procedures training prior to using the police radio or MDC and comply with all related provisions. The Volunteer Coordinator should ensure that radio and CLETS training is provided for volunteers whenever necessary.

382.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police, the Support Services Division Captain, or the Administrative Services Lieutenant. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

382.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

382.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Use of the Automated External Defibrillator

383.1 PURPOSE AND SCOPE

The preservation of human life is arguably the most important function that can be performed by public safety personnel. Toward this end, the safe and rapid application of emergency medical care, including external defibrillation, is of the highest priority in treating persons experiencing cardiopulmonary arrest. Therefore, it shall be the policy of the Fairfield Police Department to engage in a program to provide Automated External Defibrillators (AED).

NOTE: Approval for use of this device by qualified officers has been given by the Solano Emergency Medical Services Cooperative via an addendum to the automated external defibrillation agreement with the Fairfield Fire Department.

383.2 DEFINITIONS

AED (Automated External Defibrillation) - Therapeutic use of electric current delivered in large amounts over very brief periods of time. In this case, the electrical current is directed at an irregularly beating heart.

CPR (Cardio-Pulmonary Resuscitation) - Application of artificial ventilation and external cardiac compression in patients with cardiac arrest to provide an adequate circulation to support life.

Medical Director - The person with overall responsibility to approve any Solano County automated external defibrillation programs.

Quality Improvement/Clinical Coordinator - The person responsible to perform and/or coordinate all educational and quality improvement functions for the defibrillator program.

383.3 PROCEDURE

An officer may check out an AED from the equipment locker at the beginning of a shift. Officers equipped with an AED will notify Dispatch before going on duty. The AED shall be returned to the storage locker or released to another AED officer prior to the officer's end of shift. AEDs shall be kept in the passenger compartment of the patrol vehicle during the assigned shift.

383.3.1 RESPONSE PROCEDURE

Upon determination that there is a patient who is unconscious, the following is to occur:

(a) Dispatch will code the call as 11-41B or the appropriate dual-agency type code.

(b) Dispatch will immediately cause an AED equipped officer to respond to the patient's location; however, only the officer should make the decision whether or not to respond.

(c) Those officers whose "on scene time" will be faster than the nearest paramedic unit should respond. The decision to respond can be determined from information provided from the dispatcher as to the location of the responding paramedic unit and the patient's location. This can be accomplished by Dispatch making the following type of announcement over the police radio preceded by an alert tone 2: "Attention any AED

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officer, Engine 1 is responding from Quarters (or street location) to (patient's location) for an unconscious, (age), male/female, (details; e.g.; stroke, seizure, etc.)."

(d) The officer shall advise Dispatch from where he/she is responding.

(e) Dispatch shall also request a cover officer, Code 3, and advise the paramedic unit that an AED officer is responding.

(f) Auto aid medical requests do not require us to dispatch an AED officer.

(g) AED officers shall advise Dispatch when they have made contact with the patient ("patient care").

383.3.2 PATIENT TREATMENT PROCEDURE

Always follow the "Golden Rules" of automated external defibrillation:

- Patient must be unconscious, have no pulse, and not breathing (or agonal respirations).
- Must be >12 years of age.
- Must be >90 Lbs.
- Do not use the machine on wet patients.
- Do not use the AED in any explosive environment or while the patient is entangled and requiring extrication.

383.3.3 PREPARATION AND SET UP OF THE AED

After determining whether the patient meets the above criteria, the following is to occur:

(a) Ensure a charged battery is in place; turn machine on.

(b) Snap cables onto patches prior to placing them onto the patient.

(c) Place patches onto sternum and apex in the following positions:

1. Sternum: Below the right clavicle at the mid-clavicular line (on upper portion of right pectoral muscle)
2. Apex: Left lower side of chest below and to the left of the pectoral muscle. The alternate method of placement is to place one patch anteriorly over the heart and the other posteriorly behind the heart).

(d) Press button to analyze the patient (make sure no one is contacting the patient).

(e) Follow the machine prompts.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) If shock is indicated, shocks can be administered (if needed) in a series of three (3) up to a total of nine (9) per arrest. Remember to administer one full minute of CPR after three (3) consecutive shocks (uninterrupted). It is preferred to do six (6) on scene and three (3) en route to the hospital (in the absence of paramedic level care).

383.3.4 DOCUMENTATION PROCESS

Each response requiring the use of the AED shall be documented in the manner set forth by the Solano County Emergency Medical Services Cooperative (Solano County EMS Policy #3301). A Solano County BLS patient care report must be filled out completely by the officer who utilized the AED. The report will include all appropriate patient data and treatment given by the officer who provided care. This form shall be completed anytime the AED is connected to a patient, whether or not any defibrillation was administered. Upon completion of the form, all copies are to be given to the City of Fairfield Police Department Records Bureau.

383.3.5 QUALITY IMPROVEMENT PROCESS

(a) Each case where a defibrillator was utilized by the City of Fairfield Police Department shall be reviewed and evaluated by the designated quality improvement/clinical coordinator.

(b) The initial certification process shall consist of four hours of instruction by Solano County qualified instructors. The four hours shall consist of AED Instruction and adult CPR (all course information shall be in accordance with the Journal of American Medical Association's guidelines).

(c) In addition to the initial four-hour certification course, each officer providing this service shall successfully complete quarterly skills proficiency evaluations and field care audits.

(d) The clinical coordinator shall be responsible for keeping all pertinent defibrillation documentation and training records (these records will be kept on file at the City of Fairfield Fire Department).

(e) Each person initially certified in AED, by Solano County, shall be eligible for re-certification each three years upon approval by the Solano County Emergency Medical Services Cooperative. The clinical coordinator shall show proof of all required training for all those certified.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Off-Duty Law Enforcement Actions

384.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Fairfield Police Department with respect to taking law enforcement action while off-duty.

384.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

384.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medications or any combination thereof that would tend to adversely affect the officer's senses or judgment.

384.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) The lack of equipment, such as handcuffs, OC or baton.

(d) The lack of cover.

(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.

(f) Unfamiliarity with the surroundings.

(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

384.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Fairfield Police Department officer until acknowledged. Official identification should also be displayed.

384.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

384.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

384.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

384.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Watch Commander as soon as practicable. The Watch Commander shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Miranda Warning and Suspect Interviews

385.1 PURPOSE AND SCOPE

The department has an obligation to efficiently and effectively investigate criminal activity. In an effort to ensure that an individual's Miranda rights have been protected, guidelines have been established to reduce the possibility of tainting criminal cases.

385.2 PROCEDURE

During the course of investigating criminal activity, especially in regards to major crimes, each interviewer should do the following:

- When practical, all interviews with a suspect should be done after consultation with the assigned lead investigator.
- Review the available documentation of previous interview(s) before another interview with the suspect begins.
- During the interview, the interviewer should review Miranda issues with the suspect to determine if there have been previous invocations.
- Complete a report as soon as possible, including all significant elements. Issues regarding Miranda should also be recorded in detail.
- A suspect must be informed of "the right to talk to an attorney prior to answering any questions" and that he/she can invoke this right, "at any time during the interview." The intent of Miranda must "reasonably" be conveyed to a suspect prior to questioning. (Florida v. Powell, February 23, 2010)
- Officers should not continue their questioning outside of Miranda for impeachment purposes or for any other purposes (See Fairfield Police Department Training Bulletin dated 9/29/00).
- Officers are encouraged to use their department issued Miranda card when advising a suspect of their rights.

These instructions are guidelines only, as there is a need for some flexibility. For example, some interviews are extremely lengthy and immediately writing a thorough report regarding the interview may be impractical. It may also be impractical to read or view an entire interview. In those cases, it is extremely important that Miranda issues are reviewed with the suspect prior to an interview.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Graffito Reward Procedure

387.1 PROCEDURE

City of Fairfield Resolution 84-223 states in part that the Chief of the Police Department has the authority to administer the rewards portion of the Resolution, regarding the defacing graffito of any public or private permanent structure with paint. To assist in this program, Police Department members are urged to attempt to identify those citizens who may be witness to any such acts of ("Graffito") disfigurement. When it is determined that a person has in fact provided information identifying the person(s) responsible for any disfigurement and the person(s) have been apprehended, the following procedures are to be followed:

- The Police Department employee responsible for the case investigation or apprehension of the person(s) responsible, or the employee's supervisor, shall initiate the distribution of a complete copy of the report through Investigations to the Chief for review.
- The Investigations Lieutenant shall review the case and make a recommendation as to the amount of reward. If in the Chief's judgment a reward is in order and proper, the Director of Finance shall be instructed to distribute the allotted funds to the citizen who aides in such arrests.
- The Support Services Captain shall make arrangements for the distribution of reward funds. The Investigations Lieutenant, upon determining a reward is appropriate, will forward the case to the specified Investigations personnel to pursue restitution for damages, plus reward. This will include referral to Probation or court for ordering restitution where necessary.
- The Police Department shall assist the Finance Director in every way possible to recover such funds paid, including restitution for damage repair and costs incurred by the City of Fairfield. The Investigations Lieutenant shall notify the Finance Director of any funds not recovered through restitution, and shall include all information necessary for the Finance Director to bill the responsible person(s) and take necessary legal action.
- Penal Code Section 70 prohibits any employee of the State of California, or any county, or city, or political subdivisions thereof, from receiving any rewards for the performance of their official duties. Acceptance of such is a misdemeanor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Gun Violence Restraining Orders

390.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

390.1.1 DEFINITIONS

Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

390.2 POLICY

It is the policy of the Fairfield Police Department to petition and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

390.3 GUN VIOLENCE RESTRAINING ORDERS

An officer who reasonably believes a person is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for a gun violence restraining order.

Officers petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the officer believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, an officer may orally request an order, and then prepare and sign a declaration under penalty of perjury that recites the oral statements provided to the judicial officer and memorialize the order of the court on the appropriate Judicial Council form (Penal Code § 18140).

390.3.1 ADDITIONAL CONSIDERATIONS

Officers should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

(a) When responding to a domestic disturbance where the residence is associated with a firearm registration or record.

(b) When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions if that person owns or possesses a firearm.

Officers should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm (see the Mental Illness Commitments Policy) (Penal Code § 18108).

390.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

An officer serving any gun violence restraining order shall:

(a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or control (Penal Code § 18160).

(b) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).

(c) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).

(d) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).

(e) Transmit the original proof of service form to the issuing court as soon as practicable but within one business day (Penal Code § 18115).

(f) As soon as practicable, but by the end of his/her shift, submit proof of service to the Dispatch and Records Manager for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The officer should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

390.4.1 SERVICE OF ORAL GUN VIOLENCE RESTRAINING ORDERS

If a gun violence restraining order is obtained orally, the officer shall (Penal Code § 18140):

(a) Serve the order on the restrained person in the manner outlined above, if the restrained person can reasonably be located.

(b) File a copy of the order with the court as soon as practicable after issuance.

(c) Ensure the order is provided to the Records Unit for entry into the computer database system for protective and restraining orders maintained by the Department of Justice.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

390.5 SEARCH WARRANTS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy. Additionally, (Penal Code § 1542.5):

(a) The officer serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.

(b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:

1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.

(c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the officer shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner's presence.

390.6 DISPATCH AND RECORDS MANAGER RESPONSIBILITIES

The Dispatch and Records Manager is responsible for ensuring:

(a) Proof of service of any gun violence restraining order served by an officer or received from the clerk of the court is entered in the computer database system for protective and restraining orders maintained by the Department of Justice within one business day of service if served by an officer, or within one business day of receipt of proof of service if served by a person other than a law enforcement officer (Penal Code § 18115).

(b) Oral orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).

(c) Copies of receipts of surrendered firearms or ammunition issued by other agencies for gun violence restraining orders issued by the Department are properly maintained (Penal Code § 18120).

(d) Any relinquishment of firearm rights form received from the court is entered into the California Restraining and Protective Order System within one business day of receipt (Penal Code § 18115).

390.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS

Authorized members shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order. The member receiving any firearm or ammunition shall:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Record the individual's name, address and telephone number.

(b) Record the serial number of the firearm.

(c) Prepare an incident report and property report.

(d) Provide a property receipt to the individual who surrendered the firearms and ammunition.

(e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

390.8 RELEASE OF FIREARMS AND AMMUNITION

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.

390.9 POLICY AVAILABILITY

The Chief of Police or the authorized designee shall be responsible for making this policy available to the public upon request (Penal Code § 18108).

390.10 TRAINING

The Training Sergeant should ensure that members receive periodic training on the requirements of this policy (Penal Code § 18108).

390.11 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS

The InvestigationsCity Attorney's Office is responsible for the review of a gun violence restraining order obtained by the Department to determine if renewal should be requested within the time prescribed by law (Penal Code § 18190).

390.12 GUN VIOLENCE RESTRAINING ORDER COORDINATOR

The Chief of Police will appoint the Investigation Bureau Commander as the gun violence restraining order coordinator. The responsibilities of the coordinator include:

(a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members, also including procedures for requesting and serving (Penal Code § 18108):

1. A temporary emergency gun violence restraining order.
2. An ex parte gun violence restraining order.
3. A gun violence restraining order issued after notice and hearing.

(b) Developing and maintaining factors to consider when assessing the need to seek an order, including:

1. Whether threats have been made, and if so, whether the threats are credible and specific.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. Whether the potential victim is within close proximity.
3. Whether the person has expressed suicidal tendencies.
4. Whether the person has access to firearms.
5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.
7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
8. Whether the person has any history of drug or alcohol abuse.

(c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of Penal Code § 18115; Penal Code § 18120; Penal Code § 18135; Penal Code § 18140; and Penal Code § 18160. Procedures should include:

1. Evaluation of an order to determine appropriate service and necessary precautions (see the Warrant Service Policy and the Operations Planning and Deconfliction Policy).
2. Forwarding orders to the Dispatch and Records Manager for recording in appropriate databases and required notice to the court, as applicable.
3. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate (Penal Code § 18108).
4. Seizure procedures of firearms and ammunition at the time of issuance of a temporary emergency gun violence restraining order.
5. Verification procedures for the removal of firearms and ammunition from the subject of a gun violence restraining order.

(d) Coordinating with the Training Sergeant to provide officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.

(e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.

(f) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.

1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.

(g) Coordinating review of notices of court hearings and providing notice to the appropriate officer of the hearing date and the responsibility to appear (Penal Code § 18108).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Department Use of Social Media

391.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

391.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services

391.2 POLICY

The Fairfield Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

391.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

391.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Examples of appropriate content include:

(a) Announcements.

(b) Tips and information related to crime prevention.

(c) Investigative requests for information.

(d) Requests that ask the community to engage in projects that are relevant to the department mission.

(e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.

(f) Traffic information.

(g) Press releases.

(h) Recruitment of personnel.

391.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

391.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.

(b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.

(c) Any information that could compromise an ongoing investigation.

(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Fairfield Police Department or its members.

(e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.

(f) Any content posted for personal use.

(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

391.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Department may provide a method for members of the public to contact department members directly.

391.6 RETENTION OF RECORDS

The Public Information Officer should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

391.7 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 4 - Patrol Operations

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of City of Fairfield, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.

(b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.

(c) Calls for service, both routine and emergency in nature.

(d) Investigation of both criminal and non-criminal acts.

(e) The apprehension of criminal offenders.

(f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.

(g) The sharing of information between the Patrol and other division within the Department, as well as other outside governmental agencies.

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.

(i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the City of Fairfield Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Investigation Supervisor in a timely fashion.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Fairfield Police Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

400.2.1 CRIME ANALYSIS UNIT
The Crime Analysis Unit (CAU) will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Records Bureau for distribution to all divisions within the Department through daily and special bulletins.

400.2.2 CRIME REPORTS
A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL BRIEFINGS
Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol briefings as time permits. Briefings should be used to discuss crime trends and develop patrol strategies for use during the upcoming shift.

400.2.4 INFORMATION CLIPBOARDS
Several information clipboards will be maintained in the briefing room and will be available for review by officers from all divisions within the Department. These will include, but not be limited to, the Probable Cause to Arrest and the EPO Service Needed clipboards.

400.2.5 BULLETIN BOARDS
A bulletin board will be kept in the Briefing room and the Investigations for display of suspect information, intelligence reports and photographs. New Interim Directives will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the Interim Directive will be placed on the briefing room clipboard.

400.3 CROWDS, EVENTS AND GATHERINGS
Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Bias-Based Policing

402.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Fairfield Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

402.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

402.2 POLICY

The Fairfield Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this Department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

402.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

402.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

(a) In compiling personal information about a person’s religious belief, practice, affiliation, national origin or ethnicity.

(b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

402.4 MEMBER RESPONSIBILITIES

Every member of this Department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

402.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g.; arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

402.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

    1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.

    1. Supervisors should document these periodic reviews.
    2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

402.6 ADMINISTRATION

Each year, the Patrol Division Commander should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The annual report should not contain any identifying information about any specific complaint, member of the public or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

402.7 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Unit.

(a) All sworn members of this Department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.

(b) Pending participation in such POST-approved training and at all times, all members of this Department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.

(c) Each sworn member of this Department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

402.8 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Professional Standards Unit Sergeant shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and provided to the Records Manager for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Bureau Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Briefing Training

404.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however officers may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.

(b) Notifying officers of changes in schedules and assignments.

(c) Notifying officers of new Interim Directives or changes in Interim Directives.

(d) Reviewing recent incidents for training purposes.

(e) Providing training on a variety of subjects.

404.2 PREPARATION OF MATERIALS

The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Crime and Disaster Scene Integrity

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

406.2 POLICY

It is the policy of the Fairfield Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

406.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

406.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.

(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.

(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.

(d) Provide first aid to injured parties if it can be done safely.

(e) Evacuate the location safely as required or appropriate.

(f) Secure the inner perimeter.

(g) Protect items of apparent evidentiary value.

(h) Secure an outer perimeter.

(i) Identify potential witnesses.

(j) Start a chronological log noting critical times and personnel allowed access.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

406.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

406.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

406.6 EXECUTION OF HEALTH ORDERS

Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

SWAT/CNT Response

407.1 PURPOSE AND SCOPE

These units have been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary. This policy is written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations (Penal Code § 13514.1).

407.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

The Policy Manual sections pertaining to the SWAT and CNT Units are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a police response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in this manual section serves as a guideline to department personnel allowing for appropriate on scene decision making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

407.1.2 SWAT TEAM DEFINED

A SWAT team is a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

407.2 POLICY

It shall be the policy of this department to maintain a SWAT team and to provide the equipment, manpower, and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

(a) Command and Control

(b) Containment

(c) Entry/Apprehension/Rescue

It is understood that it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

407.2.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to this department. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SWAT Commander or his/her designee.

407.2.2 ORGANIZATIONAL PROCEDURES

This department shall develop a separate written set of organizational procedures which should address, at minimum, the following:

(a) Locally identified specific missions the team is capable of performing.

(b) Team organization and function.

(c) Personnel selection and retention criteria.

(d) Training and required competencies.

(e) Procedures for activation and deployment.

(f) Command and control issues, including a clearly defined command structure.

(g) Multi-agency response.

(h) Out-of-jurisdiction response.

(i) Specialized functions and supporting resources.

407.2.3 OPERATIONAL PROCEDURES

This department shall develop a separate written set of operational procedures in accordance with the determination of their level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association Suggested SWAT Best Practices. Because such procedures are specific to SWAT/CNT members and will outline tactical and officer safety issues, they are not included within this policy. The operational procedures should include, at minimum, the following:

(a) Designated personnel responsible for developing an operational or tactical plan prior to, and/or during SWAT operations (time permitting).

    1. All SWAT team members should have an understanding of operational planning.

    2. SWAT team training should consider planning for both spontaneous and planned events.

    3. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.

(b) Plans for mission briefings conducted prior to an operation, unless circumstances require immediate deployment.

    1. When possible, briefings should include the specialized units and supporting resources.

(c) Protocols for a sustained operation should be developed which may include relief, rotation of personnel, and augmentation of resources.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.

(e) The appropriate role for a trained negotiator.

(f) A standard method of determining whether or not a warrant should be regarded as high-risk.

(g) A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.

(h) Post incident scene management including:

1. Documentation of the incident.
2. Transition to investigations and/or other units.
3. Debriefing after every deployment of the SWAT team.
    (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound risk management practices.
    (b) Such debriefing should not be conducted until involved officers have had the opportunity to individually complete necessary reports or provide formal statements.
    (c) In order to maintain candor and a meaningful exchange, debriefing will generally not be recorded.
    (d) When appropriate, debriefing should include specialized units and resources.

(i) Sound risk management analysis.

(j) Standardization of equipment deployed.

407.3 TRAINING NEEDS ASSESSMENT

The SWAT/CNT Commander shall conduct an annual SWAT Training needs assessment to ensure that training is conducted within team capabilities, department policy and the training guidelines as established by POST (11 C.C.R. § 1081).

407.3.1 INITIAL TRAINING

SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of the POST-certified Basic SWAT Course or its equivalent.

(a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content (topics) meet or exceed department requirements or POST standardized training recommendations.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

407.3.2 UPDATED TRAINING

Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete update or refresher training as certified by POST, or its equivalent every 24 months.

407.3.3 SUPERVISION AND MANAGEMENT TRAINING

Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level to ensure personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the teams.

Command personnel who may assume incident command responsibilities should attend a SWAT or Critical Incident Commander course, or its equivalent. SWAT command personnel should attend a POST-certified SWAT commander or tactical commander course, or its equivalent.

407.3.4 SWAT ONGOING TRAINING

Training shall be coordinated by the CRU Commander. The CRU Commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise, in addition to specialized training. Training shall consist of the following:

(a) Each SWAT member shall perform a physical fitness test twice each year. A minimum qualifying score must be attained by each team member.

(b) Any SWAT team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.

(c) Those members who are on vacation, ill, or are on light duty status with a doctor's note of approval on the test date, shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member, who fails to arrange for and perform the physical fitness test within the 30-day period, shall be considered as having failed to attain a qualifying score for that test period.

(d) Quarterly, each SWAT team member shall perform the mandatory SWAT handgun qualification course. The qualification course shall consist of the SWAT Basic Drill for the handgun. Failure to qualify will require that officer to seek remedial training from a team firearms instructor approved by the CRU Commander. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training may result in dismissal from the team.

(e) Each SWAT team member shall complete the quarterly SWAT qualification course for any specialty weapon issued to, or used by, the team member during SWAT operations. Failure to qualify will require the team member to seek remedial training from a team firearms instructor who has been approved by the CRU commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Team members who fail to

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

407.3.5 TRAINING SAFETY
Use of a designated safety officer should be considered for all tactical training.

407.3.6 SCENARIO BASED TRAINING
SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

407.3.7 TRAINING DOCUMENTATION
Individual and team training shall be documented and records maintained by the Training Unit. Such documentation shall be maintained in each member's individual training file. A separate agency SWAT training file shall be maintained with documentation and records of all team training.

407.4 UNIFORMS, EQUIPMENT, AND FIREARMS

407.4.1 UNIFORMS
SWAT teams from this agency should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

407.4.2 EQUIPMENT
SWAT teams from this agency should be adequately equipped to meet the specific mission(s) identified by the agency.

407.4.3 FIREARMS
Weapons and equipment used by SWAT, the specialized units, and the supporting resources should be agency-issued or approved, including any modifications, additions, or attachments.

407.4.4 OPERATIONAL READINESS INSPECTIONS
The CRU Commander shall appoint a CRU supervisor to perform operational readiness inspections of all unit equipment at least quarterly. The result of the inspection will be forwarded to the CRU Commander in writing. The inspection will include personal equipment issued to members of the unit, operational equipment maintained in the CRU facility and equipment maintained or used in CRU vehicles.

407.5 MANAGEMENT/SUPERVISION OF CRISIS RESPONSE UNIT
The Commander of SWAT/CNT shall be selected by the Chief of Police upon recommendation of staff.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

407.5.1 PRIMARY UNIT MANAGER
Under the direction of the Chief of Police, through the Patrol Division Captain, the SWAT/CNT Units shall be managed by a lieutenant.

407.5.2 TEAM SUPERVISORS
The Crisis Negotiation Team and each Special Weapons and Tactics Team will be supervised by a sergeant or above.

The team supervisors shall be selected by the Chief of Police upon specific recommendation by staff and the SWAT/CNT Commander.

The following represent the supervisor responsibilities for the SWAT/CNT Units.

(a) The Crisis Negotiation Team supervisor's primary responsibility is to supervise the operations of the Crisis Negotiation Team which will include deployment, training, first line participation, and other duties as directed by the SWAT/CNT Commander.

(b) The Special Weapons and Tactics Team supervisor's primary responsibility is to supervise the operations of the SWAT Team, which will include deployment, training, first line participation, and other duties as directed by the SWAT Commander.

407.6 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES
The Crisis Negotiation Team has been established to provide skilled verbal communicators who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves, or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the Crisis Negotiation Team.

407.6.1 SELECTION OF PERSONNEL
Interested sworn personnel, who are off probation, shall submit a Memorandum or Interest to their immediate supervisor detailing their qualifications and requesting a Memorandum recommending them for the team. If the supervisor chooses to recommend the officer, a copy of both memorandums will be forwarded to the Officer's Division Commander then to the SWAT/CNT Commander. Qualified applicants will then be invited to an oral interview. The oral board will consist of the SWAT/CNT Commander, the Crisis Negotiation Team supervisor, and a third person to be selected by the two. Interested personnel shall be evaluated by the following criteria:

(a) Recognized competence and ability as evidenced by performance.

(b) Demonstrated good judgment and understanding of critical role of negotiator and negotiation process.

(c) Effective communication skills to ensure success as a negotiator.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Special skills, training, or appropriate education as it pertains to the assignment.

(e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions, and training obligations.

The oral board shall submit a list of successful applicants to staff for final selection.

407.6.2 TRAINING OF NEGOTIATORS

Those officers selected as members of the Negotiation Team should attend the Basic Negotiators Course as approved by the Commission on Peace Officer Standards and Training (POST) prior to primary use in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per quarter will be required to provide the opportunity for role playing and situational training necessary to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels, established by the team supervisor, will be met and maintained by all team members. Any member of the Negotiation Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the unit.

407.7 SWAT TEAM ADMINISTRATIVE PROCEDURES

The Special Weapons and Tactics (SWAT) Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics in such situations as cases where suspects have taken hostages and/or barricaded themselves as well as prolonged or predictable situations in which persons armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the Special Weapons and Tactics Team.

407.7.1 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit a Memorandum of Interest to their immediate supervisor detailing their qualifications for the position and requesting a Memorandum recommending them for the team. If the supervisor chooses to recommend the Officer, a copy of both memorandums will be forwarded to the Officer's Division Commander then to the SWAT/CNT Commander. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the SWAT/CNT Commander. The testing process will consist of an oral board, physical agility, SWAT basic handgun, and team evaluation.

(a) Oral board: The oral board will consist of personnel selected by the SWAT/CNT Commander. Applicants will be evaluated by the following criteria:

1. Recognized competence and ability as evidenced by performance;

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. Demonstrated good judgment and understanding of critical role of SWAT member;
3. Special skills, training, or appropriate education as it pertains to this assignment; and,
4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.

(b) Physical agility: The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of SWAT-related duties. The test and scoring procedure will be established by the SWAT/CNT Commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.

(c) SWAT basic handgun: Candidates will be invited to shoot the SWAT Basic Drill for the handgun. A minimum qualifying score of 400 out of a possible score of 500 must be attained to qualify.

(d) Team evaluation: Current team members will evaluate each candidate on his or her field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.

(e) A list of successful applicants shall be submitted to staff, by the SWAT/CNT Commander, for final selection.

407.7.2 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the SWAT/CNT Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT Team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

407.8 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT

The following procedures serve as guidelines for the operational deployment of the SWAT and CNT Units. Generally, the Special Weapons and Tactics Team and the Crisis Negotiation Team will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the Crisis Negotiation Team such as warrant service operations. This shall be at the discretion of the SWAT/CNT Commander.

407.8.1 ON-SCENE DETERMINATION

The supervisor in charge on the scene of a particular event will assess whether the SWAT and/or CNT Units are to respond to the scene. Upon final determination by the Watch Commander, he/she will notify the SWAT/CNT Commander.

407.8.2 APPROPRIATE SITUATIONS FOR USE OF CRISIS RESPONSE UNIT

The following are examples of incidents which may result in the activation of SWAT/CNT:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Barricaded suspects who refuse an order to surrender.

(b) Incidents where hostages are taken.

(c) Cases of suicide threats.

(d) Arrests of dangerous persons.

(e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.

407.8.3 OUTSIDE AGENCY REQUESTS

Requests by field personnel for assistance from outside agency crisis units must be approved by the Watch Commander. Deployment of the Fairfield Police Department SWAT or CNT Units in response to requests by other agencies must be authorized by the SWAT/CNT Commander.

407.8.4 MULTI-JURISDICTIONAL SWAT OPERATIONS

The SWAT team, including relevant specialized units and supporting resources, should develop protocols, agreements, MOU's, or working relationships to support multi-jurisdictional or regional responses.

(a) If it is anticipated that multi-jurisdictional SWAT operations will regularly be conducted; SWAT multi-agency and multi-disciplinary joint training exercises are encouraged.

(b) Members of the Fairfield Police Department SWAT team shall operate under the policies, procedures and command of the Fairfield Police Department when working in a multi-agency situation.

407.8.5 MOBILIZATION OF CRISIS RESPONSE UNIT

The On-Scene supervisor shall make a request to the Watch Commander for SWAT and/or CNT. The Watch Commander shall then notify the SWAT/CNT Commander. If unavailable, a team supervisor shall be notified. The Watch Commander will then notify the Patrol Bureau Lieutenant and Operations Division Captain as soon as practical.

The Watch Commander should advise the SWAT/CNT Commander with as much of the following information, which is available at the time:

(a) The number of suspects, known weapons and resources.

(b) If the suspect is in control of hostages.

(c) If the suspect is barricaded.

(d) The type of crime involved.

(e) If the suspect has threatened or attempted suicide.

(f) The location of the command post and a safe approach to it.

(g) The extent of any perimeter and the number of officers involved.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(h) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.

The SWAT/CNT Commander or supervisor shall then initiate the mobilization.

407.8.6 FIELD UNIT RESPONSIBILITIES

While waiting for the Crisis Response Unit, field personnel should, if safe, practical and sufficient resources exist:

(a) Establish an inner and outer perimeter.

(b) Establish a command post outside of the inner perimeter.

(c) Establish an arrest/response team. The team actions may include:

1. Securing any subject or suspect who may surrender.
2. Taking action to mitigate a deadly threat or behavior.

(d) Evacuate any injured persons or citizens in the zone of danger.

(e) Attempt to establish preliminary communication with the suspect. Once the CRU has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.

(f) Be prepared to brief the CRU Commander on the situation.

(g) Plan for, and stage, anticipated resources.

407.8.7 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of SWAT/CNT at the scene, the Incident Commander shall brief the SWAT/CNT Commander and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the SWAT/CNT Commander, whether to deploy SWAT and CNT. Once the Incident Commander authorizes deployment, the SWAT/CNT Commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security, and support for SWAT and CNT. The Incident Commander and the SWAT/CNT Commander (or his or her designee) shall maintain communications at all times.

407.8.8 COMMUNICATION WITH CRISIS RESPONSE UNIT PERSONNEL

All of those persons who are non-SWAT or CNT personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with SWAT or CNT personnel directly.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

SWAT/Tactical Medic

408.1 PURPOSE AND SCOPE

This policy describes the Fairfield Police Department SWAT/Tactical Medic program.It applies to all Fairfield Police Officers, Contract Employees, and Volunteers that are members of, or work in support of, the Fairfield Police Department SWAT Team.

408.2 POLICY

Fairfield Police Department's SWAT Team operates and train in high-risk environments. Every opportunity to reduce risk is taken through the use of personal protective equipment, specialized tactics and training. The risk of injury to a SWAT Team member, hostage, or suspect remains an ever present danger. The SWAT/Tactical Medic Program is designed to provide medical aid to injured personnel as soon as is tactically feasible, and bridge the gap between the tactical environment and the traditional EMS System.

408.3 GOALS

The Goal of this policy is to enhance the safety of the SWAT Team Members and reduce the impact of injury sustained while operating with the SWAT Team.

408.4 DUTIES AND RESPONSIBILITIES

Individuals designated as a SWAT/Tactical Medic will enhance the safety during tactical incidents and training events through:

(a) Provide initial basic and advanced medical aid to Law Enforcement personnel.

(b) Provide initial advanced medical aid to wounded hostages, citizens, and/or suspects when it is safe and tactically feasible.

(c) Maintain medication and medical equipment deployed on Team missions.

(d) Participate in mission and training event planning.

408.5 REQUIREMENT AND QUALIFICATIONS

Personnel in the position of SWAT/Tactical Medic will meet or exceed the following requirements and qualifications:

(a) Must be an Advanced Life Support provider: Paramedic, Nurse, or Physician.

(b) SWAT/Tactical Medics will hold a current license/accreditation/certification appropriate to their level of training.

(c) SWAT/Tactical Medic who are Paramedics must be Solano County Accredited.

(d) When possible, the Fairfield Police Department SWAT Team will attempt to fill the SWAT/Tactical Medic position with a sworn officer within the department. In the absence of a Fairfield Police Department officer holding the position, the department will find a qualified medical provider to be attached to the SWAT Team.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

408.5.1 SELECTION PROCESS

Personnel selection for this position will be limited to those who have the training as an Advanced Life Support provider. Ideally, the SWAT/Tactical Medic will be a qualified operator of the SWAT Team.When there is not a qualified sworn officer for the position, a qualified medical provider may be selected.

Interested sworn personnel, who are off probation, shall submit a Memorandum of Interest to their immediate supervisor detailing their qualifications and requesting a Memorandum recommending them for the position. If the supervisor chooses to recommend the officer, a copy of both memorandums will be forwarded to the Officer's Division Commander then to the SWAT Commander. A qualified medical provider will gain endorsement through their supervisor and furnish it to the SWAT commander upon request.

Selection will be based on:

(a) Recognized competence and ability as evidenced by performance.

(b) Demonstrated good judgment and understanding of critical role of SWAT Medic.

(c) Special skills, training, or appropriate education as it pertains to this assignment.

(d) Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.

(e) Team evaluation: Current team members will evaluate each candidate on his or her field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.

(f) Evaluation of any action against their medical license/accreditation/certificate.

A list of successful applicants shall be submitted to staff, by the SWAT Commander, for final selection with the advice and consent of the SWAT/Tactical Medic Program Medical Director.

408.6 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the SWAT Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT Team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

408.7 COMMAND STRUCTURE

The SWAT/Tactical Medic will report under the same chain of command as the SWAT Team.

(a) The SWAT medic will respond to tactical incidents at the direction of the Team Leader and/or Team Commander. This will be adhered to regardless of medical conditions of officers, hostages, civilians, andsuspects.

(b) SWAT medics will render medical aid within their medical scope of practice and according to the Solano County EMS Agency Protocols for Paramedics, Protocols

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

approved by the SWAT/Tactical Medic Program Medical Director for Nurses, or principles of TCCC and ATLS for Physicians.

(c) The SWAT/Tactical Medic will report to the Medical Director for training and documentation of competencies.

(d) The SWAT/Tactical Medic will document any medical care rendered beyond simple application of a band-aid on a Solano County Patient Care Report Form.PCRs will be kept and maintained by the Fairfield Police

408.8 MEDICAL DIRECTOR

The SWAT/Tactical Medic Program Medical Director is a nonclinical role and shall:

(a) Be a licensed physician or surgeon, Board Certified or Board Eligible in Emergency Medicine or Trauma Surgery/Critical Care.

(b) Report directly to the SWAT Team and/or SWAT Commander.

(c) Provide medical oversight to the SWAT/Tactical Medic Program.

(d) Provide continuing education to the SWAT/Tactical Medic personnel.

(e) Provide self-care and buddy-care education to the SWAT Team Members.

(f) Participate in Team training as deemed appropriate by the SWAT Team Leader.

(g) Assist in the coordination of SWAT Team activities with traditional EMS agencies.

(h) Direct the acquisition and maintenance of medications and medical equipment and provide for the required Drug Enforcement Agency controlled medications supply number.\

(i) Review every patient care contact for continued quality improvement.

(j) Assist in the development of Solano County treatment protocols.

(k) Develop Department policy and treatment protocols pertaining to the SWAT/Tactical Medic Program.

(l) Hold Professional Liability Insurance. (Errors and Omissions)

408.9 UNIFORM AND BADGES

A distinct uniform, badge, and necessary safety equipment will be provided for the SWAT/Tactical medic. This uniform will be similar to that worn by the SWAT personnel of this department, with a clear label/marking of “MEDIC” to clearly identify the person as the medic and avoid any confusion that the person is a SWAT operator. The MEDIC label will be subdued so it does not direct attention or “target” the personnel, but distinguish them from operators, for the benefit of operational execution and safety.

408.10 TRAINING

Upon selection, the SWAT/Tactical Medic will obtain specialized training deemed appropriate by the SWAT Team Commander and SWAT/Tactical Medic Program Medical Director.The SWAT/

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Tactical Medic shall display knowledge of applicable protocols and maintain competency in all required skills prior to deployment. Continuing medical education shall be obtained according to the SWAT/Tactical Medic's license.The medic's continuing medical education units shall include topics relevant to the field of Tactical Medicine.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Mutual Aid Request for the Bearcat Armored Vehicle

409.1 PURPOSE AND SCOPE

When an allied agency is involved in a "rescue under fire," or a critical incident and requests mutual aid for the BearCat, the on-duty supervisor should make every effort to grant the request and coordinate the delivery. At no time during the mutual aid request shall Fairfield Police Department personnel relinquish control of the BearCat to the allied agency.

409.2 PROCEDURE

If the mutual aid request is for a "rescue under fire," or a critical incident such as an armed barricaded suspect, the on-duty supervisor shall designate two officers, if possible, to deliver the BearCat to the agency. If available, one of those officers should be an on-duty supervisor.

Once on scene of a "rescue under fire," Fairfield Police Department personnel shall coordinate with the allied agency supervisor for the deployment of a rescue plan.

While on scene of a critical incident, Fairfield Police Department personnel shall coordinate with the allied agency supervisor for the deployment of the BearCat. In addition, the Fairfield Police SWAT Commander shall be notified as soon as practical to coordinate the replacement of patrol personnel with SWAT personnel.

The policy and procedure of the Fairfield Police Department shall supersede allied agency's policy/general orders should a conflict arise. In addition, the final decision to deploy the BearCat when on scene shall rest with Fairfield Police Department personnel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Ride-Along Policy

410.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

410.1.1 ELIGIBILITY

The Fairfield Police Department Ride-Along Program is offered to residents, students, and those employed within the City. Every attempt will be made to accommodate interested persons, however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

410.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Division Commander, or Watch Commander.

410.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Training. The participant will complete a ride-along waiver form. Information requested will include a valid ID or California driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Training will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

410.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every twelve months. An exception would apply to the following: Cadets, Explorers, Chaplains, Reserves, police applicants, VIPS, and all others with approval of the Watch Commander.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

Ride-along requirements for police explorers are covered by the Police Explorer Program policy.

410.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

410.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

410.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Fairfield Police Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

410.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lit place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Personnel Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the yellow form shall be returned to the Personnel Sergeant with any comments which may be offered by the officer.

410.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.

(c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Mobile Field Force (MFF)

411.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the administration, training, and operation of the Mobile Field Force (MFF).

The MFF is designed to provide rapid, organized, and disciplined response to civil disorder, crowd control needs, natural disasters, or other tactical situations both within our jurisdiction, and our state. Civil disturbances, public demonstrations, and other events involving large or disorderly crowds require skillful response by police agencies. The Fairfield MFF works closely with other MFF's within Solano County to pool resources and provide the best service possible for all of our communities.

It is not the intent of this policy to limit the necessary discretion that must be exercised by department personnel following the guidelines of the policy.

411.2 POLICY

(a) It shall be the policy of the Fairfield Police Department to have the MFF provide specialized support in situations where the capabilities of the team are appropriate for responding to an incident or operation.

(b) Deployment Protocol:

1. The MFF may be utilized in conjunction with other department resources dedicated to responding to a planned event or an unusual occurrence.

2. The MFF may be deployed as mutual aid with other agencies or to relieve another agency's MFF that is already committed to an incident.

3. It is anticipated that the MFF will be regularly deployed in multi-jurisdictional operations. Members of the Fairfield MFF shall operate under the policies, procedures, and command of the Fairfield Police Department when working in any multi-agency situation.

(c) MFF deployments may include, but are not limited to:

1. Mass arrest incidents.

2. Force protection.

3. Mutual aid requests.

4. Crowd control for planned or spontaneous demonstrations or civil disobedience.

5. Respond to secure large perimeters such as the scene of an Officer-Involved Shooting (OIS), disaster area, or critical incident scene requiring significant resources to manage and/or drawing large crowds.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

6. Natural disaster scenes to assist with law enforcement, security, evacuations, or to assist other government agencies.

7. Other missions as assigned by the Incident Commander.

411.3 DUTIES AND RESPONSIBILITIES

COMMANDER

Under the direction of the Chief of Police, and through the Operations Division Captain, the MFF shall be managed by a lieutenant. This Commander should:

(a) Provide direction and vision to the MFF; planning, coordinating, and managing the MFF.

(b) Provide oversight of all team activities including training, deployments and budget.

(c) Supervise the MFF sergeants.

INCIDENT COMMANDER

The Incident Commander assumes overall responsibility for an incident or operation and provides overall management, oversight, and direction. The Incident Commander is the primary commander during a specific operation and may function as both the Incident Commander and Tactical Commander. The Incident Commander may be a police captain, a police lieutenant, or the highest ranking MFF member. The Incident Commander should:

(a) Establish an Incident Command Post (ICP) as soon as practical. The Incident Commander should manage and conduct the operation from the ICP. If necessary, the Incident Commander will employ other personnel to assist with managing the operation.

(b) Ensure communication links to all units/officers and mutual aid teams are established as needed and on a timely basis.

(c) Ensure investigative efforts to obtain and update information on criminal acts, suspects, threat conditions, and the incident site are initiated as soon as practical.

(d) Establish/maintain a liaison with mutual aid agency commanders.

(e) Ensure appropriate notification has been made to department command staff.

(f) Establish a "general plan of action" or "strategy" setting forth the operational guidelines for responding to the incident.

(g) Control responding units' deployment through the ICP unless immediate operational deployment is required.

(h) Determine if additional logistical requirements and/ or resources are necessary.

(i) Designate a media liaison for press releases/media contacts.

(j) Coordinate all post-operation activities. The Incident Commander should ensure, if necessary, that the incident site remains secure until the department can return to normal operations.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

TACTICAL COMMANDER

The Tactical Commander will coordinate operations at the incident site with the Incident Commander. All resources directly committed to the incident site will be under the control of the Tactical Commander. The Tactical Commander may be a police captain, a police lieutenant, a police sergeant, or the second highest ranking MFF member. The Tactical Commander should:

(a) Establish a Tactical Command Post which may be at a different location from the Incident Command Post.

(b) Oversee the operation or incident plan until the incident or operation is concluded.

(c) Request, through the operational chain of command, necessary personnel and resources as needed.

(d) Establish liaisons with other law enforcement units committed to the incident.

(e) Ensure support radio communication channels and call signs are established.

(f) To the extent possible, assess and address the following:

1. Collect, process, and cross verify intelligence from on-scene sources.

2. Continue to develop and verify tactical information as it relates to:

(a) Criminal acts.

(b) Suspect information.

(c) Threat conditions.

(d) Incident site information.

3. Facilitate the exchange of intelligence acquired from deployed tactical teams and negotiation efforts to the command post.

4. Update personnel so current information is given to on-scene and relief personnel as necessary to perform assigned duties. Continue to acquire and disseminate updated intelligence on a timely basis up and down the chain of command.

(g) Update the MFF with on-scene information to ensure all members are informed of any changes in the field that may influence the legality and decision to deploy munitions or use force.

SERGEANT

MFF Sergeants are responsible for the direct supervision of MFF personnel. Sergeants should:

(a) Report to the Tactical Commander, or in their absence, the Incident Commander.

(b) Assist in creating a tactical plan for MFF deployments.

(c) Ensure proper execution of the tactical plan.

(d) Organize post operational procedures to ensure all personnel and equipment are accounted for.

(e) Conduct a debriefing.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) Unless otherwise delegated, complete after-action reports for documentation of deployments.

(g) Plan, coordinate, monitor and participate in training.

(h) Complete and submit all MFF training records including lesson plans and records of attendance. Assure all training records are forwarded to the department's Training Unit.

(i) Evaluate the performance of MFF Officers and Team Leaders.

(j) Coordinate the selection of new MFF Officers.

(k) Maintain an equipment inventory of all items issued to officers. A list of weapons and primary safety equipment shall be forwarded to the department's Training Unit.

(l) Conduct an annual needs assessment to ensure training is conducted within team capabilities and agency policy.

TEAM LEADER

MFF Team Leaders should:

(a) Provide leadership in the following areas:

1. Support the goals of the department and the MFF.
2. Assist in training, leading and motivating MFF members.
3. Promote teamwork and camaraderie within the MFF.

(b) Assist with Training

1. At the direction of the MFF Sergeant, prepare lesson plans for monthly trainings.
2. Review new training techniques or practices and make appropriate recommendations to MFF Sergeants.
3. Identify training needs and make appropriate recommendations to MFF Sergeants.
4. Mentor new MFF members.

(c) Assist with Operations

1. At callouts, assist the MFF Sergeants as directed.
2. Complete a callout list.
3. Assist in operation planning at the direction of MFF Sergeants.
4. During operations, work under the direction of the MFF Sergeants.
5. In the absence of the MFF Sergeant and/or Commander, lead the team during operations or incidents.
6. Assist with completion of after-action report documentation.

(d) Assist with Evaluations

1. Assist in the evaluation of the performance of MFF members.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. Make recommendations to MFF Sergeants for assignment of positions within MFF.
3. Assist MFF Sergeants in the selection of new team members.

(e) (The selection process for becoming a Team Leader on MFF is as follows:

1. When a Team Leader opening occurs on the team, the opening will be announced to the team by the MFF Sergeants.
2. Interested team members will contact the MFF Sergeants expressing their interest to be considered for the position.
3. All interested team members will be evaluated for Team Leader based on the following criteria:
   (a) Performance evaluations for the past two (2) years.
   (b) Input from their current and past supervisors for the past year regarding the employees' performance in leadership and supervisory potential in their primary assignment, any other ancillary assignments held during that year.
   (c) Performance on the MFF:
      i. Performance during training and call-out missions
      ii. Commitment to the ongoing performance of the team and training of other team members.
      iii. Demonstration of leadership qualities and skills during training and missions.
      iv. Committed to holding themselves and their peers to the highest standards related to professionalism.
4. A list of qualified candidates will then be submitted to the MFF Lieutenant along with the recommendations from the MFF Sergeants.
5. Upon approval from the MFF Lieutenant, the selection recommendation will be submitted to the Field Services Division Manager and the Chief of Police for approval.

MFF MEMBER

All team members function at the direction and discretion of the MFF Commander, Sergeants, and Team Leaders. They shall:

(a) Unless prior notification and arrangements have been made with MFF supervisors, be available for callouts and deployments out of the area.

(b) Actively participate in trainings.

(c) Perform to a satisfactory level in all key areas of responsibility in their primary job duties. Failure to maintain satisfactory performance in any area of their primary job duties may result in removal from the MFF.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

411.4 CALL-OUT PROCEDURE

It shall be the responsibility of the MFF Sergeants to ensure a current call-out roster is available and accessible to personnel authorized to conduct a MFF call-out.

The MFF Sergeants and Team Leader(s) will obtain necessary information to complete an action plan. Upon approval of this action plan by the Tactical/Incident Commander, personnel and equipment will be assembled and deployed to a designated staging area. Upon receiving authorization, the action plan will be implemented. The action plan could be in written or oral form. However, if in oral form, it will need to be put in writing as soon as practical.

411.5 TRAINING

MFF Sergeants will develop and manage trainings by compiling and distributing a yearly comprehensive training plan. This training plan will establish training days, a list of individual and team skills that will be focused on during the training, and how these skills are relevant to MFF missions. The MFF training sergeant shall forward all lesson plans and training documents to the department's Training Unit. This documentation shall be maintained in each member's individual training file. A separate agency MFF training file shall be maintained with documentation and records of all team training.

(a) Training will generally consist of twelve (12) training days per year.

(b) MFF members unable to attend scheduled training shall contact a MFF Sergeant explaining the reason for the absence.

(c) Training may consist of scenario-based joint training with outside agencies as well as other teams within the department.

(d) MFF Officers train to maintain and improve their skills used in operations. Officers who miss three consecutive monthly trainings and/or more than 25 percent of each year's training time may be removed from the team or removed from the call-out list until they attend sufficient training to demonstrate an acceptable skill level. The acceptable skill level will be determined by the MFF Sergeants or Lieutenant.

411.6 UNIFORM AND EQUIPMENT

The uniform worn during any mission or deployment will comply with department policy. However, the uniform may be temporarily modified based upon the unique needs and circumstances of the MFF during deployments. During deployments, and regardless of any modifications, MFF members shall wear uniforms that clearly identify members as law enforcement officers.

All equipment maintained by the team or assigned to a team member will be at the discretion of the MFF Commander.

A periodic inventory check of all MFF equipment will be conducted by a designated team member. These records shall be maintained by the MFF Commander.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Mobile Field Force (MFF)

All officers shall be responsible for the care, maintenance, and knowing the purpose of all equipment issued to them, including, but not limited to uniforms, helmets, eyewear, hearing protection, body armor, chemical agents mask, and footwear.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hazardous Material Response

412.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure. To comply with Title 8, California Code of Regulations, § 5194, the following is to be the policy of this department.

412.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

412.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from the person transporting).

(b) Notify the Fire Department.

(c) Provide first-aid for injured parties if it can be done safely and without contamination.

(d) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.

(e) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).

(f) Notify the Department of Toxic Substances Control. This is mandatory when an officer comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety § 25354.5).

412.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Commanding Officer. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

412.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, personal protective equipment is issued by the Department. Safety items not maintained by the Department will be obtained through the Fire Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Fairfield Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the Fairfield Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to an immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity or national origin in any way that would violate the United States or California constitutions.

413.4 IMMIGRATION INQUIRIES PROHIBITED

Officers shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

413.5 DETENTIONS

Officers shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (Government Code § 7284.6).

An officer who has reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 UCS § 1326(a) (unlawful reentry) that may be subject to enhancement due to prior conviction for aggravated felonies may detain the person for a reasonable period of time to contact federal immigration officials to verify whether the United States Attorney General has granted the individual permission for re-entry and whether the violation is subject to enhancement (Government Code § 7284.6). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has violated 8 USC § 1326(a) and the penalty may be subject to enhancement due to prior conviction for specified aggravated felonies, he/she may arrest the individual for that offense (Government Code § 7284.6).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

An officer shall not detain any individual, for any length of time, for any other criminal violation of federal immigration laws (Government Code § 7284.6).

An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of 8 USC § 1326(a).

413.5.1 SUPERVISOR RESPONSIBILITIES
When notified that an officer has arrested an individual for violation of 8 USC § 1326(a), the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.

(b) Transfer the person to jail.

413.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this Department should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

413.7 INFORMATION SHARING

The Fairfield Police Department may only provide personal information to federal immigration authorities if the information is available to the public. "Personal Information" includes information that is maintained by the City that identifies or describes an individual, including but not limited to, the individual's home or work address (Government Code § 7284.6(a)(1)(D); Civil Code § 1798.3).

The Fairfield Police Department may respond to a request for notification for a person's release date or other information from federal immigration authorities if any of the following conditions apply (Government Code §§ 7282.5, 7284.6):

(a) The individual has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c).

(b) The individual has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary.

(c) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).

(d) The individual is a current registrant on the California Sex and Arson Registry.

(e) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

(f) The information is available to the public (Government Code § 7284.6(a)(1)(c).

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Sending information to, or requesting or receiving such information from federal immigration authorities.

(b) Maintaining such information in department records.

(c) Exchanging such information with any other federal, state or local government entity.

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

413.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

413.7.2 NOTICE TO INDIVIDUALS

Individuals in custody shall be given a copy of documentation received from U.S. Immigration and Customs Enforcement (ICE) regarding a hold, notification or transfer request along with information as to whether the Fairfield Police Department intends to comply with the request (Government Code § 7283.1).

If the Fairfield Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate (Government Code § 7283.1).

413.7.3 ICE INTERVIEWS

Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Fairfield Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

413.7.4 TRANSFERS TO IMMIGRATION AUTHORITIES

Members shall not transfer an individual to immigration authorities unless one of the following circumstances exists:

(a) The transfer is authorized by a judicial warrant or judicial probable cause determination.

1. "Judicial warrant" means a warrant based on probable cause for a violation of *federal criminal immigrations law* and issued by a federal judge or a federal magistrate judge that authorizes a law enforcement officer to arrest and take into custody the person who is the subject of the warrant.

2. "Judicial probable cause determination" means a determination made by a federal judge or federal magistrate judge that probable cause exists that an individual has violated *federal criminal immigration law* and that authorizes a law enforcement officer to arrest and take into custody the individual.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).

(c) The individual is a current registrant on the California Sex and Arson Registry.

(d) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

413.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigative Bureau supervisor assigned to oversee the handling of any related case. The Investigative Bureau supervisor should:

(a) Consult with the assigned investigator and victim advocate to determine the current status of any related case and whether further documentation is warranted.

(b) Ensure that the appropriate prosecutor assigned to the case is contacted by the victim advocate or investigator, if applicable, to ensure the certification or declaration has not already been completed, and whether a certification or declaration is warranted.

(c) Ensure that the request is addressed and the certification or declaration is completed, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

(e) Inform the victim liaison of any requests and their status.

413.8.1 TIME FRAMES FOR COMPLETION

Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

and Penal Code § 679.11, within 90 days of a request from the victim or victim's family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

413.8.2 REPORTING TO LEGISLATURE

The Investigative Bureau supervisor or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

413.9 TRAINING

The Training Unit supervisor should ensure that all appropriate members receive training on immigration issues.

Training should include:

(a) Identifying civil versus criminal immigration violations.

(b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

(c) Prohibitions contained in the California Values Act (Government Code § 7284 et seq.).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hostage and Barricade Incidents

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

414.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

(a) Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

(b) Unlawfully held against his/her will under threat or actual use of force.

414.2 POLICY

It is the policy of the Fairfield Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

414.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands, and the available resources.

414.3.1 EMERGENCY COMMUNICATIONS

Only an officer who has been designated by the District Attorney or Attorney General may use or authorize the use of an electronic amplifying or recording device to eavesdrop on or record,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

or both, oral communication in response to an emergency situation involving a hostage or the barricading of a location, and only when (Penal Code § 633.8(b)):

(a) The officer reasonably determines an emergency situation exists that involves the immediate danger of death or serious physical injury to any person within the meaning of 18 USC § 2518(7)(a)(i),

(b) The officer reasonably determines that the emergency situation requires that eavesdropping on oral communication occur immediately, and

(c) There are grounds upon which an order could be obtained pursuant to 18 USC § 2516(2).

(d) An application for an order approving the eavesdropping and complying with the requirements of Penal Code § 629.50 is made within 48 hours of the beginning of the eavesdropping.

(e) The contents of any oral communications overheard are recorded on tape or other comparable device.

414.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

414.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape, or surrender prior to additional resources arriving.

(c) Request additional personnel, resources, and equipment as needed (e.g.; canine team, air support).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Provide responding emergency personnel with a safe arrival route to the location.

(e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.

(f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.

(g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).

(j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(k) Establish a command post.

414.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape, or surrender prior to additional resources arriving.

(c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).

(d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable, pending further interview.

(e) Request additional personnel, resources and equipment as needed (e.g.; canine team, air support).

(f) Provide responding emergency personnel with a safe arrival route to the location.

(g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.

(h) Coordinate pursuit or surveillance vehicles and control of travel routes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties, and any other relevant intelligence information.

(j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

(k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence, or additional information.

(l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the PIO.

(m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

414.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting an Emergency Services Unit (ESU) response if appropriate, and apprising the ESU Commander of the circumstances. In addition, the following options should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.

(b) Ensure the completion of necessary first responder responsibilities or assignments.

(c) Request crisis negotiators, specialized units, additional personnel, resources, or equipment as appropriate.

(d) Establish a command post location as resources and circumstances permit.

(e) Designate assistants who can help with intelligence information and documentation of the incident.

(f) If it is practicable to do so, arrange for video documentation of the operation.

(g) Consider contacting utility and communication providers to restrict such services (e.g.; restricting electric power, gas, telephone service).

1. When considering restricting communication services, a supervisor should make the determination that there is reason to believe an emergency situation exists involving immediate danger of death or great bodily harm and that an interruption to communication services is necessary to protect public safety (Penal Code § 11471). The supervisor must ensure the Department obtains a court order, in accordance with Penal Code § 11472, prior to requesting the interruption. In the case of an extreme emergency when there is insufficient time to obtain an order prior to the request, application for the order must be submitted within six hours after initiating the interruption. If six hours is not possible, then the application for the court order shall be made at the first reasonably available opportunity, but no later than 24 hours in accordance with Penal Code § 11475.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Dispatch Center.

(i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.

(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

414.6 ESU RESPONSIBILITIES

The Incident Commander will decide, with input from the ESU Commander, whether to deploy the ESU during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the ESU Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the ESU. The Incident Commander and the ESU Commander or the authorized designee shall maintain communications at all times.

414.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Weapons of Mass Destruction Response

415.1 PURPOSE AND SCOPE

There are sites located within the jurisdiction of the Fairfield Police Department that may be targeted with the intent of causing a catastrophic outcome. The Department will respond to threats or actual occurrences of Weapons of Mass Destruction (WMD) with appropriate available resources to protect the public health and safety and bring those responsible to justice.

415.2 WEAPONS OF MASS DESTRUCTION DEFINED

WMD threats or incidents violate Title 18, United States Code, Sections 175, 229 or 233a.

(a) Any destructive device, any explosive, incendiary or poison gas, bomb, grenade, rocket of having a propellant charge of more than two ounces, miss having an explosive or incendiary charge of more than one quarter ounce, mine or device similar to the above, as defined in Section 921 Title 18 United States Code.

(b) Any weapon involving a disease organism.

(c) Any weapon designed to release radiation or radioactivity at a level dangerous to human life.

(d) Penal Code Sections:

1. 11417 P.C. The Hertzberg-Alarcon California Prevention of Terrorism Act. WMD includes chemical warfare agents, weaponized biological warfare agents, nuclear agents, radiological agents, or the intentional release of industrial agents as a weapon.

2. 11418(a) P.C. (Felony) Any person, without lawful authority, who possesses, develops, manufactures, produces, transfers, acquires or retains any weapon of mass destruction.

3. 11418(b)(1) P.C. (Felony) Any person who uses or directly employs against another person a weapon of mass destruction in any form that may cause widespread, disabling illness, or injury in human beings.

4. 11418(b)(2) P.C. (Felony) Any person who uses a weapon of mass destruction in a form that may cause widespread damage to and disruption of the water or food supply.

5. 11418(b)(3) P.C. (Felony) Any person who maliciously uses against animals or crops a weapon of mass destruction in a form that may cause widespread ands substantial diminution in the value of stock animals or crops.

6. 11418(C) P.C. (Felony) Any person who uses a weapon of mass destruction in a form that may cause widespread and significant damage to public natural resources (includes coastal waterways and beaches, public parkland, surface waters, ground water, and wildlife).

7. 11418.5(a) P.C. (Felony) Any person who knowingly threatens to a use weapon of mass destruction with the specific intent that the statement, made verbally,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

in writing, or by means of an electronic communication device, is to be taken as a threat'"even if there is no intent of actually carrying it out'"which on its face and under the circumstances in which it is made, is so unequivocal, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be sustained fear for his or her safety, or for his or her immediate family's safety, which results in an isolation, quarantine or decontamination effort. The fact that the person who violates this section did not actually possess a weapon of mass destruction does not constitute a defense to this crime. Penalty: Alternate felony/misdemeanor (wobbler) and a fine up to $250,000.

8. 11419(a) P.C. (Felony) Any person or entity that unlawfully possesses any specified restricted biological agent: smallpox virus, anthrax, yellow fever, plague, etc. Any peace officer that encounters any of the restricted agents mentioned in Section 11419 shall immediately notify and consult with a local public health officer to ensure proper consideration of any public health risk.

415.3 WEAPONS OF MASS DESTRUCTION RESPONSE

Fairfield PD Dispatch will handle reports of WMD by directing the appropriate patrol units to perform a preliminary on-scene investigation. Dispatch will not request the Fire Department or EMS unless there are reported injuries/exposure, or the preliminary investigation uncovers credible physical evidence (e.g., dissemination/mechanical devices, discarded spray devices, threatening letters or written correspondence, etc.) that would necessitate the need for additional, appropriate resources to address the incident.

In any WMD threat or incident, Dispatch shall notify the FBI's Counter-terrorism Task Force by calling (415) 553-7400. With the Watch Commander's approval, Dispatch shall notify the FBI as soon as practical.

Should officers request further evaluation or assessment of a WMD investigation, Solano County Office of Emergency Services shall be contacted via Solano Dispatch. The Incident Commander at his or her discretion may request additional resources such as a Hazardous Materials Response Team or a Bomb Squad.

All personnel shall follow all appropriate protocols and standard ICS operation procedures (safety, isolate and deny access, and make proper notifications) until a technical specialist can perform further identification or assessment.

415.4 BIOLOGICAL THREAT RESPONSE

Any communication of a threat to use a biological agent (including anthrax) as a weapon is a crime, 422 P.C., and a violation of Title 18, U.S.C., Section 175, Department personnel will handle the incident until the threat is determined to be credible. Once a threat is deemed credible, a Unified Command compromised of Law Enforcement, Solano OES, Fire Department, Solano

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Environmental Management and the Department of Heather Services will also respond and assist/ handle the investigation with local law enforcement.

For patrol officer response to anthrax threat incidents, refer to City of Fairfield Police Department Threat Assessment Bulletin dated 10/20/01.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Response to Bomb Calls

417.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Fairfield Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

417.2 POLICY

It is the policy of the Fairfield Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

417.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement, and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Watch Commander is immediately advised and informed of the details. This will enable the Watch Commander to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

417.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

417.4.1 FAIRFIELD POLICE DEPARTMENT FACILITY

If the bomb threat is against the Fairfield Police Department facility, the Watch Commander will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

417.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Fairfield Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Watch Commander deems appropriate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

417.4.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

417.5 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the City of Fairfield, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.

(b) The nature of the threat.

(c) Whether the type and detonation time of the device is known.

(d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.

(e) Whether the individual is requesting police assistance at the facility.

(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Watch Commander is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

417.5.1 ASSISTANCE

The Watch Commander should be notified when police assistance is requested. The Watch Commander will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Watch Commander determine that the Department will assist or control such an incident, he/she will determine:

(a) The appropriate level of assistance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The plan for assistance.

(c) Whether to evacuate and/or search the facility.

(d) Whether to involve facility staff in the search or evacuation of the building.

1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.

2. The safety of all participants is the paramount concern.

(e) The need for additional resources, including:

1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

417.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

(b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

(c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:

1. Two-way radios

2. Cell phones

3. Other personal communication devices

(d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

(e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

(f) A safe access route should be provided for support personnel and equipment.

(g) Search the area for secondary devices as appropriate and based upon available resources.

(h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(i) Promptly relay available information to the Watch Commander including:

1. The time of discovery.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

417.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

417.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

(a) Assess the scope of the incident, including the number of victims and extent of injuries.

(b) Request additional personnel and resources, as appropriate.

(c) Assist with first aid.

(d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens, and hazardous materials.

(e) Assist with the safe evacuation of victims, if possible.

(f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

(g) Preserve evidence.

(h) Establish an outer perimeter and evacuate, if necessary.

(i) Identify witnesses.

417.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Watch Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

417.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

417.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Watch Commander should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Mental Illness Commitments

419.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

419.2 POLICY

It is the policy of the Fairfield Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

419.3 AUTHORITY

An officer having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

(a) An individual who is providing or has provided mental health treatment or related support services to the person.

(b) A family member.

(c) The person subject to the determination or anyone designated by the person.

419.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the officers should:

(a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.

(b) If at any point the person changes his/her mind regarding voluntary evaluation, officers should proceed with the 5150 commitment, if appropriate.

(c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

419.3.2 RESTRAINTS

If the patient is violent or potentially violent, the officer will notify the staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

419.3.3 MENTAL HEALTH DOCUMENTATION
The officer will complete an application For 72-Hour Detention for Evaluation and Treatment form (MH-302) and provide it to the staff member assigned to that patient. The officer will retain a copy of the 72-hour evaluation for inclusion in the case report. The officer shall also provide a verbal summary to an emergency department staff member regarding the circumstances leading to the involuntary detention.

419.3.4 SECURING OF WEAPONS
If a receiving and secured facility prohibits weapons, or if an extraordinary event occurs in the treatment facility and officers determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the police unit.

419.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the person’s action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Officers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

419.4.1 SECURING OF PROPERTY
When a person is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian or conservator is in possession of the person's personal property, the officer shall take reasonable precautions to safeguard the individual’s personal property in his/her possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

The officer taking the person into custody shall provide a report to the court that describes the person’s property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the officer shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

419.5 TRANSPORTATION

When transporting any individual for a 5150 commitment, the transporting officer should have the Dispatch Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual, and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Watch Commander approval is required before transport commences.

419.5.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS

(a) Whenever the handling officer has cause to believe that the future return of any confiscated weapon(s) might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Property Unit and the City Attorney which shall be responsible for initiating a petition to the superior court for a hearing in accordance with Welfare and Institutions Code § 8102(b), to determine whether or not the weapon(s) will be returned.

(b) The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon(s) have been confiscated unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him or her of the right to a hearing on the issue and that he or she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon(s).

(c) If no petition is initiated within the above period, the Department shall make the weapon(s) available for return in accordance with subsection (d) below. If the person does not confirm a desire for a hearing within the prescribed 30 days, the Department may file a petition for an order of default.

(d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice which conforms to the provisions of Penal Code § 12021.3(e).

(e) In no case in which a firearm or other deadly weapon is not retained as evidence shall the Department be required to retain such firearms or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 12021.3(g)).

419.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

provide the staff member with the written application for a 5150 commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

419.7 TRAINING

This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, 5150 commitments and crisis intervention.

419.8 DOCUMENTATION

The officer shall complete an application for a 72-Hour detention for evaluation and treatment, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The application shall include the circumstances for officer involvement; the probable cause to believe the person is, as a result of a mental health disorder, a danger to others or him/herself or gravely disabled; and all information used for the determination of probable cause (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

419.8.1 ADVISEMENT

The officer taking a person into custody for evaluation shall advise the person of:

(a) The officer’s name and agency.

(b) The fact that the person is not under criminal arrest but is being taken for examination by mental health professionals, and the mental health staff will advise him/her of their rights.

(c) The name of the facility to which the person is being taken.

(d) If the person is being taken into custody at his/her residence, he/she should also be advised that he/she may take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where he/she is being taken. The officer should also ask if the person needs assistance turning off any appliance or water.

The advisement shall be given in a language the person understands. If the person cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

419.9 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 commitment should resolve the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

(a) Arrest the individual when there is probable cause to do so.

(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the 5150 commitment.

(c) Facilitate the individual's transfer to jail.

(d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

419.10 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for a 5150 commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institutions Code § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A search warrant may also be needed before searching for or seizing weapons.

The handling officers shall issue a receipt describing the deadly weapon or any firearm seized, and list any serial number or other identification that is on the firearm. Officers shall advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102 (b)) (see Property and Evidence Policy).

419.10.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Investigations, which shall be responsible for initiating a petition to the Superior Court for a hearing in accordance with Welfare and Institutions Code § 8102(c), to determine whether the weapon will be returned.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon has been confiscated, unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him/her of the right to a hearing on the issue, that he/she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Labor Disputes

420.1 PURPOSE AND SCOPE

Negotiations and collective bargaining are legally recognized methods of peacefully settling labor disputes. In such disputes, it is not the function of the department to deal with the issues involved. Rather, it is the role of the department to protect the rights of the public and the disputants by enforcing the law and by maintaining order.

Strikes and mass or circular picketing are not, in themselves, violations of the law. It is the illegal acts that sometimes arise from such activities that are the concern. The effectiveness of the department in labor disputes is maintained by its remaining at all times impartial regarding the parties and issues involved and by taking appropriate action whenever criminal violations are observed or reported.

The department seeks to minimize criminal violations connected with labor disputes by providing guidelines for the conduct of the parties. By seeking the cooperation of the parties involved, tensions are reduced and self-discipline is encouraged, so that the parties may police their own conduct.

Department personnel will not normally be deployed at strike scenes; however, when such deployment becomes necessary, it is the responsibility of the concerned division commanding officer to take the necessary action to deter misconduct and to keep the peace.

420.2 PROCEDURE

Police Department employees should not:

- Take sides in labor disputes.
- Discuss strike issues with outsiders or the press.

Strikers or picketers should not:

- Violate the rights of others by blocking roadways or sidewalk areas.
- Create traffic congestion.
- Stop any egress or ingress to public or semi-public properties.

The officer in charge of the operation should:

- Make every effort to communicate with the picketers or labor leaders in an attempt to have them correct any violations. If all measures fail to bring about successful conclusions, corrective action may follow.

Police officers should:

- Make periodic visits during tour of duty.
- Be alert for unusual acts such as:
  - (a) Tampering with vehicles

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Causing public or private property damage

(c) Other crimes and public offenses

Union officials should:

- Be alerted to take proper action in the case of alcohol consumption by picketers.

Should violence erupt, provisions of Penal Code Section 407, Dealing with Unlawful Assembly, shall be placed into effect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Cite and Release Policy

421.1 PURPOSE AND SCOPE

This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

421.2 POLICY

It is the policy of the Fairfield Police Department to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department's mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

421.3 RELEASE BY CITATION

Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private persons arrest, shall be released from custody on a citation (Penal Code § 853.6).

The citing officer shall, at the time the defendant signs the notice to appear, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

421.3.1 FIELD CITATIONS

In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

421.3.2 RELEASE AFTER BOOKING

In some cases it may not be feasible or desirable to release a person in the field. The person should instead be released on citation after booking at the jail. All bookings shall be approved by the Watch Commander or the authorized designee.

421.3.3 DRIVING UNDER THE INFLUENCE, CITE, AND RELEASE

Subjects arrested for misdemeanor Driving Under the Influence (DUI) may be released upon a written Promise to Appear in court after transport to the police department has been made and chemical test completed. The arresting officer will make the determination if the subject is to be

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

booked or cited and released after chemical testing. The subject must meet all of the following factors to qualify for cite and release:

(a) Positive proof of identification is available.

(b) There is a likelihood that the subject will appear in court as required.

(c) A warrant check conducted reflects no outstanding wants or warrants.

(d) The subject has had no more than one prior DUI conviction within the past seven years.

(e) The subject is not under the influence of drugs.

(f) The subject is not violent.

(g) The subject is not a danger to himself/herself or others.

(h) The subject has been fingerprinted and photographed at the police department.

(i) The subject agrees to sign the Notice to Appear prior to release.

(j) The arrested subject's vehicle will be towed and stored, or another method will be used to ensure he/she cannot drive it until it is legal to do so.

(k) A person is available to assume responsibility for the subject upon release, and the person assuming responsibility for the subject must:

1. Be a responsible adult.
2. Be able to arrive at the police department within 20 minutes.
3. Have valid identification and a valid driver's license, if driving.
4. Not be under the influence of drugs or alcohol.
5. Sign a "Waiver of Responsibility" form (DUI Release Waiver).

The officer will contact the responsible person and the conditions of release shall be thoroughly explained to avoid delays. Any telephone calls placed for the arrested subject will not incur expense for the City.

If the above criterion is met, the arresting officer may issue a Notice to Appear. The subject will be admonished of the charge and court information prior to being requested to sign the Notice to Appear. After signing, the subject will be given the violator's copy. If the subject refuses to sign the Notice to Appear, normal booking procedures will then be effected.

The arresting officer will document within the arrest report:

(a) The fact the arrested subject was cited/released.

(b) The name, DOB and address of the "responsible person" to whom the subject was released.

(c) The location of release (e.g.; police department, hospital, etc.).

421.4 NON-RELEASE

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

421.4.1 DISQUALIFYING OFFENSES

An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking (Penal Code § 1270.1):

(a) Misdemeanor domestic battery (Penal Code § 243(e)(1))

(b) Felony domestic battery (Penal Code § 273.5)

(c) Serious or violent felonies (Penal Code § 1270.1(a)(1))

(d) Felony intimidation of witnesses and victims (Penal Code § 136.1)

(e) Rape of a spouse (Penal Code § 262)

(f) Violation of a protective order and the arrested person has made threats, used violence, or has gone to the protected person's workplace or residence (Penal Code § 273.6)

(g) Stalking (Penal Code § 646.9)

(h) Misdemeanor violations of a protective order relating to domestic violence if there is a reasonable likelihood the offense will continue or the safety of the individuals or property would be endangered (Penal Code § 853.6)

421.4.2 REASONS FOR NON-RELEASE

A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release. The Watch Commander may authorize a release on citation regardless of whether a reason for non-release exists when it is determined to be in the best interest of the Department and does not present an unreasonable risk to the community (e.g., release of an intoxicated or ill person to a responsible adult).

Reasons for non-release include (Penal Code § 853.6(i)):

(a) The person arrested is so intoxicated that he/she could be a danger to him/herself or to others. Release may occur as soon as this condition no longer exists.

(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety

1. The Fairfield Police Department shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital, unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).

(c) The person is arrested for one or more of the offenses listed in Vehicle Code § 40302, Vehicle Code § 40303, and Vehicle Code § 40305.

(d) The person has been cited, arrested, or convicted for theft from a store or vehicle in the previous six months, or there is probable cause to believe the person is guilty of committing organized retail theft, as defined in Penal Code § 490.4(a).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) There are one or more outstanding arrest warrants for the person or failures to appear in court on previous misdemeanor citations that have not been resolved (see Misdemeanor Warrants elsewhere in this policy).

(f) The person could not provide satisfactory evidence of personal identification.

1. If a person released on citation does not have satisfactory identification in his/her possession, a right thumbprint or fingerprint should be obtained on the citation form.

(g) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

(h) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.

(i) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.

(j) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. An arrest warrant or failure to appear that is currently pending shall constitute reason to believe that the person will not appear. Other reasons may include:

(a) Previous failure to appear is on record

(b) The person lacks ties to the area, such as a residence, job, or family

(c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form. This form shall be submitted to the Watch Commander for approval and included with the case file in the Records Bureau.

421.5 MISDEMEANOR WARRANTS

An adult arrested on a misdemeanor warrant may be released, subject to Watch Commander approval, unless any of the following conditions exist:

(a) The misdemeanor cited in the warrant involves violence.

(b) The misdemeanor cited in the warrant involves a firearm.

(c) The misdemeanor cited in the warrant involves resisting arrest.

(d) The misdemeanor cited in the warrant involves giving false information to a peace officer.

(e) The person arrested is a danger to him/herself or others due to intoxication or being under the influence of drugs or narcotics.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) The person requires medical examination or medical care or is otherwise unable to care for his/her own safety.

(g) The person has other ineligible charges pending against him/her.

(h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person.

(i) The person refuses to sign the notice to appear.

(j) The person cannot provide satisfactory evidence of personal identification.

(k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear.

Release under this section shall be done in accordance with the provisions of this policy.

421.6 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of the Vehicle Code
- Violations of the City of Fairfield City codes

All other misdemeanor violations for juveniles shall be documented with a case number, and the case should be referred to the Investigations for further action including diversion.

421.7 REQUESTING CASE NUMBERS

Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

City Code Arrest Citation Release

422.1 PROCEDURE

When persons are arrested for City Code violations, officers are given the discretion to report the activity by using a citation only, or by using a citation in conjunction with a complete police report. In either instance, the record will be processed in accordance to Records Unit procedures. This procedure is applicable to the following City codes:

(a) Chapter 3 Animal and Fowl (Except Chapter 3.6)

(b) Chapter 4 Bicycles (Entire Chapter)

(c) Chapter 5B Solicitors, Peddlers, etc.

1. Section 5B.2 Permit required.
2. Section 5B.7 Possession of Solicitors ID card required.

(d) Chapter 8 Fire Protection

1. 8.3(1) which adopts Sections 10.207(m) and (n) UFC Regulating Fire Lanes.
2. 8.3(n) which adopts Section 10.301(g) and (n) UFC Regulating Fire Hydrants on Private Property.

(e) Chapter 9 Garbage (Entire chapter)

(f) Chapter 10 Licenses (Entire chapter)

(g) Chapter 11 Motor Vehicles and Traffic (Entire chapter)

(h) Chapter 12 Miscellaneous Offenses

1. 12.1 and 12.1.1 Curfew
2. 12.8 Unnecessary noise
3. 12.9 Specific noises
4. 12.15 (a) (b) Trespass on private property
5. 12.16 (a) (b) Use of private parking lots
6. 12.17 (a) (b) Public drinking
7. 12. 12.502 (a) (c) Litter control 12.503 (a) Litter control 12.504 (a) (b) Litter control

(i) Chapter 12B Parks and Recreation (Entire chapter)

(j) Chapter 12C Golf Courses (Entire chapter)

(k) Chapter 19 Taxi Cabs

1. 19.3 Refusal to pay

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

A police report in addition to the citation will normally be required for prosecution purposes in complicated cases where the District Attorney's office may need more information than is provided on the citation, such as the identity of witnesses that may be necessary for successful prosecution.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Foreign Diplomatic and Consular Representatives

423.1 POLICY

The Fairfield Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

423.2 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.

(c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at (571) 345-3146 or toll free at (866) 217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

423.3 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests, and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members.
2. Diplomatic agents and recognized family members.
3. Members of administrative and technical staff of a diplomatic mission and recognized family members.
4. Career consular officers, unless the person is the subject of a felony warrant.

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations.
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers.
5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.

423.4 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

423.5 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Foreign Diplomatic and Consular Representatives

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise.	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (c))	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Arrest and Release - 849B, 849.5, 851.6 PC

424.1 PROCEDURE

A Detention Certificate (FPD12) must be completed and issued to a person who has been arrested and released pursuant to 849(b) PC. The original white copy shall be filed with the arrest report, the yellow copy given to the person released, and the pink copy given to the detention facility (if the person was actually booked). If the person was released prior to booking, the pink copy shall be destroyed. Such reports will not be forwarded to the District Attorney's Office unless directed by a supervisor when extenuating circumstances exist.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Rapid Response and Deployment

426.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

426.2 POLICY

The Fairfield Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

426.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat, or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably possible, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

(a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.

(b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.

(c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.

(d) Whether the suspect can be contained or denied access to victims.

(e) Whether the officers have the ability to effectively communicate with other personnel or resources.

(f) Whether planned tactics can be effectively deployed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

426.3.1 FIELD COMMAND POST COMMUNICATIONS SUPPORT

A Tactical Dispatcher may be requested by the incident commander to respond to any field command post. This will be a tactically trained dispatcher. Under the direction of the incident commander, the Communications Unit will assist in a support role by handling radio traffic associated with the incident as well as tracking the manpower, resources available, and committed to the incident on an incident log form. Staffing in the Communications Center will not be depleted in order to staff a command post.

426.4 CONSIDERATIONS

When dealing with a crisis situation members should:

(a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.

(b) Obtain, explore, and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.

(c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.

(d) Attempt, if feasible and based upon the suspect’s actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

426.5 PLANNING

The Patrol Division Commander should coordinate critical incident planning. Planning efforts should consider:

(a) Identification of likely critical incident target sites such as schools, shopping centers, entertainment and sporting event venues.

(b) Availability of building plans and venue schematics of likely critical incident target sites.

(c) Communications interoperability with other law enforcement and emergency service agencies.

(d) Training opportunities in critical incident target sites, including joint training with site occupants.

(e) Evacuation routes in critical incident target sites.

(f) Patrol first-response training.

(g) Response coordination and resources of emergency medical and fire services.

(h) Equipment needs.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(i) Mutual aid agreements with other agencies.

(j) Coordination with private security providers in critical incident target sites.

426.6 TRAINING

The Training Sergeant should include rapid response to critical incidents in the training plan. This training should address:

(a) Orientation to likely critical incident target sites such as schools, shopping centers, entertainment and sporting event venues.

(b) Communications interoperability with other law enforcement and emergency service agencies.

(c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.

1. This should include the POST terrorism incident training required for officers assigned to field duties (Penal Code § 13519.12).

(d) First aid, including gunshot trauma.

(e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Rescues Under Fire

427.1 PURPOSE AND SCOPE

Whenever an officer or citizen is under attack or wounded by a suspect and is pinned down by gunfire, or other means of deadly force, a planned rescue should be considered.

To facilitate the planning and execution of this type of rescue, training will be provided by the department demonstrating this rescue technique. Department personnel should periodically review the rescue plan to insure preparation should the need arise.

427.2 PROCEDURE

(a) The first officer arriving on the scene and determining that a rescue is necessary, should request the BearCat Armored Rescue Vehicle (BearCat). It is vital that the location of the suspect is confirmed and arriving officers are able to contain the threat.

(b) The on-duty Patrol Supervisor should take charge and plan for the rescue as soon as practical after arrival of the BearCat and personnel.

(c) In selecting the rescue team, the supervisor should consider experienced personnel such as SWAT and/or former SWAT members.

(d) If possible the rescue team should include 6 members:

1. Driver
2. Lethal
3. Less-Lethal
4. Two rescue carriers
5. Cover officer for the rescue carriers.

(e) The rescue team must be clear on their specific responsibilities during the rescue. In addition, the perimeter officers must be certain on their fields of fire and rules of engagement.

(f) The supervisor should be ready to provide covering fire and/or deploy distraction devices (i.e.; smoke canisters, diversionary grenades, SAGE, pepperball gun, lights and siren) for the rescue team.

(g) Once the rescue plan is ready to initiate, perimeter personnel and dispatch should be notified.

(h) Fire and ambulance personnel should be ready to accept the wounded at the termination point of the rescue.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

427.2.1 RESCUES UNDER FIRE PROCEDURES CHECKLIST

(a) Obtain BearCat . All sworn personnel have access to the keys via the Key Watcher System.

(b) Have a plan set for the rescue team and specify responsibilities to each team member.

(c) Ambulance and fire personnel should be at a designated staging area.

(d) Utilize supplemental protective gear such as ballistic shields and helmets.

(e) Keep in mind the ballistics capabilities of the BearCat.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Reporting Police Activity Outside of Jurisdiction

428.1 PURPOSE AND SCOPE

This policy provides general guidelines for reporting police activity while on or off-duty and occurring outside the jurisdiction of the Fairfield Police Department.

428.1.1 ASSISTANCE TO AGENCIES OUTSIDE THE CITY

When an officer is on-duty and is requested by an allied agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from the immediate supervisor or the Watch Commander. If the request is of an emergency nature, the officer shall notify the Dispatch Center before responding, and thereafter notify a supervisor as soon as practical.

428.1.2 LAW ENFORCEMENT ACTIVITY OUTSIDE THE CITY

Any on-duty officer, who engages in law enforcement activities of any type outside the immediate jurisdiction of the City of Fairfield Police Department shall notify his or her supervisor or the Watch Commander at the earliest possible opportunity. Any off-duty officer who engages in any law enforcement activities, regardless of jurisdiction shall notify the Watch Commander as soon as practical.

The supervisor shall determine if a case report or other documentation of the officer's activity is required. The report or other documentation shall be forwarded to the officer's Division Commander.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Calls for Service at Solano County Buildings

431.1 PURPOSE AND SCOPE

Presently, Solano County occupies many buildings throughout the city in the administration of county government. There are basically two types of buildings - county owned and county leased.

431.1.1 COUNTY-OWNED BUILDINGS

These buildings are occupied by county departments such as courts, the Justice Center, etc. Others are leased to outside agencies for contract programs. The Solano County Sheriff handles all calls for service at these buildings and grounds.

431.1.2 COUNTY-LEASED BUILDINGS

These buildings are privately owned and leased to the county for operation of their departments. Such examples of this are the Probation Department and Health and Human Services on Enterprise Drive.

431.1.3 EXCEPTION TO CALLS FOR SERVICE AT SOLANO COUNTY BUILDINGS

The City of Fairfield Police Department does not have responsibility to stand by for incidents that occur during the normal operations of county programs.

Example: If the Solano County Crisis Center receives a 5150 H&S commitment from another law enforcement agency, and the Crisis Center decides to detain the individual for evaluation and placement, the City of Fairfield Police Department does not have responsibility to stand by if the patient becomes violent--that is the responsibility of the Solano County Sheriff. If the Sheriff is unavailable, we will respond on a mutual assistance basis.

431.1.4 COUNTY BUILDINGS IN CAD

All county buildings are listed in **CAD,** along with the agency responsible for handling calls for service.Any additions to the list of county-owned or leased buildings should be added to the **CAD** file.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Emergency Utility Service

432.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

432.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by the Dispatch Center.

432.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The Electric Company or Public Works should be promptly notified, as appropriate.

432.1.3 RESERVOIRS, PUMPS, WELLS, ETC.

Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

432.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by the Dispatch Center.

432.2 TRAFFIC SIGNAL MAINTENANCE

The City of Fairfield contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the State of California.

432.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch Center of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Intersection Observation Plan -- Code 666

433.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for implementing a countywide intersection observation plan and to set forth this department's responsibilities when the plan is implemented by another agency.

433.2 CRITERIA FOR IMPLEMENTING CODE 666

A. When The Plan Can Be Implemented:

1. When the agency having jurisdiction over the area where the offense occurs requests it.
2. A felony crime has been committed.
3. A description of the suspect vehicle is known (to include the license plate number or if the vehicle has a distinctive description).

B. Necessary and/or Useful Information Needed For Implementation:

1. Offense committed (187, 211, 459 PC, etc.)
2. Location of offense
3. Date and time of offense
4. Suspect vehicle description (color, year, make, body style, other ID, license)
5. Direction of travel
6. Suspect's description (race, sex, age, height, weight, hair, eyes, clothing, other)
7. Weapons involved
8. Hostages
9. Stolen property

433.3 OPERATION PROCEDURES - CODE 666

A. Who May Implement: The first person having sufficient information for implementation should make the request; time is critical.

B. How To Implement Plan:

1. Fairfield Police Department Communications Center, once furnished the necessary information, may request a Code 666.
2. The dispatcher will:
   (a) Immediately phone the Sheriff's Office

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Request a Code 666

(c) Furnish that agency with available information

C. Coordinating Authority:

1. The Solano Sheriff's Department has been designated the Coordinating Authority and is responsible for initiating, coordinating, and terminating all requests for Code 666.

2. Field operation coordination shall be the responsibility of the field supervisor.

D. Duration Of Plan:

1. The plan shall remain in effect on a specific incident until canceled by the implementing agency.

2. The plan should be updated or downgraded to an alert status after 30 minutes, if the suspect is not in custody.

E. Cancellation:

1. The Watch Commander or field supervisor shall determine when to cancel a Code 666 initiated by this department.

2. Request to cancel the plan shall be addressed to the Sheriff's Office, whenever:

(a) The suspects are taken into custody.

(b) The need for the plan no longer exists or no useful purpose can be served by maintaining it.

F. Suspect Apprehension: If suspects are apprehended as a result of this agency having initiated the plan, personnel from this department will respond and take custody of the suspects.

433.4 PROCEDURE WHEN ANOTHER AGENCY IMPLEMENTS CODE 666

The Department will be notified by radio and/or telephone by the Solano County Sheriff's Office.

(a) Dispatcher will immediately broadcast the information on this department's radio frequency.

(b) Patrol and detective units, if available, will be assigned by the Dispatch Center to a location number.

(c) Units will advise the dispatcher when they arrive at their assigned location.

(d) When all units are at their assigned location, the dispatcher will notify the Sheriff's Office of the locations covered.

(e) Radio transmissions on County frequency are to be limited to emergency nature to prevent the interference with emergency information broadcasts.

(f) If a location assigned to theCity of Fairfield Police Department cannot be covered, or it becomes necessary to take the unit off an assigned location, the Sheriff's Department

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

can assign personnel from either their office, or California Highway Patrol, to cover the location.

433.5 PROCEDURE WHEN SUSPECT VEHICLE IS SPOTTED

(a) The police unit spotting the suspect vehicle will immediately take up rolling surveillance and report its location and direction of travel and the Sheriff's Office will be notified by the Dispatch Center.

(b) Code 666 locations can be found in the Countywide 666 Protocol.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Patrol Rifles

434.1 PURPOSE AND SCOPE

In order to more effectively and accurately address the increasing level of fire power and body armor utilized by criminal suspects, the Fairfield Police Department will make patrol rifles available to qualified officers as an additional and more immediate tactical resource.

434.2 PATROL RIFLE

434.2.1 DEFINITION

A patrol rifle is an authorized weapon which is owned by the Department and which is made available to properly trained and qualified officers as a supplemental resource to their duty handgun or shotgun. No personally owned rifles may be carried for patrol duty unless pre-approved in writing by the Chief of Police and the Department Rangemaster.

434.3 SPECIFICATIONS

Only weapons and ammunition that meet agency authorized specifications, approved by the Rangemaster, and issued by the Department may be used by officers in their law enforcement responsibilities. The authorized patrol rifle issued by the Department is the Colt AR-15.Officers assigned to SWAT and issued a Colt M-4 for that assignment may deploy the M-4 as a patrol rifle while on-duty, with SWAT Commander approval.

434.4 RIFLE MAINTENANCE

(a) Primary responsibility for maintenance of patrol rifles shall fall on the Rangemaster. The Rangmaster or designee will ensure that all patrol rifles are periodically inspected, at least annually, to verify proper operation of all rifles issued to officers.

(b) Each officer carrying a patrol rifle may be required to field strip and clean an assigned patrol rifle as needed.

(c) Each officer shall be responsible for promptly reporting any damage or malfunction of an assigned patrol rifle.

(d) Any patrol rifle found to be unserviceable shall be removed from service. The rifle shall be clearly labeled as “out of service” and details regarding the weapon's condition shall be included on the label.

(e) Each patrol rifle shall be subject to inspection by a supervisor or the Rangemaster at any time.

(f) No modification shall be made to any patrol rifle without prior written authorization from the Rangemaster.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

434.5 TRAINING

Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training. This training shall consist of an initial 24-hour patrol rifle user's course and qualification with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete quarterly training and qualification conducted by a certified patrol rifle instructor.

Any officer who fails to qualify or who fails to successfully complete two or more department sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the patrol rifle without successfully retaking the initial patrol rifle user's course or a patrol rifle refresher course and qualification.

434.6 DEPLOYMENT OF THE PATROL RIFLE

All uniformed officers that are assigned a patrol rifle shall have that rifle secured in their vehicles, or in their possession, while on duty unless prior arrangements have been made with the officer's direct supervisor. Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

(a) Situations where the officer reasonably anticipates an armed encounter.

(b) When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range.

(c) Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.

(d) When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.

(e) When an officer reasonably believes that a suspect may be wearing body armor.

(f) When authorized or requested by a supervisor.

(g) When needed to euthanize an animal.

434.7 DISCHARGE OF THE PATROL RIFLE

The discharge of the patrol rifle shall be governed by the Department's Use of Force and Firearms and Qualification Policies.

434.8 PATROL READY

Any qualified officer carrying a patrol rifle in the field shall maintain the weapon "patrol ready" until deployed. A rifle is considered "patrol ready" when it has been inspected by the assigned officer and meets the following conditions:

(a) The chamber is empty.

(b) The rifle bolt is forward.

(c) The rifle safety is on.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) There is a magazine in the rifle loaded with two fewer rounds than maximum capacity (28 rounds in a 30-round magazine, 18 rounds in a 20-round magazine). If the magazine is a polymer magazine (PMAG), engineered to be loaded to capacity, the magazine may be fully loaded.

(e) The dust cover is closed.

(f) The rifle is stored in the locked patrol vehicle's rifle rack or trunk.

434.9 RIFLE STORAGE

(a) When not in use, patrol rifles will be stored in the department rifle cage, or in the officer's assigned locker.

(b) At the start of each assigned shift, any qualified, on-duty officer may contact the Watch Commander or a patrol supervisor for access to the department rifle cage.

(c) When not deployed, in-service patrol rifles should be secured in the vehicle in a locked gun rack, or locked in the trunk.

(d) At the end of the assigned officer's shift, the patrol rifle will be returned and secured in the department rifle cage, or in the officer's assigned locker. The Department may authorize officers in certain assignments, such as SWAT and the Motor Unit, to store rifles at their homes while off-duty if the officer commutes to work in a Department vehicle and the officer has a gun safe to secure the rifle in while at home. Authorization will be given on a case-by-case basis by the officer's bureau lieutenant.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Aircraft Accidents

436.1 PURPOSE AND SCOPE

The purpose of this policy is to provide Department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

436.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

436.2 POLICY

It is the policy of the Fairfield Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

436.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.

(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.

(c) Preserve ground scars and marks made by the aircraft.

(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.

(e) Maintain a record of persons who enter the accident site.

(f) Consider implementation of an Incident Command System (ICS).

436.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

436.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department

(b) Appropriate airport tower

(c) Emergency medical services (EMS)

436.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.

(b) Fire department, EMS or other assisting law enforcement agencies.

(c) Coroner.

(d) Air Carrier/Operators investigative teams with NTSB approval.

(e) Appropriate branch of the military, when applicable.

(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this Department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene Department supervisor should ensure the accident is still appropriately investigated and documented.

436.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials, and bombs or other ordnance.

(b) Pressure vessels, compressed gas bottles, accumulators and tires.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Fluids, batteries, flares and igniters.

(d) Evacuation chutes, ballistic parachute systems and composite materials.

436.8 DOCUMENTATION

All aircraft accidents occurring within the City of Fairfield shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of Fairfield Police Department members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

436.8.1 WRECKAGE

When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.

(b) Attempt to ascertain the number of casualties.

(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.

1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).

(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged, or cell phones or other recording devices that are part of the wreckage.

(e) Acquire copies of any recordings from security cameras that may have captured the incident.

436.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.

(b) A detailed description of what was observed or heard.

(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

(d) The names of all persons reporting the accident, even if not yet interviewed.

(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

436.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours, and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Field Training Officer Program

438.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Fairfield Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive, and professional manner.

438.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training, and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

438.2.1 TRAINING

An officer selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer's Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

438.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor should be selected from the rank of sergeant or above by the Support Services Division Captain or a designee and should possess, or be eligible to receive, a POST Supervisory Certificate.

The responsibilities of the FTO Program supervisor include the following:

(a) Assignment of trainees to FTOs.

(b) Conduct FTO meetings.

(c) Maintain and ensure FTO/trainee performance evaluations are completed.

(d) Maintain, update, and issue the Field Training Manual to each trainee.

(e) Monitor individual FTO performance.

(f) Monitor overall FTO Program.

(g) Maintain liaison with FTO coordinators of other agencies.

(h) Maintain liaison with academy staff on recruit performance during the academy.

(i) Develop ongoing training for FTOs.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The FTO Program supervisor will be required to successfully complete a POST approved Field Training Administrator's Course within one year of appointment to this position (11 CCR 1004(c)).

438.4 TRAINEE DEFINED

Any entry level or lateral police officer newly appointed to the Fairfield Police Department who has successfully completed a POST approved Basic Academy.

438.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks (11 CCR 1004; 11 CCR 1005).

The training period for a lateral officer may be modified depending on the trainee's demonstrated performance and level of experience. A lateral officer may be exempt from the Field Training Program requirement if the officer qualifies for an exemption as provided in 11 CCR 1005(a)(B).

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

438.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Fairfield Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules, and regulations adopted by the Fairfield Police Department.

438.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

438.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

(a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO Coordinator on a daily basis.

(b) Review the Daily Trainee Performance Evaluations with the trainee each day.

(c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.

(d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

438.6.2 IMMEDIATE SUPERVISOR
The immediate supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the Field Training Administrator.

438.6.3 FIELD TRAINING ADMINISTRATOR
The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through his/her immediate supervisor.

438.6.4 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

438.7 DOCUMENTATION
All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

(a) Daily Trainee Performance Evaluations.

(b) End-of-phase evaluations.

(c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Obtaining Air Support

440.1 PURPOSE AND SCOPE

The use of a police helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

440.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

440.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the Watch Commander, or his/her designee, will call the closest agency having helicopter support available. The Watch Commander on duty will apprise that agency of the specific details of the incident prompting the request.

If the Watch Commander deems air support is warranted, the Communication Center will contact the California Highway Patrol and request air support. If no air support is available, they will contact the Solano County Sheriff's Communication Center and request air support from Contra Costa County Sheriff's Office in accordance to the Solano County Law Enforcement Aerial Support Operational Agreement.

440.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Police helicopters may be requested under any of the following conditions:

(a) When the helicopter is activated under existing mutual aid agreements

(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard

(c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community

(d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard

(e) Vehicle pursuits

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Contacts and Temporary Detentions

442.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

442.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person’s freedom of movement.

442.2 POLICY

The Fairfield Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a field interview (FI), pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

442.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Fairfield Police Department to strengthen community involvement, community awareness, and problem identification.

442.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.

(b) Actions suggesting that he/she is engaged in a criminal activity.

(c) Presence in an area at an inappropriate hour of the day or night.

(d) Presence in a particular area is suspicious.

(e) Carrying of suspicious objects or items.

(f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.

(g) Location in proximate time and place to an alleged crime.

(h) Physical description or clothing worn that matches a suspect in a recent crime .

(i) Prior criminal record or involvement in criminal activity as known by the officer.

442.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.

(b) Where more than one suspect must be handled by a single officer.

(c) The hour of the day and the location or neighborhood where the stop takes place.

(d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.

(e) The actions and demeanor of the suspect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

442.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

442.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. Photographs taken in the line of duty become the property of the City of Fairfield Police Department and shall not be retained or disseminated without the expressed consent of the Chief of Police or his designee.

442.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

442.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Watch Commander with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Watch Commander should review and forward the photograph to one of the following locations:

(a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Watch Commander will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.

(b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Bureau.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

442.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

442.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

A. Identifying all persons present at the scene and in the immediate area.

   1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident, but who were present at the time it occurred.

   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

B. Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Fairfield Police Department members.

   1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Criminal Organizations

444.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Fairfield Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

444.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

444.2 POLICY

The Fairfield Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

444.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

(a) Members using any such system are appropriately selected and trained.

(b) Use of every criminal intelligence system is appropriately reviewed and audited.

(c) Any system security issues are reasonably addressed.

444.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo, or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Bureau. Any

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

supporting documentation for an entry shall be retained by the Records Bureau in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Bureau are appropriately marked as intelligence information. The Records Manager may not purge such documents without the approval of the designated supervisor.

444.3.2 GANG DATABASES

The Chief of Police may approve participation by the gang unit in a shared criminal gang intelligence database, such as CALGANG®. Members must obtain the requisite training before accessing any such database.

It is the gang unit supervisor's responsibility to determine whether any report or FI contains information that would qualify for entry into the database. Prior to designating any person as a suspected gang member, associate or affiliate in a shared gang database; or submitting a document to the Attorney General's office for the purpose of designating a person in a shared gang database; or otherwise identifying the person in a shared gang database, the gang unit supervisor shall provide written notice to the person and, if the person is under the age of 18, to his/her parent or guardian of the designation and the basis for the designation, unless providing that notification would compromise an active criminal investigation or compromise the health or safety of a minor. Notice shall also describe the process to contest the designation (Penal Code § 186.34).

The person, an attorney working on his/her behalf or his/her parent or guardian (if the person is under 18 years of age) may request, in writing, information as to whether the person is designated as a suspected gang member, associate or affiliate in a shared gang database accessible by the department, the basis for that designation and the name of the agency that made the designation. The department shall respond to a valid request in writing within 30 days, and shall provide the information requested unless doing so would compromise an active investigation or compromise the health and safety of the person if he/she is under 18 years of age (Penal Code § 186.34).

The person, or his/her parent or guardian if the person is under 18 years of age, may contest the designation by submitting written documentation which shall be reviewed by the gang unit supervisor. If it is determined that the person is not a suspected gang member, associate or affiliate, the person shall be removed from the database. The person and the parent or guardian shall be provided written verification of the department's decision within 30 days of receipt of the written documentation contesting the designation and shall include the reason for a denial when applicable (Penal Code § 186.34).

The gang unit supervisor should forward reports or FIs to the Records Bureau after appropriate database entries are made. The supervisor should clearly mark the report/FI as gang intelligence information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

It is the responsibility of the Records Bureau supervisor to retain reports and FIs in compliance with the database rules and any applicable end user agreement.

Records contained in a shared gang database shall not be disclosed for employment or military screening purposes, and shall not be disclosed for the purpose of enforcing federal immigration law unless required by state or federal statute or regulation (Penal Code § 186.36).

444.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

444.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

(a) Gang indicia associated with a person or residence.

(b) Information related to a drug-trafficking operation.

(c) Vandalism indicating an animus for a particular group.

(d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Sergeant to train members to identify information that may be particularly relevant for inclusion.

444.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

444.7 REVIEW AND PURGING OF GANG PARTICIPANT FILE

The Gang files shall be reviewed annually by the unit supervisor. Each individual file having no updated law enforcement contact for the preceding five-year period shall be purged from the file and disposed of in accordance with the Department purge criteria (Per Regulation 28 CFR Part 23, USC (Criminal Intelligence Systems Operating Policies)).

Exception: In the event there is a legitimate law enforcement reason to retain the information in a file, an explanation for doing so shall be in the file by the unit supervisor.

The Gang Intelligence file containing hard copies of intelligence files (or the equivalent digital files) will be located within the office of the Gang Unit. File access is limited to personnel that are assigned the responsibility of maintaining the database. The Investigations Bureau Commander or Gang Unit Supervisor may authorize release of pertinent information to non-Gang Unit personnel based on the release conditions outlined in Policy Manual § 442.6 and Regulation 28 CFR Part 23, USC (Criminal Intelligence Systems Operating Policies) developed by the United States Department of Justice.

444.8 CRIMINAL STREET GANGS

The Investigations supervisor should ensure that there are an appropriate number of department members who can:

(a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:

1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).
2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).

(b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.

(c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Watch Commanders

446.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions, and objectives. To accomplish this goal, a Lieutenant heads each watch.

446.2 DESIGNATION AS ACTING WATCH COMMANDER

When a Lieutenant is unavailable for duty as Watch Commander, in most instances the senior qualified sergeant shall be designated as acting Watch Commander. This policy does not preclude designating a less senior sergeant as an acting Watch Commander when operational needs require or training permits.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Mobile Data Computer Use

450.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Digital Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Dispatch Center.

450.2 POLICY

Fairfield Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

450.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

450.4 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

450.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

450.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Watch Commander or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.

(b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.

(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

450.5.1 STATUS CHANGES

All changes in status (e.g.; arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

450.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

450.6 EQUIPMENT CONSIDERATIONS

450.6.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify the Dispatch Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

450.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDC's when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Body-Worn Cameras

452.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of body-worn cameras (BWC's) by members of this department while in the performance of their duties. This policy shall apply to all recording systems whether body-worn, hand held, or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Fairfield Police Department facility, authorized undercover operations, wiretaps, or eavesdropping (concealed listening devices).

452.2 POLICY

The Fairfield Police Department will provide members with BWC's for use during the performance of their duties. The use of BWC's is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public. The approved BWC the Department issues is the AXON Body 2 camera. At the Department's discretion, certain officers and/or units will also be issued AXON Flex 2 point-of-view cameras.

452.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity for this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

452.4 MEMBER RESPONSIBILITIES

All sworn members of the Department will be issued a BWC and a cellular phone with applications for audio and video recording of evidence. Non-sworn members who engage in enforcement activities, such as Community Service Officers and Code Enforcement Officers, may also be issued BWC's and cellular phones. Other non-sworn members and volunteers will not be issued BWC's, but may be issued cellular phones based on their job functions.

Members issued BWC's will receive training prior to deploying the device in the field. The Training Sergeant will ensure that the training includes a review of this policy, how the BWC functions, how and when to use the BWC, and how to upload the recordings to Evidence.com.

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a BWC issued by the Department, and that it is in good working order. If the BWC is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members shall wear the BWC in a conspicuous manner on the upper chest, shoulder, or head area depending on the model of BWC.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Any member assigned to a non-uniformed position may wear their issued BWC at any time the member believes that it may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members shall wear the BWC in a conspicuous manner on the upper chest, shoulder, or head area depending on the model of BWC. Non-uniformed members shall wear their issued BWC when conducting planned enforcement activities such as stings, parole/probation compliance checks, search warrants, etc.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

Members should upload recordings to Evidence.com at the end of each shift unless a delay is approved by a supervisor. Supervisors of units that go off duty from the field may authorize those members to upload recordings as soon as practicable the next shift the member works. The Department recognizes that circumstances may arise that prevent the upload of recordings at the end of the shift (e.g.; late calls, device malfunctions. etc). In those cases, members will advise their supervisor of the delay and upload the recordings during the next shift the member works, or as otherwise directed by the supervisor.

452.4.1 SUPERVISOR RESPONSIBILITIES

If the involved employee is not able to upload recorded evidence for any reason, a supervisor should take custody of their BWC as soon as practicable when the device may have captured an incident involving the use of force, an officer-involved shooting or death, or other serious incident, and ensure the data is uploaded (Penal Code § 832.18(1)).

452.5 ACTIVATION OF THE BODY-WORN CAMERA

This policy is not intended to describe every possible situation in which the BWC should be used, although there are many situations where its use is appropriate. Members should activate the BWC on all public contacts while acting in an enforcement capacity, and any other time the member believes it would be appropriate or valuable to record an incident.

The BWC shall be powered on at the beginning of shift, and any time the member is outside the office. If members power off their BWC's while at the office to prevent accidental recordings, the BWC shall be powered back on when going back into service. BWC's should be activated in any of the following situations:

(a) All enforcement and investigative contacts including stops and field interview (FI) situations.

(b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.

(c) Self-initiated activity in which a member would normally notify the Dispatch Center.

(d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a BWC. However, the BWC should be activated in situations described above as soon as reasonably practicable. Members should operate the BWC using a "steering wheel to steering wheel" philosophy in order to minimize the chances of not recording an incident that should be recorded. This philosophy means that the BWC should be activated before getting out of the car and kept on until the member returns to the car at the conclusion of the incident.

452.5.1 SURREPTITIOUS RECORDING

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order, unless lawfully authorized by the Chief of Police or the authorized designee.

452.5.2 EXPLOSIVE DEVICE

Many portable recorders, including BWC's and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

452.5.3 CESSATION OF RECORDING

Once activated, the BWC should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

In lieu of ceasing recording altogether, members may utilize the mute function of the camera. Use of the mute function shall be restricted to one or more of the following situations:

(a) Personal conversations or personal phone calls not related to the assigned incident

(b) Training related conversations between Field Training Officers and trainees

(c) Administrative conversations such as phone calls to make notification up the chain of command

(d) At the direction of, or with permission from a supervisor

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Tactical planning, public safety statements and other conversations relative to the incident to which the member is assigned should not be muted. If the mute function is activated, upon turning off the mute function the member will explain on camera the reason for the muting (personal phone call, conversation, etc.).

Members shall cease recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

452.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued BWC's, cellular phones, or other recording devices for personal use, and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment, or ridicule.

452.6.1 PROHIBITED USE OF BIOMETRIC SURVEILLANCE SYSTEM

The installation, activation, or use of biometric surveillance systems, including facial recognition, in connection with portable recorders is prohibited (Penal Code § 832.19).

452.7 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, and to insure timely and proper disclosure of potential evidence in a criminal case, members should upload, tag or mark these in accordance with procedure and document the existence of the recording in any related case report. All recordings will be uploaded to Evidence.com.

Department members writing police reports where one or more members record any part of the incident shall indicate the use of recording equipment (e.g. BWC) in their police report.

When a department member makes a recording and a police report is written as a result of the contact, the member shall make sure the video is annotated correctly. All videos recorded and uploaded to Evidence.com shall be annotated in the following way:

(a) The ID field shall be populated with the associated case number. The format will be the last two digits of the current year, a dash, and a 5-digit case number following the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

dash (XX-XXXXX). If no case number is issued this field may contain the CAD incident number. This field is automatically populated based on CAD data, but members shall insure the accuracy of the data and make any necessary changes.

(b) The Title field shall be populated with a relevant description of the type of call or crime associated to the recording (e.g.; citation number, crime code, etc.). The Title Field may also contain a description of the evidence (e.g.; evidence photo, suspect interview, etc.).

(c) The Category field shall be populated automatically as "CFS Call For Service". The Category can be changed by the member by selecting the appropriate category from the drop-down menu.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g.; a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

The Property Unit will coordinate sending recordings to the District Attorney's Office to comply with discovery requests. Recordings requested by the DA may be shared electronically via Evidence.com.

452.8 SUPERVISORY ORDERS TO RECORD ALL CONTACTS

A supervisor may order an officer/employee to record all field contacts with their BWC for training and evaluative purposes. The recordings will comply with the foregoing limitations and regulations.

452.9 REVIEW OF RECORDINGS

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member’s performance.

Recordings may also be reviewed:

(a) Upon approval by a supervisor, or by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(c) By media personnel with permission of the Chief of Police or the authorized designee.

(d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) By the Training Sergeant for the purpose of evaluating training needs of Department members and evaluating the performance of trainees in the field training program.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court, or if the recording is redacted and sensitive images and/or information is removed.

452.10 COORDINATOR

The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of BWC's and the storage of recordings, including (Penal Code § 832.18):

(a) Establishing a system for downloading, storing and security of recordings.

(b) Designating persons responsible for downloading recorded data.

(c) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.

(d) Establishing a system for tagging and categorizing data according to the type of incident captured.

(e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.

(f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.

(g) Maintaining logs of access and deletions of recordings.

452.11 RETENTION OF RECORDINGS

Recordings of the following will be retained for a minimum of two years (Penal Code § 832.18):

(a) Incident involving use of force by an officer

(b) Officer-involved shootings

(c) Incidents that lead to the detention or arrest of an individual

(d) Recordings relevant to a formal or informal complaint against an officer or the Fairfield Police Department

Recordings containing evidence that may be relevant to a criminal prosecution will be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

All other recordings will be retained for a period consistent with the requirements of the organization's records retention schedule, but in no event for a period less than two years.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

452.11.1 RELEASE AND REDACTION OF AUDIO/VIDEO RECORDINGS

The Fairfield Police Department recognizes audio/video recordings as public records. The California Public Records Act (Government Code § 6250, et seq.) provides that records created by a public agency shall be subject to inspection and release pursuant to request, except pursuant to exemptions set forth in the Act or otherwise established by statute (see the Records Maintenance and Release Policy).

Public requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy and the California Public Records Act. Any member of the public, including the media and elected officials, may request records of this Department by submitting a written and signed request for each record sought and paying any associated fees (Government Code § 6253). The processing of requests is subject to the following:

(a) The employee processing the request shall determine if the requested record is available and, if so, whether the record is exempt from disclosure.

(b) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstance preclude doing so.

(c) If additional time is needed to respond to the request, an extension of up to 14 additional days may be authorized by the Chief of Police or the authorized designee.

(d) If an extension is authorized, the Department shall provide written notice of the extension to the requesting party (Government Code § 6253(c)).

(e) In accordance with the California Records Act, the Department is not required to create records that do not otherwise exist in order to accommodate a request under the Act.

Requests by elected officials for records that are not open to public inspection should be referred to the Chief of Police for a determination as to whether the records will be released.

The California Public Records Act establishes that the need to protect the privacy of victims of serious crimes from the public disclosure of images captured in video or audio recordings outweighs the interest in public disclosure of the information. The Act does not require disclosure of a video or audio recording that was created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording (Government Code § 6254.4.5(a)).

In some cases the potential harm to the victim caused by disclosure of the record can be mitigated by redacting the recording, provided that the redaction does not prevent the viewer from being able to fully and accurately perceive the events captured on the recording. The following details are subject to redaction according to the Act:

(a) Images showing intimate body parts.

(b) Personally identifying characteristics of the victim including voice.

(c) Identification of minor subjects.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The recordings shall not otherwise be edited or altered. Redaction will be coordinated by the Custodian of Records.

A victim of a crime listed above who is the subject of a recording, the parent or legal guardian of a minor subject, a deceased subject's next of kin, or a subject's legally authorized designee shall be permitted to inspect the recording and to obtain a copy of the recording (Government Code § 6254.4.5(C)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Medical Marijuana

454.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marijuana under California's medical marijuana laws.

454.1.1 DEFINITIONS

Definitions related to this policy include:

Cardholder - A person issued a current identification card.

Compassionate Use Act (CUA) (Health and Safety Code § 11362.5) - California law intended to provide protection from prosecution to those who are seriously ill and whose health would benefit from the use of marijuana in the treatment of illness for which marijuana provides relief. The CUA does not grant immunity from arrest but rather provides an affirmative defense from prosecution for possession of medical marijuana.

Identification card - A valid document issued by the California Department of Public Health to both persons authorized to engage in the medical use of marijuana and also to designated primary caregivers.

Medical marijuana - Marijuana possessed by a patient or primary caregiver for legitimate medical purposes.

Medical Marijuana Program (MMP) (Health and Safety Code § 11362.7 et seq.) - California laws passed following the CUA to facilitate the prompt identification of patients and their designated primary caregivers in order to avoid unnecessary arrests and provide needed guidance to law enforcement officers. MMP prohibits arrest for possession of medical marijuana in certain circumstances and provides a defense in others.

Patient - A person who is entitled to the protections of the CUA because he/she has received a written or oral recommendation or approval from a physician to use marijuana for medical purposes or any person issued a valid identification card.

Primary caregiver - A person designated by the patient, who has consistently assumed responsibility for the patient's housing, health or safety, who may assist the patient with the medical use of marijuana under the CUA or the MMP (Health and Safety Code § 11362.5; Health and Safety Code § 11362.7).

Statutory amount - No more than 8 ounces of dried, mature, processed female marijuana flowers ("bud") or the plant conversion (e.g., kief, hash, hash oil), and no more than six mature or 12 immature marijuana plants (roots, stems and stem fibers should not be considered) (Health and Safety Code § 11362.77).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

454.2 POLICY

It is the policy of the Fairfield Police Department to prioritize resources to forgo making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

California's medical marijuana laws are intended to provide protection to those who are seriously ill and whose health would benefit from the use of medical marijuana.

However, California medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Fairfield Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

454.3 INVESTIGATION

Investigations involving the possession, delivery, production or use of marijuana generally fall into one of several categories:

A. Investigations when no person makes a medicinal claim.

B. Investigations when a medicinal claim is made by a cardholder.

C. Investigations when a medicinal claim is made by a non-cardholder.

454.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1; Health and Safety Code § 11362.2). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

454.3.2 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A CARDHOLDER

A cardholder or designated primary caregiver in possession of an identification card shall not be arrested for possession, transportation, delivery or cultivation of medical marijuana at or below the statutory amount unless there is probable cause to believe that (Health and Safety Code § 11362.71; Health and Safety Code § 11362.78):

A. The information contained in the card is false or falsified.

B. The card has been obtained or used by means of fraud.

C. The person is otherwise in violation of the provisions of the MMP.

D. The person possesses marijuana but not for personal medical purposes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Officers who reasonably believe that a person who does not have an identification card in his/her possession has been issued an identification card may treat the investigation as if the person had the card in his/her possession.

Cardholders may possess, transport, deliver or cultivate medical marijuana in amounts above the statutory amount if their doctor has concluded that the statutory amount does not meet the patient's medical needs (Health and Safety Code § 11362.71; Health and Safety Code § 11362.77). Investigations involving cardholders with more than the statutory amount of marijuana should be addressed as provided in this policy for a case involving a medicinal claim made by a non-cardholder.

454.3.3 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A NON-CARDHOLDER

No patient or primary caregiver should be arrested for possession or cultivation of an amount of medical marijuana if the officer reasonably believes that marijuana is in a form and amount reasonably related to the qualified patient's current medical needs (Health and Safety Code § 11362.5). This arrest guidance also applies to sales, transportation or delivery of medical marijuana, or maintaining/renting a drug house or building that may be a nuisance if otherwise in compliance with MMP (Health and Safety Code § 11362.765).

Officers are not obligated to accept a person's claim of having a physician's recommendation when the claim cannot be readily verified with the physician but are expected to use their judgment to assess the validity of the person's medical-use claim.

Officers should review any available written documentation for validity and whether it contains the recommending physician's name, telephone number, address and medical license number for verification.

Officers should generally accept verified recommendations by a physician that statutory amounts do not meet the patient's needs (Health and Safety Code § 11362.77).

454.3.4 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production, or use:

A. Because enforcement of medical marijuana laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:

   1. The suspect has been identified and can be easily located at a later time.
   2. The case would benefit from review by a person with expertise in medical marijuana investigations.
   3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

4. Other relevant factors, such as available department resources and time constraints prohibit making an immediate arrest.

B. Whenever the initial investigation reveals an amount of marijuana greater than the statutory amount, officers should consider the following when determining whether the form and amount is reasonably related to the patient's needs:

1. The amount of marijuana recommended by a medical professional to be ingested.
2. The quality of the marijuana.
3. The method of ingestion (e.g., smoking, eating, nebulizer).
4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
5. Whether the marijuana is being cultivated indoors or outdoors.

C. Before proceeding with enforcement related to collective gardens or dispensaries, officers should consider conferring with a supervisor, an applicable state regulatory agency or other member with special knowledge in this area, and/or appropriate legal counsel (Business and Professions Code § 26010; Business and Professions Code § 26060). Licensing, zoning, and other related issues can be complex. Patients, primary caregivers, and cardholders who collectively or cooperatively cultivate marijuana for medical purposes may be licensed or may have a defense in certain circumstances (Business and Professions Code § 26032; Business and Professions Code § 26033).

D. Investigating members should not order a patient to destroy marijuana plants under threat of arrest.

454.3.5 EXCEPTIONS

This policy does not apply to, and officers should consider taking enforcement action for the following:

A. Persons who engage in illegal conduct that endangers others, such as driving under the influence of marijuana in violation of the Vehicle Code (Health and Safety Code § 11362.5).

B. Marijuana possession in jails or other correctional facilities that prohibit such possession (Health and Safety Code § 11362.785).

C. Smoking marijuana (Health and Safety Code § 11362.79):

1. In any place where smoking is prohibited by law.
2. In or within 1,000 feet of the grounds of a school, recreation center or youth center, unless the medical use occurs within a residence.
3. On a school bus.
4. While in a motor vehicle that is being operated.
5. While operating a boat.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

D. Use of marijuana by a person on probation or parole, or on bail and use is prohibited by the terms of release (Health and Safety Code § 11362.795).

454.3.6 INVESTIGATIONS INVOLVING A STATE LICENSEE

No person issued a state license under the Business and Professions Code shall be arrested or cited for cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution or sale of medical cannabis or a medical cannabis product related to qualifying patients and primary caregivers when conducted lawfully. Whether conduct is lawful may involve questions of license classifications, local ordinances, specific requirements of the Business and Professions Code and adopted regulations. Officers should consider conferring with a supervisor, the applicable state agency or other member with special knowledge in this area and/or appropriate legal counsel before taking enforcement action against a licensee or an employee or agent (Business and Professions Code § 26032).

454.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities, or whenever the officer believes those authorities would have a particular interest in the information.

454.5 PROPERTY SUPERVISOR RESPONSIBILITIES

The Property supervisor should ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed pending any charges and without a court order. The Property supervisor is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Property supervisor should, as soon as practicable, return to the person from whom it was seized any useable medical marijuana, plants, drug paraphernalia or other related property.

The Property supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Investigations supervisor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

"VARDA" Portable Audible Radio Alarm System

455.1 PURPOSE AND SCOPE

"Varda" is a portable alarm system which, when activated, alerts the Fairfield Police Department Communications Center of an incident (such as a burglary) occurring at a specific location.

455.1.1 PROCEDURE

An alarm, component parts, and manufacturer's instructions are located in the patrol supply room. The equipment must be checked out through and returned to, a supervisor. A self-explanatory check-out register is to be located with the alarm and must be completed by the supervisor. Component parts have been numbered to simplify the setup process.

A supply of "Varda Alarm Briefing Information Sheets" is to be stored with the equipment. One of the forms must be completed by the person who sets up the alarm. The form should include a diagram of the alarm setup to assist responding officers. The completed form is then submitted to the supervisor for inclusion in the Varda Briefing Book located in the Briefing Room, and a copy to the Communications Unit for information. The person who installs the alarm should also obtain a key to the involved location to assist in gaining access in the event the alarm is activated. The key shall be maintained in the Varda Alarm Briefing Book.

The Communications Unit will be advised of all Varda installs. When the alarm is activated, Communications personnel will enter a call for service for "10-33S" and dispatch police units.

A Varda Alarm broadcast will be on Channel Brown.

Upon removal of the Varda alarm, the person doing so will be responsible for returning the key to the proper personnel at the involved location, as well as notifying a supervisor and the Communications Unit that the alarm has been removed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Foot Pursuits

460.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

460.2 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in, or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

(a) Containment of the area.

(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.

(c) A canine search.

(d) Thermal imaging or other sensing technology.

(e) Air support.

(f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

460.3 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory

(b) The officer is acting alone.

(c) Two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.

(g) The officer loses radio contact with the dispatcher, or with assisting or backup officers.

(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect's location is no longer definitely known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

(o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness, or other environmental conditions.

460.4 RESPONSIBILITIES IN FOOT PURSUITS

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

460.4.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel

(b) Call sign identifier

(c) Reason for the foot pursuit, such as the crime classification

(d) Number of suspects and description, to include name if known

(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the pursuit termination (e.g.; suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects, or members of the public.

460.4.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

460.4.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control, and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

460.4.4 THE DISPATCH CENTER RESPONSIBILITIES
Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

(a) Clearing the radio channel of non-emergency traffic.

(b) Coordinating pursuit communications of the involved officers.

(c) Broadcasting pursuit updates, as well as other pertinent information as necessary.

(d) Ensuring that a field supervisor is notified of the foot pursuit.

(e) Notifying and coordinating with other involved or affected agencies as practicable.

(f) Notifying the Watch Commander as soon as practicable.

(g) Assigning an incident number and logging all pursuit activities.

460.5 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at minimum:

(a) Date and time of the foot pursuit.

(b) Initial reason and circumstances surrounding the foot pursuit.

(c) Course and approximate distance of the foot pursuit.

(d) Alleged offenses.

(e) Involved vehicles and officers.

(f) Whether a suspect was apprehended, as well as the means and methods used.

1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.

(g) Arrestee information, if applicable.

(h) Any injuries and/or medical treatment.

(i) Any property or equipment damage.

(j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

460.6 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public, or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Bicycle Patrol Program

461.1 PURPOSE AND SCOPE

Bicycle patrol is used to provide assistance to field patrol officers by establishing their presence in areas not readily accessible to officers or when a more unobtrusive approach is desired. School Resource Officers (SRO) may also use bicycles on school campuses to enhance their ability to monitor student activity.

The use of bicycle patrol officers, because of their increased accessibility, also serve as a means to establish rapport and communication with local citizens. Bicycle officers are expected to promote good public relations by demonstrating a good public image and establishing regular communication with members of the community. It is recognized that officers on bicycles are, in general, thought to be more approachable that officers in patrol vehicles; therefore, officers will be expected to capitalize on this opportunity whenever feasible.

461.2 TRAINING AND EQUIPMENT

All officers selected to participate in the bicycle program will receive POST approved bicycle training. Selected officers may receive specialized uniforms as outlined in the Uniform Specifications. Upon completion of their collateral assignment as a bicycle officer, officers will retain their specialized equipment with the understanding that they may be called upon to participate in temporary bicycle patrol as the Department deems necessary.

Bicycles will be maintained in a ready-for-use condition by the Patrol Division. Bicycles will be stored in a location where they will be sheltered from the elements. Officers assigned as an SRO will be issued a portable bicycle rack to transport the bicycle. Bicycles will have to be shared between officers.

461.3 OBJECTIVES

Bicycle officers are used to patrol special events (e.g.; Tomato Festival, parades, and other promotional events), high crime areas, City parks, commercial districts, and other events or directed patrol deemed necessary. SRO's may use bicycles to patrol their respective schools.

461.4 ADMINISTRATION AND SUPERVISION

Administration - the bicycle patrol program will be administered by the Patrol Bureau Lieutenant and/or a designated Patrol Supervisor.

Supervision - the patrol officers working a specific bicycle assignment will report directly to the patrol supervisors. Officers from a special assignment working directed enforcement will report to their unit supervisor unless directed otherwise.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Automated License Plate Reader (ALPR)

462.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPR's are used by the Fairfield Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates, and license plates associated with missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and stolen property recovery.

462.2 ADMINISTRATION OF ALPR

All installation and maintenance of ALPR equipment operated by the Fairfield Police Department, as well as ALPR data retention and access, shall be managed by the Support Services Division Captain or their designee. The Support Services Division Captain will assign personnel to implement this policy's requirements and to administer the day to day operation and maintenance of the ALPR equipment and data.

462.3 ALPR OPERATION

Access to and use of an ALPR shall be restricted to Fairfield Police Department sworn peace officers as defined in California Penal Code section 830.1(a)(1) or to civilian staff specifically authorized by the Support Services Captain or their designee. Such access and use is restricted to the purposes outlined below. Authorized personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

(a) An ALPR shall only be used for official and legitimate law enforcement business.

(b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training consisting of a minimum of two (2) hours of training provided by an approved instructor. This training will cover both the physical operation of the ALPR as well as the laws and policy regarding authorized use of ALPR equipment and data.

(e) No ALPR operator may access California Law Enforcement Telecommunications System (CLETS) data unless otherwise authorized to do so.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If practicable, the officer should verify an ALPR response through CLETS before taking enforcement action that is based solely on an ALPR alert.

462.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR shall be used solely for legitimate law enforcement purposes. Use of data or images collected from an ALPR shall be restricted to sworn peace officers as defined under California Penal Code section 830.1(a)(1) and any law enforcement official or agency requiring access to use of the ALPR for legitimate law enforcement purposes as well as authorized civilian staff of the Fairfield Police Department. Because such data may contain confidential CLETS information, it is not open to public review. ALPR information gathered and retained by the Fairfield Police Department may be used and shared with prosecutors or others only as permitted by law.

The Support Services Division is responsible for ensuring the proper collection and retention of ALPR data and for transferring the ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code 34090.6) and thereafter may be purged at the direction of the Support Services Division Captain or his or her designee, unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In those circumstances the applicable data may be downloaded from the server onto department evidence storage media for permanent retention.

462.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Fairfield Police Department will observe the following safeguards regarding access to and use of stored data:

(a) All non-law enforcement requests for access to stored ALPR data shall be referred to the department Custodian of Records, and processed in accordance with the applicable law.

(b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password protected system capable of documenting all access of information by name, date and time.

(c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relates to a specific criminal investigation or department related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) ALPR system audits should be conducted on a regular basis to ensure proper functioning of the ALPR software as well as compliance with security measures by personnel utilizing the ALPR system.

(f) When data has been entered erroneously from the ALPR into the database, either through software error or human error, these incidents should be brought to the attention of the ALPR system administrator. The ALPR system administrator shall investigate the data discrepancy and ensure the correct entry is made into the database. When it is not possible to determine the correct data, such as a partially obscured license plate, the entry will be removed from the database.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Pawn Shop and Secondhand Dealer Reports

463.1 PROCEDURE

Pawn and secondhand dealers are required to complete a California Department of Justice form (JUS123) describing property received in pawn or sale, along with information concerning the person from whom the property is received. A separate report is required for each item of property.

Form JUS123 is a multi-copy form obtained by the dealer. If a form other than JUS123 is used, it must be approved by the Department of Justice. One copy of the report is retained by the dealer and four copies are delivered by the dealer to this agency. Reports received from the dealers are to be routed to Investigations for processing as outlined below:

(a) Clerical personnel receiving the pawn slips will break down, distribute, and file as follows:

1. Original (white copy) filed in alphabetical order by last name of the person who sold/pawned the property;
2. Second copy (yellow) with serial numbers are forwarded to Investigations for entry into the CLETS Property System; those second copies with no identifying property serial numbers are shredded;
3. Third copy (pink) of all property pawned/sold is forwarded to the Investigations detective assigned to Pawn Detail.

(b) Investigations personnel will enter the identifiable property into CLETS. After entry, the reports are destroyed.

Pawned/secondhand property inquiries, notices, computer hits, etc. are to be referred to Investigations, Pawn Detail. If circumstances require the immediate seizure of pawned or secondhand property and the Investigations Supervisor or Pawn Detail Investigator is not available, the matter is to be referred to the on-duty Patrol Supervisor. If the Patrol Supervisor approves a deviation from the established procedure, he/she assumes full responsibility for ensuring all appropriate advance and follow-up action is taken.

Inquiries regarding pawn or secondhand dealer licenses are to be referred to Investigations.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Response to Active Shooter Incidents

465.1 POLICY

While procedures regarding response to Unique Threat Situations (UTS) are effective in dealing with a majority of incidents requiring the deployment of the SWAT Team, such is not always the case. There is an unfortunate but growing trend in this country of multiple victim violent crimes that are carried out over a very short period of time. Most typically, these are shooting incidents where the suspect's only criminal intent is to kill other human beings, and the suspect demonstrates continuing action toward that end.For purposes of this procedure, such person will be called an "active shooter."

Officers responding to active shooter incidents are not afforded the luxury of time to set a perimeter, isolate a suspect, evacuate nearby innocent persons, and wait the amount of time it takes to deploy the SWAT Team. They must take immediate, decisive action to neutralize deadly threats. In active shooter incidents, as time progresses, more lives are likely to be lost.

Motives and events leading up to active shooter incidents vary widely, but there are some commonalities. Suspects rarely have the intention of escaping the crime scene and may plan on committing suicide. Active shooter incidents might occur in schools, shopping malls, government buildings, office buildings, etc.

465.2 PROCEDURE

The police officer's primary mission in active shooter incidents is to locate and neutralize deadly threats in the fastest possible way. Once that goal has been attained, the officers become responsible for obtaining emergency medical treatment for the injured, and for securing the crime scene. Upon determining that an event is an active shooter incident (while enroute to the call or once on scene), the assigned primary officer or other officer on the scene shall do the following:

(a) Establish a rally point in an area that will allow assembly and rapid deployment of a four-person contact team. The contact team shall be comprised of the first four units to arrive on scene.

(b) Make team member assignments (e.g.; point, left flank, right flank, rear guard) with the team leader in one of the flank positions.

(c) Use available information; e.g., sound of gunfire, witness statements, etc., to guide the contact team directly to the threat using a diamond formation.

(d) Advise Dispatch of the location of victims and the nature of their injuries as the contact team moves past them.

(e) Talk to the victims and witnesses to gain intelligence on the suspect's location, armament, injuries, intended victims, etc.

Depending on available resources, a Police Supervisor not assigned to the first contact team should assume the role of Incident Commander until such time as he/she can be relieved. The

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Incident Commander shall be responsible for deployment of additional resources and should consider the following courses of action:

- Establish a second contact team if needed.
- Establish a team to rescue wounded persons.
- Establish a safe area to stage fire and medical personnel and to receive evacuated persons wounded or not.
- Set inner and outer perimeters if enough units are available.
- Make notifications and follow procedure to activate the SWAT Team.

If at all possible, on-duty SWAT Team members should attempt to be part of the first contact team, deploying with their shoulder weapon. If the situation becomes static (i.e.; barricaded suspect with no immediate threat to other persons, unable to locate suspect, etc.), conventional UTS deployment techniques should be employed. As soon as is practical, the Operations Division Captain, the appropriate Patrol Bureau Lieutenant, and the Chief of Police shall be notified of the existence of an active shooter situation and briefed as to the status of the event. The Chief of Police or his designee shall be responsible for notifying the City Manager.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Homeless Persons

466.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless, and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Fairfield Police Department recognizes that members of the homeless community are often in need of special protection and services. The Fairfield Police Department will address these needs in balance with the overall mission of this Department. Therefore, officers will consider the following when serving the homeless community.

466.1.1 POLICY

It is the policy of the Fairfield Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this Department will not use homelessness solely as a basis for detention or law enforcement action.

466.2 HOMELESS COMMUNITY LIAISON

The Chief of Police will designate a member of this department to act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

(a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.

(b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.

(c) Maintain a list of the areas within and near this jurisdiction that are used as frequent homeless encampments.

(d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include:

1. Proper posting of notices of trespass and clean-up operations.
2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.

(e) Be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure that the rights of the homeless are not violated.

(f) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

466.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

466.3.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses, or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

(b) Document places the homeless person may frequent.

(c) Provide homeless victims with victim/witness resources when appropriate.

(d) Obtain statements from all available witnesses in the event that a homeless victim is unavailable for a court appearance.

(e) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Adult Abuse Policy.

(f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution, even when a homeless victim indicates that he/she does not desire prosecution.

466.4 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons, and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor’s responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor, or the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

department Homeless Liaison Officer. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the Homeless Liaison Officer.

Officers who encounter unattended encampments, bedding, or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property. And should inform the department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community, or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter in a timely fashion.

466.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see the Crisis Intervention Incidents Policy).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

466.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community, and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs, and supervisor notification.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Response to Nuisance Calls

467.1 PURPOSE AND SCOPE

Police personnel are required to respond to complaints regarding loud, disruptive, or violent parties, social gatherings, or events which may become violent, resulting in assaults, batteries, and the perpetration of violent crimes on the property, threatening the peace, health, safety, and general welfare of the public.

The necessity of sending police officers to break up these events drains police resources from other areas requiring police protection, and unfairly imposes the cost of certain citizens' inappropriate or unlawful behavior on the entire community. Officers will take all necessary action to prevent the need for return calls to the source of a disturbance.

As defined in City Code Sections 12.700 '" 12.706, a nuisance response means a service response to a social gathering where the responding police officer has determined a public nuisance exists which poses an immediate threat to the public peace, health, safety, or general welfare. A public nuisance means behavior constituting a violation of California Penal Code Sections 407, 409, 416, and 603, or other noise, explosions, destruction of property, or audible conduct that is unreasonably loud, raucous, excessive, or jarring to persons within the area which disturbs the peace and quiet of the neighborhood.

Responsible person means the person(s) who owns or has effective control of the subject premises where a social gathering takes place; the person(s) in charge of the premises, or the person(s) who organized the social gathering.

467.2 PROCEDURE

467.2.1 INITIAL RESPONSE AND NOTICE

When police personnel respond to a complaint involving a nuisance disturbance caused by a social gathering, the responding officer shall issue a written "First Response Notice" to the responsible person, except in the event a violent crime has been threatened or perpetrated. Where the responding police officer determines that there has been an assault, battery, homicide, rape, robbery, or other violent crime, or attempted or threatened violent crime at a party or social gathering, the responsible person(s) or the parents or guardian of the minor responsible person will be held jointly liable for the costs of providing police personnel for the initial response and all subsequent nuisance responses.

The "First Response Notice" shall state that if police department personnel are required to return to the residential location within the following twenty-four (24) hour period, or to a non-residential location within a five-day (5) period because of further disturbances, and responding officers determine there is a disruption of the public peace, health, safety, or general welfare, the responsible person shall be liable for the cost of such services in accordance with the City Ordinance. The notice shall be signed by the responsible person, acknowledging receipt of the notice and a signed copy shall be left with the responsible person.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The police personnel utilized during a second or subsequent response within a twenty-four (24) hour period for residential locations shall be deemed to be a repeat response. For non-residential locations, a repeat response shall include responses to similar occurrences within a five-day (5) period following the first response.

Officers shall notify Dispatch of the issuance of the "First Response Notice" for notation in the call for service. If the Department does not respond to the same party or gathering at a residential location within twenty-four (24) hours, the "First Response Notice" shall be submitted to Records for filing with the police report and no further action will be taken.

If police personnel respond for a second or subsequent time to the same party or gathering at a residential location within twenty-four (24) hours of the first response, the party or social gathering shall be terminated and a "Second Response Notice" shall be completed and given to the responsible person. The responding officer(s) shall also complete a crime report which Records will copy and forward to the Support Services Division Captain for billing.

467.2.2 COST OF NUISANCE RESPONSES

The cost of nuisance responses shall include all reasonable costs incurred by the City in responding to a particular incident and arising directly because of the response to the particular incident. Costs may include damages to City property, injuries to City personnel, and the compensation of personnel responding to the incident. The Support Services Division Captain or his/her designee shall promulgate notice and billing procedures for this purpose.

A bill for nuisance response may be appealed to the Administrative Services Uint Division Captain or his/her designee. Determinations of this appeal may be further appealed to the City Council.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Field Radio Equipment and Maintenance

469.1 PROCEDURE

The City Information Technology Division (IT) is responsible for purchasing and issuing all field radio equipment, including portable radios, batteries, chargers, radio pagers, and vehicle radios. The unit also coordinates all necessary repairs for this equipment.

Personnel issued any radio equipment, other than a vehicle radio, shall sign for all serialized equipment.All lost equipment shall immediately be reported to the IT Division. Personnel terminating employment with the City shall return all issued equipment prior to their last day of work.

Should a piece of field radio equipment (including vehicle radios) need repair, the employee responsible for the equipment shall complete a Radio/MDC Repair Form which is available through the Personnel and Training Unit. The form shall describe in detail the nature of the problem. The form and equipment will be submitted to IT Division personnel for necessary repairs. For necessary repairs of vehicle radios, employees will make their vehicles available during normal business hours.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Civil Disputes

474.1 PURPOSE AND SCOPE

This policy provides members of the Fairfield Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g.; civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by California law.

474.2 POLICY

The Fairfield Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity, and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides, and refrain from giving legal or inappropriate advice.

474.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.

(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.

(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.

(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority, including valid consent.

(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

474.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

(a) The person's knowledge of the court order or whether proof of service exists.

(b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the District Attorney's Office.

474.4.1 STANDBY REQUESTS

An Officer responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

474.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g.; vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

474.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g.; land, homes, apartments) should generally be handled through a person seeking a court order.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

First Amendment Assemblies

475.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

475.2 POLICY

The Fairfield Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

475.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.

(b) Harass, confront or intimidate participants.

(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

475.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographsand video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

475.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Dispatch Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

475.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

475.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

475.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.

(b) Staffing and resource allocation.

(c) Management of criminal investigations.

(d) Designation of uniform of the day and related safety equipment (e.g.; helmets, shields).

(e) Deployment of specialized resources.

(f) Event communications and interoperability in a multi-jurisdictional event.

(g) Liaison with demonstration leaders and external agencies.

(h) Liaison with City government and legal staff.

(i) Media relations.

(j) Logistics: food, fuel, replacement equipment, duty hours, relief, and transportation.

(k) Traffic management plans.

(l) First aid and emergency medical service provider availability.

(m) Prisoner transport and detention.

(n) Review of policies regarding public assemblies and use of force in crowd control.

(o) Parameters for declaring an unlawful assembly.

(p) Arrest protocol, including management of mass arrests.

(q) Protocol for recording information flow and decisions.

(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.

(s) Protocol for handling complaints during the event.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(t) Parameters for the use of body-worn cameras and other portable recording devices.

475.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

475.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

Ifa public gathering or demonstration remains peaceful and non-violent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages (as appropriate), made from multiple locations in the affected area, and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

475.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

475.8 ARRESTS

The Fairfield Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.

(b) Dedicated arrest, booking, and report writing teams.

(c) Timely access to medical care.

(d) Timely access to legal resources.

(e) Timely processing of arrestees.

(f) Full accountability for arrestees and evidence.

(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

475.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event. Taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

475.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

475.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan

(b) Any incident logs

(c) Any assignment logs

(d) Vehicle, fuel, equipment, and supply records

(e) Incident, arrest, use of force, injury, and property damage reports

(f) Photographs, audio/video recordings, Dispatch Center records/tapes

(g) Media accounts (print and broadcast media)

475.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time, and description of the event.

(b) Actions taken and outcomes (e.g.; injuries, property damage, arrests)

(c) Problems identified.

(d) Significant events.

(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

475.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Medical Aid and Response

476.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

476.2 POLICY

It is the policy of the Fairfield Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

476.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g.; first aid, CPR, use of an automated external defibrillator (AED) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Dispatch Center and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Dispatch Center with information for relay to EMS personnel in order to enable an appropriate response, including:

(a) The location where EMS is needed.

(b) The nature of the incident.

(c) Any known scene hazards.

(d) Information on the person in need of EMS, such as:

1. Signs and symptoms as observed by the member.
2. Changes in apparent condition.
3. Number of patients, sex, and age, if known.
4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

476.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel; when it reasonably appears necessary to provide security; when it is necessary for investigative purposes, or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

476.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision, and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

476.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

476.7 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

victims with life-threatening injuries or who require specialized treatment (e.g.; gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Patrol Division Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g.; dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas, or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

476.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

476.8.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Sergeant who is responsible for ensuring appropriate maintenance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact the Dispatch Center as soon as possible and request response by EMS.

476.8.2 AED REPORTING
Any member using an AED will complete an incident report detailing its use.

476.8.3 AED TRAINING AND MAINTENANCE
The Training Sergeant should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

The Training Sergeant is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).

476.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION
Trained members may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

476.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES
Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Sergeant.

Any member who administers an opioid overdose medication should contact the Dispatch Center as soon as possible and request response by EMS.

476.9.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in an appropriate report.

The Training Sergeant will ensure that the Dispatch and Records Manager is provided enough information to meet applicable state reporting requirements.

476.9.3 OPIOID OVERDOSE MEDICATION TRAINING
The Training Sergeant should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019, and any applicable POST standards (Civil Code § 1714.22).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

476.9.4 DESTRUCTION OF OPIOID OVERDOSE MEDICATION
The Training Sergeant shall ensure the destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

476.9.5 OPIOID OVERDOSE MEDICATION RECORD MANAGEMENT
Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained in accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code § 4119.9).

476.10 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS
The Patrol Division Commander may authorize the acquisition of epinephrine auto-injectors for use by Department members as provided by Health and Safety Code § 1797.197a. The Training Sergeant shall create and maintain an operations plan for the storage, maintenance, use, and disposal of epinephrine auto-injectors as required by Health and Safety Code § 1797.197a(f).

Trained members who possess valid certification may administer an epinephrine auto-injector for suspected anaphylaxis (Health and Safety Code § 1797.197a(b); 22 CCR 100019).

476.10.1 EPINEPHRINE USER RESPONSIBILITIES
Members should handle, store, and administer epinephrine auto-injectors consistent with their training and the Department operations plan. Members should check the auto-injectors at the beginning of their shift to ensure the medication is not expired. Any expired medication should be removed from service in accordance with the Department Operations Plan.

Any member who administers an epinephrine auto-injector medication should contact the Dispatch Center as soon as possible and request response by EMS (Health and Safety Code § 1797.197a(b)).

476.10.2 EPINEPHRINE AUTO-INJECTOR REPORTING
Any member who administers an epinephrine auto-injector should detail its use in an appropriate report.

The Training Sergeant should ensure that the Dispatch and Records Manager is provided enough information for required reporting to the EMS Authority within 30 days after each use (Health and Safety Code § 1797.197a(f)).

Records regarding the acquisition and disposition of epinephrine auto-injectors shall be maintained pursuant to the established records retention schedule but no less than three years (Business and Professions Code § 4119.4(d)).

476.10.3 EPINEPHRINE AUTO-INJECTOR TRAINING
The Training Sergeant should ensure that members authorized to administer epinephrine auto-injectors are provided with initial and refresher training that meets the requirements of Health and Safety Code § 1797.197a(c) and 22 CCR 100019.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

476.11 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

476.12 FIRST AID TRAINING

The Training Sergeant should ensure officers receive initial first aid training within one year of employment and refresher training every two years thereafter (22 CCR 100016; 22 CCR 100022).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Public Recording of Law Enforcement Activity

477.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

477.2 POLICY

The Fairfield Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

477.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (Penal Code § 69; Penal Code § 148).

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:

1. Tampering with a witness or suspect.
2. Inciting others to violate the law.
3. Being so close to the activity as to present a clear safety hazard to the officers.
4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the officers, him/herself or others.

477.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

477.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

477.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.

1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.

1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Crisis Intervention Incidents

478.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

478.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

478.2 POLICY

The Fairfield Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

478.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

(a) A known history of mental illness

(b) Threats of or attempted suicide

(c) Loss of memory

(d) Incoherence, disorientation or slow response

(e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas

(f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt

(g) Social withdrawal

(h) Manic or impulsive behavior, extreme agitation, lack of control

(i) Lack of fear

(j) Anxiety, aggression, rigidity, inflexibility or paranoia

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

478.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate Division Captain to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

478.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

(b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.

(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.

(d) Attempt to determine if weapons are present or available.

    1. Prior to making contact, and whenever possible and reasonable, conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is the registered owner of a firearm (Penal Code § 11106.4).

(e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.

(f) Secure the scene and clear the immediate area as necessary.

(g) Employ tactics to preserve the safety of all participants.

(h) Determine the nature of any crime.

(i) Request a supervisor, as warranted.

(j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(k) If circumstances reasonably permit, consider and employ alternatives to force.

478.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

478.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.

(b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.

(c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

478.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.

(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

(e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Division Captain.

Evaluate whether a critical incident stress management debriefing for involved members is warranted.

478.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

478.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Mental Illness Commitments Policy.

478.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person’s behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

478.11 EVALUATION

The Division Captain designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

478.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, welfare checks and crisis intervention (Penal Code § 11106.4; Penal Code § 13515.25; Penal Code § 13515.27; Penal Code § 13515.30).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 5 - Traffic Operations

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment, and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This Department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs. The Department seeks to achieve the objective of reducing collisions through a combination of education and enforcement.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Fairfield Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours, and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are requests from the public, construction zones, or special events. In addition to officers, the Department may deploy speed feedback trailers to collect information regarding problematic traffic patterns and to encourage the public to drive within the speed limit.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This Department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance (Vehicle Code § 41603). The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

(a) Explanation of the violation or charge.

(b) Court appearance procedure including the optional or mandatory appearance by the motorist.

(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses as outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter.

(b) Felony and misdemeanor driving under the influence of alcohol/drugs.

(c) Felony hit-and-run.

(d) Refusal to sign notice to appear.

(e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances.

(f) Mandatory appearance per Vehicle Code § 40302.

500.3.4 TRAFFIC COLLISION CITATIONS

In the interest of public safety, appropriate enforcement of vehicle code violations as a result of traffic collisions should take place.Whenever a traffic collision investigation provides reasonable cause to believe that a Vehicle Code or City Ordinance violation has occurred, a collision citation (collision notice) may be issued by the investigating officer.Per CVC section 40600(a) only Peace Officers that have completed a POST-certified traffic accident course may issue such citations.Successful completion of a POST-certified 40-hour Basic Collision Investigation shall meet this requirement.

A copy of the traffic collision report and a citation (which lists the violations identified by the investigation and is unsigned by the violator) is to be forwarded to the Solano County Courts Traffic Division for a complaint.The citing officer shall use the same appearance date as for all other citations and shall write “Mailed to Violator” in the signature block section of the citation.Records personnel will mail the notice to the violator.

Officers that encounter unlicensed or suspended drivers at collision scenes may issue a “Mailed to Violator” citation to the involved driver in the same manner as described above upon completion

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

of their investigation and report.Traffic Officers may issue collision notices based on their review of collision reports prepared by Community Service Officers that have been trained as collision investigators.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Records Unit. The Records Unit will forward the license and Verbal Notice Form to the Department of Motor Vehicles.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include; traffic control duties, accident investigations, lane closures, and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plain clothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle, and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the re-sealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

A supply of high-visibility vests will be maintained by the Training Unit for replacement of damaged or unserviceable vests. Employees should immediately report when their vest is in need of replacement through their chain of command.Employees will be provided with vests that have the employee's name and appropriate badge sewn or embroidered onto the front of the vest. The Training Sergeant should be promptly notified whenever the supply of vests needs replenishing.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Traffic Collision Reporting, Investigation, and Documentation

502.1 PURPOSE AND SCOPE

The Fairfield Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

502.2 RESPONSIBILITY

The Training Unit will be responsible for distribution of the Collision Investigation Manual and will receive all changes in the state manual. The Traffic Sergeant will ensure conformity with the CIM when reviewing and approving traffic collision reports.

502.3 TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of this Department shall be forwarded to the Traffic Unit for approval and data entry into the Crossroads Program. The Traffic Sergeant will ensure the necessary reports on traffic collision statistics are forwarded as required. Patrol Sergeants should approve all traffic collision reports generated by their shifts.They may approve additional traffic collision reports based on department need.

Consistent with §343.3 of this manual, traffic collision reports and investigations shall not be pended over regular days off unless approved by a Supervisor.All traffic collision reports should be completed within seven (7) days.

502.3.1 CITY LIABILITY TRAFFIC COLLISIONS

502.3.2 POLICY

The police Department shall be responsible for investigating and reporting traffic collisions involving City vehicles, equipment, and property that may result in City liability. Department personnel must report any incident that may result in City liability.

502.3.3 PROCEDURE

When a police vehicle is involved in a traffic collision, the on-duty supervisor will respond to the scene. If the collision involves a death or a serious injury, or if the supervisor feels the circumstances indicate the need of an independent third party, the California Highway Patrol may be requested to investigate it. In minor-injury or property-damage only accidents, the supervisor will investigate it or request an available traffic officer, or similarly qualified experienced officer, to investigate it.

If a traffic collision incident results in serious injury, death, or extensive property damage, the employee's Division Manager, Chief of Police, City Manager's Office, and the City's Benefits & Risk Manager shall be notified immediately. An electronic mail message is sufficient for this purpose. These notifications shall be documented within the police report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

In order to protect the confidentiality of information, all oral and written statements about the incident (other than the police report and the Department's usual press release) should be made by or cleared through the City Attorney's Office or Benefits & Risk Management.

No negotiations or settlements should take place that have not first been reviewed and approved by Benefits & Risk Management. The injured party should be instructed to contact Benefits & Risk Management at (707) 428-7419 for information about the incident or claim-filing procedures.

Report distribution, other than Records Bureau file processing, shall be:

- Benefits & Risk Management(one copy)
- Department Head having control of property or vehicle(one copy)
- Traffic Engineer, if traffic accident(one copy)
- Director of Public Works(one copy)

502.4 REPORTING SITUATIONS

502.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage occurs or an injury results. If the City vehicle is a police department vehicle, a summary cause report may be taken or Memorandum written, in lieu of a traffic collision report (CHP 555 form), at the direction of a supervisor when the collision occurs on private property, or does not involve a privately owned vehicle.

Whenever there is damage to a City vehicle, an entry shall be made into the Vehicle Maintenance Log and Memorandum written. The Memorandum shall be forwarded to the appropriate Division Commander and a copy forwarded to the Chief of Police, Support Services Captain, and the City’s Risk Manager.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the traffic investigator or patrol supervisor.

502.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Fairfield Police Department resulting in a serious injury or fatality, the Traffic Sergeant or the Watch Commander, may notify the California Highway Patrol for assistance.

The term serious injury is defined as any injury that may result in a fatality.

502.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Traffic Sergeant or on-duty Watch Commander may request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

502.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

In compliance with the Collision Investigation Manual, traffic collision reports shall not be taken for traffic collisions occurring on private property unless there is a death or injury to any person involved, a hit-and-run violation, DUI, a vehicle pursuit, or major structural damage to a building. An Incident Report may be taken at the discretion of any supervisor.

502.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this Department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision.

(b) When one or more involved parties lack a valid Driver's License or current insurance.

(c) When the collision involves a suspected violation of sections 23152 CVC, 23153 CVC, 2800.1 CVC, 2800.2 CVC, 20001 CVC, or 20002 CVC.

(d) City of Fairfield vehicles or property are involved.

(e) Upon request by an outside government agency.

(f) Upon order or approval of a Supervisor.

502.4.6 INFORMATION EXCHANGE AND DMV REPORTING REQUIREMENTS

In all collisions, whether documented or not, the primary officer shall ensure that involved parties have exchanged information in compliance with CVC section 16025.All parties should receive the investigating officer’s business card or equivalent with a Fairfield Police Department case number if a report is taken.An FPD 242 Accident Information Exchange card may be used to facilitate the information exchange.

The primary officer at any collision scene should advise involved parties to report the collision to DMV, and complete all required forms if there is damage in excess of $1,000 to any one vehicle or person pursuant to CVC section 16000.

502.4.7 NON-INJURY COLLISIONS

Non-injury traffic collisions that occur on either public roadways or private property shall not be documented unless any of the following exceptions apply:

(a) DUI

(b) Hit and Run

(c) Reckless Driving

(d) Vehicle Pursuit

(e) An involved party lacking valid license, registration, or insurance

(f) Major property damage (vehicle driven thought a wall, etc.)

(g) Government-owned vehicle

(h) Supervisor order or approval

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

In cases where collisions are not documented in the form of a police report, department personnel may advise the involved parties that the department does not document such collisions, and that the exchange of information between the involved parties is all that is required by law. Personnel responding to such collisions shall ensure that involved parties exchange information with each other in compliance with CVC section 16025. This may be accomplished by using the Department's Accident Exchange Information Card (FPD 242). The primary officer may, with Supervisor approval, take a collision report in any appropriate circumstance the officer deems it necessary for the successful resolution of the incident.

502.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION

In the event of a serious injury or death related traffic collision, the on duty supervisor shall notify the Traffic Lieutenant or Sergeant to relate the circumstances of the traffic collision and seek assistance from the Traffic Bureau. In the absence of the Traffic Lieutenant or Sergeant, any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.

Traffic officers or properly trained accident investigators shall investigate all major traffic collisions unless a Supervisor authorizes a patrol officer to investigate the collision.A major traffic collision is defined as a collision that involves one or more of the following conditions:

a. Death

b. Life-threatening injury

502.6 TRAFFIC COLLISION INVESTIGATION AND REPORT WRITING GUIDELINES

All documented traffic collisions that occur on private property, public property, roadways or highways within the jurisdiction of this department shall be documented according to the California Highway Patrol CIM, on a CHP 555 form, and in one of the following formats:

a. Traffic Collision Report

b. Traffic Collision Investigation

502.6.1 COLLISION INVESTIGATION RESPONSIBILITIES

Traffic Collisions shall be documented by department employees in the following manner unless an exception is made by a Supervisor:

• Minor to Moderate Injury	CSO/Officer
• Hit and run with no suspect	CSO/Officer
• Hit and run with suspect	Officer
• Severe Injury	Officer
• All DUI Collisions	Officer
• Life threatening Injury	Traffic Unit/ MAIT/ Officer
• Fatal Collisions	Traffic Unit/ MAIT/ Officer

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

502.6.2 LATE REPORTED COLLISION REPORT

A late reported collision is a fatal or injury collision where involved parties and vehicles are no longer at the scene and documentation is requested at a location away from the collision scene. Investigating officers shall determine if the collision was reported after the first opportunity to make such a report before indicating a late reported collision on a CHP 555 form.A late reported fatal or severe injury collision shall be documented as an investigation. All other late reported collisions not meeting the definition of fatal or severe injury shall be documented as follows:

a. Information and a statement from the reporting party shall be documented in a traffic report format.

b. No primary collision factor (PCF) or area of impact (AOI) will be determined, and no follow-up investigation to contact other involved parties will be completed.

502.6.3 TRAFFIC COLLISION REPORT FORMAT

A traffic collision report as defined in the California Highway Patrol CIM is to be completed whenever:

a.) An identifiable violation is committed and a collision citation is to be issued to any of the involved parties.

b.) A City of Fairfield vehicle is involved in a collision

c.) An injury collision occurs that does not meet the definition of a severe or fatal injury collision

All traffic collision reports shall include the following five headings:

a.) Notification

b.) Statements

c.) Summary

d.) Area of Impact

e.) Cause

Additional headings may be added if needed:

a.) Scene

b.) Hit and Run

c.) Evidence

d.) Intoxication Narrative

e.) Recommendations

A factual diagram is optional for a traffic collision report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

502.6.4 TRAFFIC COLLISION INVESTIGATION FORMAT

A traffic collision investigation as defined in the California Highway Patrol CIM is to be completed whenever:

a.) The traffic collision results in death or serious injury defined as;

- Broken or dislocated limbs
- Severe lacerations requiring multiple stitches, staples or sutures
- Unconsciousness at or when taken from the collision scene
- Injury to internal organs
- Internal bleeding

b.) A City of Fairfield vehicle is involved in a collision resulting in any injury

c.) Suspected DUI collision

d.) The collision results in an in-custody arrest for a violation of CVC sections 2800.1, 2800.2, 23103, 23109

e.) School bus collision- Taken by CHP if occupied by one or more students

All traffic collision investigations shall include the following seven headings:

a.) Notification

b.) Scene

c.) Parties

d.) Statements

e.) Summary

f.) Area of Impact

g.) Cause

Additional headings may be added if needed:

a.) Physical Evidence

b.) Hit and Run

c.) Other Factual Information

d.) Intoxication Narrative

e.) Recommendations

A factual diagram of the collision scene shall be completed in all cases of life-threatening injury or death.A factual diagram may be completed in cases where prosecution will be sought, where physical evidence plays a significant role in the determination of the primary collision factor, or when witness and/or involved party statements are conflicting.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Traffic Collision Review

503.1 PURPOSE AND SCOPE

Traffic collisions involving Police Department employees driving City-owned vehicles and personally-owned vehicles being driven for City business will be reviewed by the employee's chain of command to include the Supervisor, Watch Commander, and Captain.The collision should be reviewed by the chain of command within thirty (30) days of the collision occurring, and will include; a Blue Team entry, a determination of whether the collision was avoidable or not, and if any additional training or discipline is needed.All records of the review process will be documented as a Blue Team entry. If a pattern of employee driving behavior that results in collisions is identified by the chain of command, the Training Unit will be notified and a determination will be made, if the department would benefit from additional training.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle Towing and Release

510.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Fairfield Police Department. Nothing in this policy shall require the Department to tow a vehicle.

510.2 STORAGE AND IMPOUNDS

When circumstances permit, for example; when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone, or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

510.2.1 VEHICLE STORAGE REPORT

Department members requesting towing, storage, or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator and the original shall be submitted to the Records Bureau as soon as practicable after the vehicle is stored.

510.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the Dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in the Dispatch Center.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the Dispatcher to call the official towing garage for the City of City of Fairfield. The officer will then store the vehicle using a CHP Form 180.

510.2.3 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee’s vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g.; traffic hazard, high-crime area).

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the Department will not be responsible for theft or damages.

510.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS

Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver's license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the officer shall list on his/her copy of the notice to appear the name and driver's license number of the person to whom the vehicle is released.

When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver's license and current vehicle registration.

510.2.5 DRIVING A NON-CITY VEHICLE

Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant, or to comply with posted signs.

510.2.6 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request.

510.2.7 RECORDS BUREAU RESPONSIBILITY

Records personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the Watch Commander for approval (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Records Bureau to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d); Vehicle Code § 22852(a); Vehicle Code § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

(a) The name, address, and telephone number of this Department.

(b) The location of the place of storage and description of the vehicle, which shall include, if available; the name or make, the manufacturer, the license plate number, and the mileage.

(c) The authority and purpose for the removal of the vehicle.

(d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice.

510.3 TOWING SERVICES

The City of Fairfield periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.

(b) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal of vehicles obstructing traffic in violation of state or local regulations.

Evidenciary Tows

(a) When a vehicle is being held as evidence in connection with an investigation. It will be towed by the tow company designated (under separate contract) for that purpose, not by the next tow company in the rotation.

510.4 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

510.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

driver/owner to retrieve small items of value or personal need (e.g.; cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

510.6 RELEASE OF VEHICLE

The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver’s license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver’s license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:

1. The vehicle was stolen.
2. If the driver reinstates his/her driver's license or acquires a license and provides proof of proper insurance.
3. Any other circumstance as set forth in Vehicle Code § 14602.6.
4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.

(d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle Impound Hearings

512.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

512.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Fairfield Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code § 22650(a); Vehicle Code § 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

512.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Traffic Sergeant will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code § 22851.3(e)(2); Vehicle Code § 22852(d)).

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code §14602.6(b); Vehicle Code § 14602.8(b)).

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code § 14602.6(b) or 14602.8(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle. A vehicle impounded pursuant to Vehicle Code § 14602(a) shall be released as soon as practicable during normal business hours to the registered owner or his/her agent with proof of current registration, proof of valid drivers license, and applicable fees paid, unless the Department obtains a warrant or can support an exception to the warrant requirement.

The legislative intent and this department's policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

(a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.

1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.

(b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department's expense (Vehicle Code § 22852(e)).

(c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Impaired Driving

514.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

514.2 POLICY

The Fairfield Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California's impaired driving laws.

514.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

(a) The field sobriety tests (FST's) administered and the results.

(b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g.; diabetic shock).

(c) Sources of additional information (e.g.; reporting party, witnesses) and their observations.

(d) Information about any audio and/or video recording of the individual's driving or subsequent actions.

(e) The location and time frame of the individual's vehicle operation and how this was determined.

(f) Any prior related convictions in California or another jurisdiction.

514.4 FIELD TESTS

The Traffic Sergeant should identify standardized FST's and any approved alternate tests for officers to use when investigating violations of DUI laws.

514.5 CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

(a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person's blood alcohol content is 0.05 or more (Vehicle Code § 23140).

(c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).

(d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, refuses to respond, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

514.5.1 CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g.; breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of his/her blood or breath, and the officer shall advise the person that he/she has that choice. If the person arrested either is incapable, or states that he/she is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

514.5.2 BREATH SAMPLES

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

alcoholic beverage and any drug. Evidence of the officer's belief shall be included in the officer's report (Vehicle Code § 23612(a)(2)(C)).

514.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored, and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

514.5.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The sample shall be packaged, marked, handled, stored, and transported as required by the testing facility.

514.5.5 STATUTORY NOTIFICATIONS

Officers requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

514.5.6 PRELIMINARY ALCOHOL SCREENING

Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, he/she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his/her obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

514.5.7 PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21

If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of his/her blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

514.6 REFUSALS

When an arrestee refuses to provide a viable chemical sample, officers should:

(a) Advise the arrestee of the requirement to provide a sample (Vehicle Code § 23612).

(b) Audio- and/or video-record the admonishment when it is practicable.

(c) Document the refusal in the appropriate report.

514.6.1 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (Penal Code § 1524).

(b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

514.6.2 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. This dialogue should be recorded on audio and/or video if practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Ensure the forced blood draw is recorded on audio and/or video when practicable.

(f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.

3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.

(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

514.6.3 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of order of suspension upon the arrestee and take possession of any state-issued license to operate a motor vehicle that is held by that individual (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).

514.7 RECORDS BUREAU RESPONSIBILITIES

The Dispatch and Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

514.8 ADMINISTRATIVE HEARINGS

The Records Manager will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

514.9 TRAINING

The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

investigative techniques, and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney's office and update training topics as needed.

514.10 ARREST AND INVESTIGATION

514.10.1 WARRANTLESS ARREST

In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

(a) The person is involved in a traffic accident.

(b) The person is observed in or about a vehicle that is obstructing the roadway.

(c) The person will not be apprehended unless immediately arrested.

(d) The person may cause injury to him/herself or damage property unless immediately arrested.

(e) The person may destroy or conceal evidence of a crime unless immediately arrested.

514.10.2 OFFICER RESPONSIBILITIES

The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

(a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver's license to the Department of Motor Vehicles (DMV).

(b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.

(c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Traffic Citations

516.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

516.2 RESPONSIBILITIES

The Operations Division Captain/Traffic Bureau Supervisor shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

Traffic citations shall be maintained in the Report Writing Room. Officers shall retrieve traffic citation books as needed and log the book number in the provided log. The administrative clerical staff shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

516.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the Traffic Bureau Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Traffic Bureau Sergeant may request the Operations Division Captain

to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Operations Division Captain for review.

516.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a Watch Commander to approve the voiding of the citation. The citation and copies shall then be forwarded to Records.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

516.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall complete a correction notice.

516.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Bureau.

Upon separation from employment with this department, all employees issued traffic citation books shall return any unused citations to the Records Bureau.

516.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

516.7.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

(a) Administrative reviews are conducted by the Traffic Bureau who will review written/ documentary data. Requests for administrative reviews are available at the front desk or Traffic Bureau of the Fairfield Police Department. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.

(b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in-person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

(c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to the Superior Court of California.

516.7.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

(a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking Violation (Vehicle Code § 40215(a)).

(b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).

(d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209; Vehicle Code § 40210).

516.7.3 COSTS

(a) There is no cost for an administrative review.

(b) Appellants must deposit the full amount due for the citation before receiving an administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215).

(c) An appeal through Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.

516.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile’s age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

516.9 GENERAL RULES WHEN ISSUING CITATIONS

When issuing citations, officers will adhere to the below-listed rules that were adopted to avoid confusing the traffic law violator and creating undue burdens on the court.

(a) Preprinted wording on the citation should not be altered.

(b) Bail is not to be quoted. Bail is established by the court after taking into account the violator's driving record.

(c) Violators are not to be told that the court will provide them with pay by mail envelopes.

(d) Violators should be referred to the reverse side of the citation for instructions.

(e) Traffic school is not to be suggested as an alternative to citation adjudication. Traffic school is an alternative only at the discretion of the court.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Disabled Vehicles

520.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

520.2 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

520.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

520.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

520.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

520.3.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

520.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

72-Hour Parking Violations

524.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the City of Fairfield City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

524.2 MARKING VEHICLES

Vehicles suspected of being in violation of the City of Fairfield 72-Hour Parking Ordinance shall be marked and noted on the City of Fairfield Police Department Warning Notice for improperly stored vehicles. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Warning Notice. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 72 hours prior to removal.

All Warning Notices shall be submitted to the Traffic Unit for follow up.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period and it appears the responsible party is attempting to circumvent the City Ordinance, the vehicle shall be marked again for the 72-hour parking violation and the necessary paperwork completed and forwarded to the Traffic Unit.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

524.2.1 WARNING NOTICE FILE

The Records Unit shall be responsible for maintaining a file for all Warning Notices.

Community Service Officers assigned to the Traffic Unit shall be responsible for the follow-up investigation of all 72-hour parking violations noted on the Warning Notices.

524.2.2 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report (CHP form 180) shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to Dispatch immediately following the storage of the vehicle for immediate notification into the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Unit to determine the names and addresses of any individuals

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Police Motorcycles

527.1 POLICE MOTORCYCLE CARE AND MAINTENANCE

Each motorcycle shall be assigned to a particular motor officer. Motor officers shall not operate any motorcycle other than their assigned motorcycle without authorization from the Traffic Sergeant or Patrol Sergeant. Officers will be responsible for the care, maintenance, and general upkeep of their assigned motorcycle. Scheduled repairs and service should be made so that each repair will not interfere with their assigned workdays or shift responsibilities.

Each officer assigned to a motorcycle may take the vehicle home provided he/she maintains adequate shelter for the vehicle at their place of residence. Before departing on vacation, or any absence in excess of three consecutive working days, the officer shall store the motorcycle at the Department within the designated security area, unless otherwise instructed or authorized by a supervisory officer.

527.2 MOTORCYCLE USE

A. Officers shall not operate motorcycles unless they are on duty and in complete enforcement uniform. Uniformed court appearances are considered a part of normal duty requirements.

   1. *Exceptions: As otherwise directed by a supervisory officer, or for the purposes of going to and returning from home or vehicle maintenance facility.*

   2. *Officers may wear a BDU type uniform during training.*

B. Motor officers shall wear a helmet; the 3/4 style helmet with strap fastened, and safety glasses when operating the motorcycle. Motor officers wearing the modular style helmet shall wear the helmet with the strap fastened at all times while operating the motorcycle, and safety glasses when the face mask is in the upright position.

C. Motor officers' primary duty is traffic enforcement; however, they will be expected to perform as a regular police officer whenever the situation demands such action.

D. Traffic enforcement by motorcycles shall generally be confined to high-volume traffic areas, where their maneuverability can be maximized.

E. Officers should not enter onto freeways for enforcement activity. Freeways should be utilized only as access routes to various areas of the City and their use should be kept to a minimum.

   1. Exceptions: State Route 12 or other locations as requested by allied agencies during mutual aid requests. Examples include: "Avoid the 10", "Dixon May Fair", "Rio Vista Bass Derby", etc.

F. Motorcycles shall not be engaged in "high speed chases". When it becomes apparent that the vehicle being pursued is attempting to flee at a high rate of speed, the motorcycle officer shall advise Dispatch and disengage the pursuit as soon as a four-wheeled unit joins the pursuit.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

G. Officers shall not enter intersections while responding to an emergency without first determining that there will be no traffic opposing their movement. In situations involving controlled intersections, officers shall yield as required by the California Vehicle Code, before entering the intersection.

H. Officers shall not engage in traffic enforcement activities on two-wheeled motorcycles when the weather makes such operation hazardous, and shall utilize a patrol vehicle on such occasions.

527.3 SHOW (TRICK) RIDING

Departmental policy strictly prohibits "show" or "trick" riding practices. Each officer is directly responsible for the condition and care of his assigned motorcycle. "Show" riding is not intended to exclude parade appearances or participation in formal affairs, which may be directed by command personnel.

"Show" or "Trick" riding does not preclude the participation of in-service Motor officers in motorcycle skills and training competitions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Dual Sport Police Motorcycles

528.1 PURPOSE AND SCOPE

Dual sport motorcycles differ from traditional enforcement police motorcycles in both engineering design and purpose. A dual sport motorcycle is by design a hybrid motorcycle borrowing from the traditional dirt bike motorcycle design and adding elements to the motorcycle for street riding, such as hybrid tires and lighting. Therefore, the dual sport motorcycle is not capable of the same level of performance with regards to operation on city streets as the Traffic Enforcement Motorcycle.

Dual sport motorcycles are for use by trained personnel in situations that would benefit from a highly maneuverable off-road vehicle. The benefit of using a dual sport motorcycle is for access to areas that a traditional four wheel vehicle would struggle in, and to search large open spaces quickly. Accordingly, the dual sport motorcycle should be operated minimally on city streets, mostly for the purpose of traveling to and from locations benefiting from the use of the motorcycle. The dual sport motorcycle is not designed for patrolling city streets, conducting traffic enforcement, or commuting longer distances, such as freeway riding.

528.2 DUAL SPORT POLICE MOTORCYCLE CARE AND MAINTENANCE

Each motorcycle shall be assigned to a specific officer. Officers should not operate any other motorcycle other than their assigned motorcycle without authorization from their Supervisor or Patrol Supervisor. Officers will be responsible for the care, maintenance, and general upkeep of their assigned motorcycle. Scheduled repairs and service should be made so repairs will not interfere with their assigned workdays or shift responsibilities.

Officers shall store their motorcycles at the Department within the designated area unless otherwise instructed or authorized by a supervisor. Motorcycles that are not expected to be used for one week or more should be placed on a trickle charger to maintain the battery of the vehicle and covered with a motorcycle cover.

528.3 DUAL SPORT POLICE MOTORCYCLE USE

A. Officers shall not operate motorcycles unless they are on-duty and in uniform. Uniformed court appearances are considered a part of normal duty requirements.

   1. Exceptions: As otherwise directed by a supervisor or for the purpose of going to and returning from the vehicle maintenance facility.

B. Officers shall wear the 3/4 style helmet with strap fastened and safety glasses on when operating the motorcycle. Motor officers wearing the modular style helmet shall wear the helmet with strap fastened at all times while operating the motorcycle and safety glasses when the face mask is in the upright position.

C. Dual sport motorcycles are used primarily as a means of transportation; therefore, they are not intended to be used for traffic enforcement activity. The use of a dual sport motorcycle for car stops should be done only under exigent conditions when no other means of stopping dangerous behavior is available.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

D. Dual sport motorcycles should not be operated in a Code 3 response, except under the most extreme of emergencies.

E. Officers should restrict their travel on dual sport motorcycles to city surface streets whenever possible, and minimize their use of high speed freeways.

F. Dual sport motorcycles shall not be engaged in "high speed chases." When it becomes apparent the vehicle being pursued is attempting to flee at a high rate of speed, the motorcycle officer shall advise Dispatch and disengage the pursuit as soon as a four-wheeled unit joins the pursuit.

G. Officers shall not enter intersections while responding to an emergency without first determining there will be no traffic opposing their movement. In situations involving controlled intersections, officers shall yield as required by the California Vehicle Code before entering the intersection.

H. Officers shall not operate a dual sport motorcycle when the weather makes such operations hazardous and shall utilize a patrol vehicle on such occasions.

528.4 TRAINING

In-service training has been designed to practice and maintain the perishable skills necessary to operate a motorcycle. All employees assigned to motorcycle duties will receive in-service training that will consist of a minimum of four (4) calendar days a year (quarterly), twelve (12) hours a day, or no less than twelve (12) hours per quarter divided into multiple segments as directed by the Certified Motorcycle Training Officer (CMTO) or the Traffic Supervisor. Failure to successfully complete the required training(s) will result in a maximum of forty (40) hours of remediation to correct deficiencies. If the officer is still unable to complete the training, the Traffic Supervisor may have the option of removing the officer from the program.

Initial Training

A minimum of eighty (80) hours of in-service training shall be provided to a dual sport motorcycle operator. The training shall be conducted under the supervision of the Traffic Supervisor and shall utilize a Certified Motor Training Officer (CMTO.)

528.5 SHOW (TRICK) RIDING

The Department policy strictly prohibits "show" or "trick" riding practices. Each officer is directly responsible for the condition and care of their assigned motorcycle. "Show" riding is not intended to exclude parade appearances or participation in formal affairs, which may be directed by command personnel.

"Show" or "Trick" riding does not preclude the participationof in-service motor officers in motorcycle skills and training competitions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Police Motorcycle Training

529.1 IN-SERVICE TRAINING

In-service training has been designed to practice and maintain the perishable skills necessary to operate a police motorcycle for the purpose of traffic enforcement. All employees assigned to motorcycle duties will receive in-service training that will consist of a minimum of four (4) calendar days a year (quarterly), twelve (12) hours a day or no less than twelve (12) hours per quarter divided into multiple segments as directed by the Certified Motorcycle Training Officer (CMTO) or the Traffic Supervisor. The training must be successfully completed. Failure will result in a maximum of forty (40) hours of remediation to correct deficiencies. If the officer is still unable to complete the training, the Traffic supervisor may have the option of removing the officer from the program.

529.1.1 LOCATION

The Traffic Supervisor or CMTO will select the training location. If applicable, all officers will be notified of the location, time, and when the training will be conducted at least seven (7) days in advance.

529.1.2 FORM

Fairfield Police Motorcycle Qualification form will be used for grading the training motor officer.

(a) Cone Patterns (or)

(b) Street Riding: In addition, initial training will include a daily worksheet form. These forms will be signed by the motor instructor and then signed by the officer after reviewing it. The form will then be submitted to the traffic unit supervisor, who will also sign the form after reviewing it. The form will be maintained in the Traffic Bureau and Training Unit training file.

529.1.3 GRADING STANDARDS

(a) **Unsatisfactory** - rider's performance is unacceptable.

(b) **Weak** - the rider's performance is unacceptable; the rider has been able to perform a small portion of the event.

(c) **Improvement Needed** - the rider has been able to perform a majority of the event, but still has problems to overcome.

(d) **Qualified** - the rider has passed the course in a satisfactory manner.

<u>Scoring examples</u>:

Unsatisfactory - Rider drops motorcycle or puts foot down more than one time in an event.

Weak - Rider puts his foot down one time during event. Rider knocks down more than one cone or rides out of pattern.

Improvement Needed - Event is completed with one cone being knocked down.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

529.1.4 TRAINING CONTENT
During quarterly training sessions, each officer will be required to complete two (2) mandatory patterns: The 30-cone weave and the 40 decel. Two (2) optional patterns will be chosen as training needs arise. A cross country/street ride may also be selected as an alternative to the two optional patterns. If the cross country/street ride is selected as an alternative, each officer will still be required to complete the two mandatory patterns prior to the ride.

529.1.5 UNSAFE RIDING HABITS
If a traffic supervisor or motorcycle instructor observes an employee riding in an unsafe manner, the traffic supervisor will have the option of directing the employee to immediate remediation training as designed by the motorcycle instructor or traffic sergeant to correct the deficiency.

529.1.6 POLICE MOTORCYCLE COLLISIONS
The traffic supervisor and motorcycle instructor will review all collisions involving motorcycle officers. They will determine if there is a need for remediation training. The supervisor has the option of directing the involved employee to immediate training to correct any deficiencies. The collision review is designed to determine training needs and will be separate from any department review.

529.1.7 ADDITIONAL TRAINING
In-service Motor Officers may participate in Motorcycle skills and training competitions at the discretion of the department. These training platforms shall not replace the normal in-service required training as discussed in 529.1 and 529.1.4.

529.2 INITIAL TRAINING
This training differs from "in-service" training. The "initial training" is for an employee who is newly assigned to motorcycle duties. The training must be successfully completed in all phases prior to the employee attending a P.O.S.T. approved Basic Motorcycle Operation course.

529.2.1 TYPE OF TRAINING
Each officer assigned to motorcycle duties as a new assignment shall receive the following training as a minimum before being assigned to enforcement:

(a) A minimum of 160 hours of training on a police motorcycle will be given when an officer is initially assigned to a motor officer position. The officer in training will be required to take weekly tests in order to evaluate his/her progress. The traffic supervisor and/or the motorcycle instructor may conduct the evaluation. If the officer in training is failing to progress at a normal rate, he/she may be discontinued from the program.

(b) A newly appointed motorcycle officer that has successfully completed the initial training phase shall be sent to a P.O.S.T. approved motorcycle training school as soon as practicable.

(c) A newly appointed Traffic Unit Supervisor that has successfully completed the initial training phase may be sent to a P.O.S.T. approved motorcycle training school as soon as practicable.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

529.2.2 ADDITIONAL TRAINING

Upon successful completion of the basic motorcycle operation school, the officer will continue in "training status" in an enforcement FTO program for 80 hours or two weeks. The officer will be assigned to ride partners with the motorcycle instructor. If the motorcycle instructor determines the employee is deficient in enforcement riding skills, a recommendation will be made to the traffic supervisor to extend training. This extended training should not exceed 40 hours. The motorcycle instructor will complete daily evaluation reports. These reports will be reviewed and signed by the officer, motorcycle instructor, and traffic supervisor/training supervisor. These daily observation reports will be maintained in the officer's training file in the Traffic Bureau and Training Unit. In the event the officer fails to successfully complete the FTO program, the traffic supervisor may choose to discontinue the rider from the program.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

LATE REPORTED COLLISIONS

531.1 PROCEDURE

A late reported collision is a fatal or injury collision where involved parties and vehicles are no longer at the scene and documentation is requested at a location away from the collision scene. Investigating officers shall determine if the collision was reported after the first opportunity to make such a report before indicating a late reported collision. A late reported fatal or severe injury collision shall be documented as an investigation. All other late reported collisions not meeting the definition of fatal or severe injury shall be documented as follows:

- Information and a statement from the reporting party shall be documented in a traffic report format.
- No primary collision factor (PCF) or area of impact (AOI) will be determined, and no follow up investigation to contact other involved parties will be completed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle and Nuisance Abatement

533.1 PURPOSE AND SCOPE

City Ordinance Section 27.101 is referred to as the Nuisance Code of the City of Fairfield. Section 27.601 establishes the procedure for the abatement of abandoned, wrecked, dismantled or inoperative vehicles or vehicle parts thereof, from private or public property, not including highways as defined in Vehicle Code Section 360. The authority for such an ordinance is defined in Government Code Section 25845 and 38773.5, but more specifically for our purposes, Vehicle Code Sections 22660 and 22661. Vehicle abatements on public roadways are the responsibility of and are administered by the Traffic Unit. Vehicle abatement on private property is the responsibility of the Code Enforcement Unit.

533.2 PROCEDURE

Whenever a condition is brought to the attention of the Department which may constitute a public nuisance, it shall be the responsibility of the Department to investigate the conditions, to determine whether a nuisance does exist, and which department or agency has primary enforcement responsibility, as well as notify the appropriate department. Upon the determination that there does exist a nuisance of vehicles or parts thereof, the case shall be referred to the Code Enforcement personnel.

Code Enforcement personnel shall make the necessary inspections at reasonable times and in a reasonable manner. When practical, the Code Enforcement personnel shall contact the owner (or occupant, if different) of the premises, identify oneself; and explain the reason for such inspection and the provisions of the Code requiring that the nuisance be abated. Whether or not the owner/ occupant has been contacted, the Code Enforcement personnel may leave upon the vehicle a Notice of Intent to Abate Vehicle/Parts. A Notice of Intent to Abate Vehicle/Parts shall be sent via first class U.S. mail and via U.S. certified mail to the property owner on record, the property tenant if known, and any parties identified as having financial interest in the vehicle/parts.

Compliance with the Notice of Intent to Abate Vehicle/Parts is achieved through one of the following events:

- The vehicle is restored to operable condition; or,
- The inoperable vehicle/parts is stored in a legal, fully enclosed building; or,
- The vehicle/parts is removed from the property.

If there is no compliance within the prescribed time, one of the following is the result:

- Citations may be issued; or,
- If the vehicle represents a hazard, Code Enforcement staff may remove it to a licensed automobile dismantler. Vehicle removal can only be done after proper notices have been mailed and either certified mail receipts have been returned, or the undelivered mail has been returned to Code Enforcement because the addressee would not accept the mail. The vehicle is salvaged and may not be released to the owner at that time.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle removal to a dismantler is a Vehicle Code requirement once the vehicle has been declared a public nuisance.

533.2.1 RECORD-KEEPING STEPS

Each step of the abatement proceedings shall require a record. Such record shall include the dates and times of:

- Original complaint or Code Enforcement officer's observation of a vehicle in violation.
- Original inspection.
- Mailing of Notice of Intent to Abate Vehicle/Parts.
- Second and any subsequent inspections.
- Citations.
- Phone calls/messages/correspondence or personal conversations with any persons having interest in the vehicle or the property located thereon.
- Completed form Fairfield Police Department63, Vehicle Abatement Report, if the vehicle is towed.

533.3 NUISANCE ABATEMENT

Chapter 27 of the City Ordinance is referred to as the Nuisance Code of the City of Fairfield, which establishes the procedure for the abatement of certain public nuisances within the City. It further provides a method for the identification of those public nuisances.

Section 27.401 (a) through (s) describes conditions that constitute a public nuisance.

Public nuisances, other than vehicles or parts thereof, should be referred to the Code Enforcement unit for abatement. The Code Enforcement unit also coordinates with other City departments on the abatement of nuisances.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Sally Port Parking and Door Operation

535.1 PARKING PROCEDURES

Department vehicles, excluding motorcycles, are not to be parked in the sally port or the turn-around area immediately outside the sally port gate, except in designated parking spots and under the following conditions:

- Personnel are picking up or delivering prisoners.
- Personnel are picking up or delivering heavy and/or bulky items.
- Other special circumstances that require such parking.

535.2 SALLY PORT DOOR OPERATION

The sally port door may be opened and closed automatically from controls in the Communications Center. Personnel requiring entry to the sally port may request by using the radio or telephone that the Dispatcher to open or close the sally port.

Although the closed circuit camera system allows the dispatcher to view the sally port door area, the view is limited. Dispatchers will not open or close the door unless specifically requested over the radio or telephone. The purpose of this policy is to prevent accidental closure that may injure personnel, or damage department property.

Sally port security responsibilities are shared by all Department personnel. Personnel shall request that the door be opened or closed only when they can actually see the door in plain view. If there is a question as to the status of the sally port door, the dispatcher shall request that a member of the department go out to verify the status of the door.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fictitions Identity Documents

537.1 PROCEDURE

This procedure establishes regulations for the use of false identity documents provided by official government agencies and administered by the Fairfield Police Department. Regulations pertaining to the use of said documents are set forth as follows:

- Identity documents shall be presented as authentic identification only while acting in an official undercover capacity.
- Identity documents shall be presented for inspection and/or surrender upon request by the Investigations Lieutenant.
- Identity documents shall be automatically surrendered to the Investigations Lieutenant once the subject detective is relieved of duties sponsored by Investigations.
- Loss or theft of identity documents shall be immediately reported to the Investigations Lieutenant.
- No corroborating identity documents shall be obtained without prior approval of the Investigations Lieutenant.
- Identity documents shall not be utilized for personal use in any manner.

Failure to adhere to the above listed regulations may result in the immediate revocation of false identity documents. Police officers requiring false identity documents shall complete a memorandum to the Investigations Lieutenant requesting approval for them. The memorandum shall include the justification for the document(s) and the expected length of time they will be required. The Investigations Lieutenant shall be responsible for approving or rejecting the request and for processing required government applications.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Suspect Identification from Photographs

539.1 PROCEDURE

The method of showing witnesses photographs and identifying suspects must be fair. To ensure fairness, the following guidelines have been established:

A. The photographs shown to the witness should be selected to ensure fairness and impartiality to the suspect.

   1. There should be a similarity of features of the suspect and other persons appearing in the photographs.

   2. There should be a similarity of the type of photographs shown.

B. Each witness should view the photographs alone or under circumstances such that other witnesses will not be influenced or open to suggestion.

C. The points outlined below should be explained to each witness before he or she views the photographs.

   1. The fact that you are being shown a series of photographs should not influence your judgment.

   2. You should not conclude or guess that a picture of the person who committed the crime is contained in the series of photographs.

   3. You are not under any obligation to identify anyone.

   4. It is as important to exonerate the innocent as it is to identify a suspect.

D. When there are several witnesses, the photographs should be shown until it can be reasonably concluded that the true suspect has been identified. The remainder of the witnesses should be saved for a formal lineup.

E. The officer will avoid any actions or comments that could be construed as an attempt to influence a victim or witness to select a particular photo.

F. If a victim or witness identifies a subject in the photo lineup, the officer should ask them to describe in their own words how confident they are of the identification.

G. When confirming a victim or witness identification, ask open-ended and non-suggestive questions to elicit more information, such as, "What else can you tell me about that person" or "can you talk to me a little more about that".

H. Any photographs shown to witnesses are to be retained for any subsequent criminal prosecution by booking them into Evidence.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Use of "Fictitious" Citations

541.1 PROCEDURE

The use of departmental citations in a fictitious manner (i.e., issuing an informant a fictitious traffic citation to camouflage their cooperation with police during an investigation) shall be restricted to investigators' use only unless authorized by an immediate supervisor. When using this investigative tool, the officer shall consider the use of other alternatives and evaluate the necessity to issue the citation. The issuance of fictitious citations shall be limited to circumstances in which the citation is necessary to safeguard an investigation. The following procedure shall be used to preserve the accountability of all citations issued:

(a) The officer shall ensure that the party to whom the citation is issued understands the nature/purpose of the citation. It shall be understood that the party will not appear in court on the matter.

(b) After issuing the party his/her copy of the citation, the officer shall attach the remaining copies to a memo detailing the reasons for issuing the fictitious citation. The memo shall address the circumstances involved and include the name of the receiving party and case number assigned, if applicable. The memo and citation shall be forwarded to the officer's division captain for disposition unless ordered otherwise.

(c) The remaining citation copies and memo will be forwarded to the Records unit by the Division Captain.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Release of Stored or Impounded Vehicles

543.1 PROCEDURE

Stored or impounded vehicles must be released only to the registered owner or authorized agent whenever practical. Commonsense must prevail since family members or friends frequently attempt to claim such vehicles, and each circumstance must be evaluated on its own merit. Consult a supervisor if in doubt.

The expense of towing and storage is the owner's responsibility in all instances, except for those held exclusively as evidence. Evidence collection should occur within 48 hours of impound excluding weekends and holidays. The report should be supplemented immediately upon completion of evidence collection.

Vehicles stored or impounded as evidence must have prior approval of a supervisor. They may not be released without approval of the investigating officer or a supervisor. The Department pays the expense for vehicles held as evidence. The reason for the storage and name of approving supervisor must be in the narrative section of the CHP 180 form.

A vehicle stored as a result of abandonment, parking violation, traffic accident, or arrest may be released without any other approval provided it is not also being held for evidence purposes.

Vehicles impounded pursuant to Vehicle Code 14602.6(a) will be held for 30 days. Calculation of the impound period will consist of every calendar day beginning with the date of impound and ending with the date of release.

Employees releasing a stored vehicle must obtain the signature and a photocopy of the driver's license of the person claiming the vehicle. A copy of CHP Form 180 must be given to the person with directions to the storage facility. The arrested person's information and other factors that are not eligible for release as public information must be removed from these copies.

In the event the vehicle is stored at department facilities, the person must show proof that the towing and storage charges have been paid before the vehicle may be released, unless held exclusively as evidence. (Related Policies/Procedures are 4840 through 4845"Stored Vehicles")

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

DUI/Drivers License Checkpoints

545.1 PURPOSE AND SCOPE

The purpose of this policy is to comply with applicable federal and state law while conducting DUI/ Drivers license checkpoints within the City of Fairfield.

The City of Fairfield Police Department conducts DUI/Drivers license checkpoints to reduce the number of drunk drivers on our highways and diminish the amount of pain, suffering and death that result from drunk driving and unlicensed drivers.

Impaired driving and impaired-related crashes constitute one of the nation's leading health problems. These events result in more deaths each year than total homicides. The impact is particularly severe among young people, ages 15-24, where impaired driving is the leading cause of death. Clearly, impaired driving and impaired-related crashes constitute a major threat to the safety and well-being of the public.

The Centers for Disease Control, in a 2008 Injury Prevention & Control, Motor Vehicle Safety report, found that in general, the number of alcohol-related crashes was reduced by 20% in states that implement sobriety checkpoints compared to those that do not.

It is the policy of the City of Fairfield Police Department to conduct DUI/Drivers license checkpoints as a means of reducing the number of impaired drivers and the number of impaired-related crashes.

The California Vehicle Code requires that every driver operating a motor vehicle on a public roadway be licensed to do so. In addition to checking for sobriety, it is the policy of the City of Fairfield Police Department to confirm that all drivers that pass through a DUI/Drivers license checkpoint are properly licensed to operate a motor vehicle.

545.1.1 DEFINITIONS

DUI/Drivers license checkpoint - The DUI/Drivers license checkpoint is a temporary roadway installation used by law enforcement to detect and arrest drivers who are impaired and to educate the public that in the best interest of public safety, impaired-driving shall not be tolerated.

545.2 PROCEDURE

The DUI/Drivers license checkpoint shall comply with the current state of case law and constitutional requirements set forth in the Ingersoll (Ingersoll vs. Palmer (1987) 43 Cal.3rd 1321) case. The checkpoint shall comply with all of the eight criteria outlined in the Ingersoll case as follows:

- **Supervisory Selection:** To avoid arbitrary and capricious selection by an officer in the field, the decision to establish the DUI/DL checkpoint and selection of the site will be made by the Patrol Supervisor.
- **Limited Field Discretion to Stop**: The discretion of enforcement officers in selecting vehicles to be stopped has been limited by a neutral mathematical formula when the volume of vehicular traffic prevents the screening of all of the vehicles entering the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

checkpoint. When necessary, such formula will be every third, fifth, or tenth vehicle to be stopped.

- **Safety**: The safety of motorists as well as the personnel assigned to the checkpoint is paramount. Only safe practices that create safe conditions will be employed, including, but not limited to: proper lighting, warning signs, signals, and clearly identifiable official vehicles and personnel.
- **Reasonable Location**: The supervisory decision concerning placement of this checkpoint will be made using local DUI arrest and collision data. The site will be selected because it has been effective in apprehending a high rate of persons driving under the influence based upon a history of alcohol related collisions and arrests.
- **Time and Duration**: To minimize its intrusiveness and yet preserve effectiveness, the length of time this checkpoint will be no longer than reasonably necessary to apprehend people driving under the influence. The time of day will be carefully set to maximize the apprehension of impaired drivers.
- **High Visibility**: Advance warning will be given using signs, flashing lights, police vehicles, and uniformed officers to reassure motorists of the official nature of the roadblock.
- **Length of Detention**: The detention of the motorists will be no longer than necessary to determine if there is impairment. The controlled length of the detention will also preserve traffic safety and avoid traffic back-ups.
- **Advance Publicity**: Although not required by the courts, it is highly desirable to have advance publicity for a DUI/DL checkpoint. The advance publicity helps reduce the intrusiveness of the roadblock and increases its deterrent effect. A press release notifying the public should be sent to the local media prior to the operation.

A complete Patrol Order shall be prepared by the Patrol Sergeant and distributed to the affected Patrol Watch Commander and Communications Center. A sworn, uniformed supervisor shall be assigned to provide on-scene supervision of the checkpoint. The checkpoint shall be staffed by a sufficient number of uniformed personnel to assure a safe and efficient operation. A pre-operational briefing shall be conducted by the Patrol Supervisor. A portion of the briefing shall include a review of safety considerations of personnel standing and directing traffic upon a roadway. Special care shall be taken to warn approaching motorists of the checkpoint. Basic equipment will include, but not be limited to:

- Warning signs placed in advance of the checkpoint
- Traffic safety cones
- Permanent and portable lighting
- Marked police vehicles

The use, placement, and types of traffic control devices must comply with federal, state and local transportation codes. Any deviation from the predetermined operational guidelines should

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

thoroughly document the reason for the deviation (i.e.; traffic backups, intermittent inclement weather). To monitor and ensure standardization and consistency of the checkpoint program, a systematic method of data collection will be incorporated. An after-action report should include, but is not limited to:

- Time, date, and location of the checkpoint
- Weather conditions
- Number of vehicles passing through the checkpoint
- Average time delay to motorists
- Predetermined order of selecting motorists
- Numbers of arrests, citations, field sobriety tests, and vehicle impounds
- Identification of unusual incidents such as safety problems or other concerns

An after-action press release shall be prepared by the Patrol Supervisor and sent to the local media highlighting some of the items listed above.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

RADAR/LIDAR Operations

547.1 POLICE RADAR TRAINING

The RADAR Operator shall have completed, at a minimum, a 24 hour P.O.S.T. approved RADAR Operator course prior to using RADAR devices.

547.2 POLICE LIDAR TRAINING

The LIDAR Operator shall have completed a P.O.S.T. approved LIDAR Operator course in addition to the required RADAR training as directed in 547.1.

547.3 POLICE RADAR/LIDAR USAGE

The use of RADAR and LIDAR devices shall be restricted to those streets and roadways within the city that have been approved for RADAR/ LIDAR enforcement by means of an Engineering and Traffic Survey (ETS) or as permitted by California Vehicle Code §§ 22352 and 40802.

This does not preclude the RADAR/ LIDAR Operator from using such devices in other jurisdictions when conducting traffic enforcement during mutual aid requests such as, but not limited to, "Avoid the 10".

547.4 POLICE RADAR/LIDAR CALIBRATION

All RADAR and LIDAR devices shall be calibrated by a certified technician every two years, or as necessary, to assure instrument accuracy. The Traffic Supervisor or his/her designee shall be responsible for maintaining the maintenance and calibration records for each device.

547.5 POLICE RADAR/LIDAR CALIBRATION CHECK

Each RADAR/LIDAR Operator shall ensure the accuracy of the device used at the beginning and end of their shift. The accuracy check shall include internal and external accuracy checks and in accordance with applicable law.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Speedometer Calibration

549.1 PURPOSE

Police patrol vehicle speedometers shall be calibrated when the vehicle is first assigned and then annually thereafter, unless otherwise necessary.

549.2 PROCEDURE

The original "Speedometer Calibration Chart" shall be maintained within the patrol vehicle and a copy shall be filed with the Patrol Division - Traffic Bureau. Calibration shall be accomplished by one of the following methods:

(a) A traffic officer shall use a police RADAR/LIDAR instrument at varying speeds to determine accuracy of the vehicle speedometer and document the displayed speed and actual speed on a "Speedometer Calibration Chart."

(b) The department may utilize a speedometer calibration service such as that provided and operated by AAA or equivalent.

549.3 CALIBRATION NOTIFICATION

Vehicle maintenance personnel shall advise the Traffic Supervisor which vehicle's speedometer requires calibration at appropriate intervals, including unassigned vehicles. A log of calibrated vehicles shall be maintained in the Traffic Bureau. The Traffic Supervisor shall be responsible for assuring calibration is completed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fifteen Passenger Vans

551.1 PURPOSE AND SCOPE

The purpose of this policy is to comply with applicable federal and state law while operating 15-passenger vans.

The City of Fairfield Police Department currently has in its fleet three 15-passenger vans. These vans are marked with the City of Fairfield Police Department's logo and also are marked with the "Volunteers In Police Service" logos.

Fifteen-passenger vans are more likely to be involved in a single-vehicle rollover crash than any other type of vehicle.

Employees of the City of Fairfield Police Department must be vigilant and informed about how to reduce rollover risks, avoid potential dangers, and better protect occupants in the event of a rollover crash.

551.2 GENERAL ADVISEMENTS

The National Highway Traffic Safety Administration (NHTSA) has issued a safety advisory on these vehicles. Based upon that advisory the following shall be considered when using the 15-passenger vans:

Keep your passenger load light. NHTSA research has shown that 15-passenger vans have a rollover risk that increases dramatically as the number of occupants increases from fewer than five to more than ten. In fact, 15-passenger vans (with 10 or more occupants) had a rollover rate in single vehicle crashes that is nearly three times the rate of those that were lightly loaded.

Check the van's tire pressure frequently, at least once a week.A just-released NHTSA study found that 74% of all 15-passenger vans had improperly inflated tires. By contrast, 39% of passenger cars had improperly inflated tires. Improperly inflated tires can change handling characteristics, increasing the prospect of a rollover crash in 15-passenger vans.

Require all occupants to use their seat belts in compliance with City policy. Nearly 80% of those who have died nationwide in 15-passenger vans were not buckled up. Wearing seat belts dramatically increases the chances of survival during a rollover crash.

If at all possible, seat passengers and place cargo forward of the rear axle, and avoid placing any loads on the roof. By following these guidelines, the vehicle's center of gravity will be lowered, accordingly lowering the chance of a rollover crash.

Be mindful of speed and road conditions. The analysis of 15-passenger van crashes also shows that the risk of rollover increases significantly at speeds over 50 miles per hour and on curved roads.

Only qualified drivers should be behind the wheel. Special training and experience are required to properly operate a 15-passenger van. Department employees should only operate these vehicles when well rested and fully alert.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

551.3 PROCEDURES

The 15-passenger vans may only be operated by paid employees of the City of Fairfield Police Department. Any department employee operating a 15-passenger van should complete a department approved training course prior to the use of the van. The 15-passenger vans shall be used only under the following conditions:

- Transportation of VIPS
- Transportation of Police Department personnel, both sworn and civilian
- Transportation of PAL youth to PAL sponsored events

Additionally, these procedures shall be followed regarding the 15-passenger vans:

- The vehicle must not be "contracted" or loaned out to another entity.
- When transporting youths, the van must never pick up or drop off at any accredited school or other place of education.

Each 15-passenger van is equipped with red lights and siren. Only paid full-time sworn personnel may operate the 15-passenger van in a "Code 3" capacity when transporting sworn personnel to an emergency, disaster, or calamity that would require a large response of police personnel. When operating the 15-passenger van "Code 3," the provisions of the Department's emergency vehicle operations policy shall apply; however, under no circumstances, shall a 15-passenger van be used in a vehicle pursuit.

It shall be the responsibility of each operator of the 15-passenger van to leave it clean and refueled at the end of each use.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 6 - Investigation Operations

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 INVESTIGATIONS

The Investigations Bureau is commanded by a Lieutenant. Within the Investigations Bureau are the general Investigation Detectives who are supervised by a Crimes Against Persons Sergeant and a Crimes Against Property Sergeant. The Investigations Bureau also includes the Gang Unit, which is supervised by a Sergeant, and the Narcotics Unit, also supervised by a Sergeant.

600.3 ON-CALL DEPUTY DISTRICT ATTORNEY

The District Attorney has established a non-business hours on-call schedule to provide assistance with search warrants and for legal advice on major crimes. A rotation list with home phone numbers is maintained in the Dispatch Center. If the on-call Deputy DA is away from his/her residence, he or she can be paged. Personnel in need of a Deputy District Attorney during non-business hours should:

(a) Telephone the on-call Deputy District Attorney at home.

(b) If unsuccessful, contact the Sheriff's Department dispatch and request that the on-call Deputy District Attorney be paged.

(c) If neither a or b work, call any of the Deputy District Attorneys on the rotation list.

600.4 DISTRICT ATTORNEY CASE REFERRAL

The District Attorney has a filing policy that guides us through the process of filing cases for court: The case must be investigated to the point that it may be proven "beyond a reasonable doubt." There are exceptions to this rule to allow for the ability to obtain warrants for dangerous felons before the entire case investigation is complete.

600.4.1 PROCEDURE

In order to be as effective as possible, we will follow the stated procedure in referring cases to the District Attorney's Office (this includes traffic collisions with misdemeanor or felony violations). All cases referred to the District Attorney's Office, including outgoing and incoming documentation, must be processed through the Records Bureau and Court Liaison personnel.

600.4.2 REQUEST FOR COMPLAINT/NOTICE TO APPEAR

(a) Submit a case to the District Attorney's Office for consideration of specifically stated charges. Cases should not be sent to the District Attorney with the instruction "For Review." If, in the opinion of the reporting officer, the case is not prosecutable, the person reporting the crime must be told that there is insufficient evidence to obtain a

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

criminal conviction. However, if the reporting party demands a review by the District Attorney, that fact shall be recorded in the report and forwarded to the District Attorney.

1. Proposition 115: When submitting a case to the District Attorney's Office that was initially taken by a Community Service Officer (CSO), the investigating detective/officer needs to re-contact the victim(s) for a re-interview. This ensures statement accuracy and will allow the detective/officer to testify in court.

(b) After a case is submitted, the District Attorney reviews the case and either issues a complaint or sends a request for follow up or issues a Notice of Non-Filing.

600.4.3 WALK-THROUGH WARRANTS

In felony cases when an expedited process is necessary to obtain a warrant, the following "walk through" process is used:

(a) The detective or officer discusses the report with the Investigation Supervisor, who then approves the case for a "walk-through" warrant.

(b) The detective/officer shall call to make an appointment with the Deputy District Attorney (DDA) responsible for felony case review and then personally takes the report to the DDA. If the felony intake DDA is not available, the detective/officer will attempt to locate a supervising DDA for review. If neither is available, then the Chief District Attorney Criminal Investigator should be contacted to locate a DDA to review the case. The case should be reviewed immediately while the detective/officer waits, unless other arrangements are made with the reviewing DDA. If the DDA requires more work on the case before the issuance of warrant, the detective/officer will begin that work immediately and then resubmit the case with the completed follow-up. If the DDA refuses to file the case due to listed reasons on the "Notice of Non-Filing" form or tells the detective/officer it will not be filed, the detective/officer's supervisor must review the case. If the supervisor feels the case needs additional review by the District Attorney's Office, the case will be submitted to the Division Captain for review and determination to re-submit the case to the Chief Deputy District Attorney. If the supervisor does not feel the case needs further review, it is considered the final review unless the officer can provide further evidence to prove the case.

(c) When the case is approved for a warrant, then the detective/officer will continue the "walk through" process by taking the case to the court for issuance of the warrant.

Note: This process could be followed in misdemeanor cases when circumstances dictate. Citizen inquiries as to the status of their case should be referred to the District Attorney's Office only after the District Attorney's Office has been provided with a copy of the report.

600.5 POLICY

It is the policy of the Fairfield Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.6 INITIAL INVESTIGATION

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

600.6.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

A. Make a preliminary determination of whether a crime has been committed by completing, at a minimum:

   1. An initial statement from any witnesses or complainants.
   2. A cursory examination for evidence.

B. If information indicates a crime has occurred, the officer shall:

   1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
   2. Determine if additional investigative resources (e.g.; investigators or scene processing) are necessary, and request assistance as required.
   3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
   4. Make reasonable attempts to locate, identify, and interview all available victims, complainants, witnesses, and suspects.
   5. Collect any evidence.
   6. Take any appropriate law enforcement action.
   7. Complete and submit the appropriate reports and documentation.

C. If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.6.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact, or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.7 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.7.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video, with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation, and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Investigations supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.7.2 MANDATORY RECORDING OF ADULTS

Any custodial interrogation of an adult who is suspected of having committed any murder shall be recorded in its entirety. The recording should be video with audio if reasonably feasible (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.

(b) The suspect refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.

(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.

(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated, or another individual. Such circumstances shall be documented in a report.

(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

The Department shall maintain an original or an exact copy of the recording until a conviction relating to the interrogation is final and all appeals are exhausted or prosecution is barred by law (Penal Code § 859.5).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

600.8 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued, if one of the following applies:

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.

  (a) In these cases, the investigator shall document that the person was warned and why prosecution was not sought.

  (b) Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable, nor has the prosecutor requested further investigation.

(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted, or requested, and there is no need to take the suspect into custody.

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

(f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse Sexual Assault Investigations, and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.9 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation, and storage of; computers, cell phones, and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.10 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of a criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights, and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times, and locations of the information and report the discovery

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.
Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

600.10.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias, or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of non-government IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy, and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information, the dates and times that the information was gathered.

600.10.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.11 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY

The Operations Division Captain is responsible for ensuring the following for cellular communications interception technology operations (Government Code § 53166):

- (a) Security procedures are developed to protect information gathered through the use of the technology.
- (b) A usage and privacy policy is developed that includes:
  - (a) The purposes for which using cellular communications interception technology and collecting information is authorized.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Identification by job title or other designation of employees who are authorized to use or access information collected through the use of cellular communications interception technology.

(c) Training requirements necessary for those authorized employees.

(d) A description of how the Department will monitor the use of its cellular communications interception technology to ensure the accuracy of the information collected, and compliance with all applicable laws.

(e) Process and time period system audits.

(f) Identification of the existence of any memorandum of understanding or other agreement with any other local agency or other party for the shared use of cellular communications interception technology or the sharing of information collected through its use, including the identity of signatory parties.

(g) The purpose of, process for, and restrictions on the sharing of information gathered through the use of cellular communications interception technology with other local agencies and persons.

(h) The length of time information gathered through the use of cellular communications interception technology will be retained, and the process the local agency will utilize to determine if and when to destroy retained information.

Members shall only use approved devices and usage shall be in compliance with department security procedures, the department's usage and privacy procedures and all applicable laws.

600.12 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor, or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Captain or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Sexual Assault Investigations

602.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

602.2 POLICY

It is the policy of the Fairfield Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

602.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

602.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

602.5 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Investigations supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

602.6 TRAINING

Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:

  (a) Initial response to sexual assaults.

  (b) Legal issues.

  (c) Victim advocacy.

  (d) Victim's response to trauma.

  (e) Proper use and handling of the California standardized SAFE kit (Penal Code § 13823.14).

(b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:

  1. Interviewing sexual assault victims.

  2. SART.

  3. Medical and legal aspects of sexual assault investigations.

  4. Serial crimes investigations.

  5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).

  6. Techniques for communicating with victims to minimize trauma.

602.7 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to the Dispatch Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

602.7.1 VICTIM RIGHTS

Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

(a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim's choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2, and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).

(b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).

    1. The officer shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 679.04).

    2. A support person may be excluded from the examination by the officer or the medical provider if his/her presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

602.7.2 VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim's parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim's parent or guardian (Penal Code § 293).

Except as authorized by law, members of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

602.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated, or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

602.8.1 COLLECTION AND TESTING REQUIREMENTS

Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). SAFE kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer shall ensure that an information profile for the SAFE kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned officer determines that a SAFE kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the officer shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned officer shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned officer shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18-month period (Penal Code § 680).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

602.8.2 DNA TEST RESULTS

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

(a) Upon receipt of a written request from a sexual assault victim or the victim's authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim's case (Penal Code § 680).

  (a) Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

  (b) Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim's authorized designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):

  1. To be informed if a DNA profile of the assailant was obtained from the testing of the SAFE kit or other crime scene evidence from their case.

  2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.

  3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.

(c) Provided that the sexual assault victim or the victim's authorized designee has kept the assigned officer informed with regard to current address, telephone number, and email address (if available), any victim or the victim's authorized designee shall, upon request, be advised of any known significant changes regarding the victim's case (Penal Code § 680).

  1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

  2. No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

602.9 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Investigations supervisor.

Classification of a sexual assault case as unfounded requires the Investigations supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

602.10 CASE REVIEW

The Investigations supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Registrants

603.1 PURPOSE AND SCOPE

The City of Fairfield Police Department by policy, City Ordinance, or law will process sex, narcotic and arson registrants. The manner in which each is processed is detailed in the Records Manual.

(a) **Narcotic Registrants** - Health and Safety Code 11594 states in part, "The statements, photographs and fingerprints herein required shall not be open to inspection by the public or by any person other than a regularly employed peace or other law enforcement officer." No notifications will be made to the registrant's employer as to his/her status or requirement to register.

(b) **Sex Registrants** - Sex registrants are referenced and handled by Major Crimes in Investigation - except changes of local address and other minor miscellaneous changes that will be handled by the Records Bureau. If there are no investigators or Records personnel available, a patrol officer will be dispatched to assist.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Asset Forfeiture

606.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture, and liquidation of property associated with designated offenses.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Fairfield Police Department seizes property for forfeiture or when the Fairfield Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

Property subject to forfeiture - The following may be subject to forfeiture:

A. Property related to a narcotics offense, which includes (Heath and Safety Code § 11470; Health and Safety Code § 11470.1):

   1. Property (not including real property or vehicles) used, or intended for use, as a container for controlled substances, materials to manufacture controlled substances, etc.

   2. Interest in a vehicle (car, boat, airplane, other vehicle) used to facilitate the manufacture, possession for sale or sale of specified quantities of controlled substances.

   3. Money, negotiable instruments, securities or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, proceeds traceable to an exchange, etc.

   4. Real property when the owner is convicted of violating Health and Safety Code § 11366, Health and Safety Code § 11366.5 or Health and Safety Code § 11366.6 (drug houses) when the property was not used as a family residence or for other lawful purposes, or property owned by two or more persons, one of whom had no knowledge of its unlawful use.

   5. The expenses of seizing, eradicating, destroying or taking remedial action with respect to any controlled substance or its precursors upon conviction for the unlawful manufacture or cultivation of any controlled substance or its precursors.

B. Property related to criminal profiteering (may include gang crimes), to include (Penal Code § 186.2; Penal Code § 186.3):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. Any property interest, whether tangible or intangible, acquired through a pattern of criminal profiteering activity.
2. All proceeds acquired through a pattern of criminal profiteering activity, including all things of value that may have been received in exchange for the proceeds immediately derived from the pattern of criminal profiteering activity.

Seizure - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

606.2 POLICY

The Fairfield Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime, and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety, or any person's due process rights.

It is the policy of the Fairfield Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

606.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

606.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

(a) Property subject to forfeiture authorized for seizure under the authority of a search warrant or court order.

(b) Property subject to forfeiture not authorized for seizure under the authority of a search warrant or court order when any of the following apply (Health and Safety Code § 11471; Health and Safety Code § 11488):

1. The property subject to forfeiture is legally seized incident to an arrest.
2. There is probable cause to believe that the property was used or is intended to be used in a violation of the Uniform Controlled Substances Act and the seizing officer can articulate a nexus between the property and the controlled substance offense that would lead to the item being property subject for forfeiture.

Officers aware of assets that may be forfeitable as a result of criminal profiteering or human trafficking should consider contacting the District Attorney regarding a court order to protect the assets (Penal Code § 186.6; Penal Code § 236.6).

Whenever practicable, a search warrant or court order for seizure prior to making a seizure is the preferred method.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

606.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:

(a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds should not be seized.

(b) Real property is not subject to seizure, absent exigent circumstances, without a court order (Health and Safety Code § 11471).

(c) A vehicle which may be lawfully driven on the highway if there is a community property interest in the vehicle by a person other than the suspect and the vehicle is the sole vehicle available to the suspect's immediate family (Health and Safety Code § 11470).

(d) Vehicles, boats or airplanes owned by an "innocent owner," such as a common carrier with no knowledge of the suspected offense (Health and Safety Code § 11490).

(e) Any property when the associated activity involves the possession of marijuana or related paraphernalia that is permissible under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1).

606.3.3 SEIZED VEHICLES
Vehicles seized subject to forfeiture will be taken to a designated secure storage facility. A seized vehicle should not be impounded. The officerPatrol Sergeant shall notify the detective supervisor of the seizure of the vehicle, and circumstances of the seizure as soon as possible. The seizing officer shall:

(a) Determine equity; registered owner; and/or legal owner of the vehicle

(b) Insure a property sheet is prepared for seizure

(c) Insure that items removed from the vehicle are itemized, returned, or placed into evidence

(d) Note the seizure storage location and if the vehicle was towed or driven

(e) Photograph the vehicle to record damage

(f) Insure the vehicle is entered into SVS as a stored vehicle and CHP form 180 is completed

606.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

(a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.

(b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.

(c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, “Seized Subject to Forfeiture.” Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g.; the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

606.5 MAINTAINING SEIZED PROPERTY

The Property Supervisor is responsible for ensuring compliance with the following:

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.

(b) All property received for forfeiture is checked to determine if the property has been stolen.

(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

606.6 FORFEITURE REVIEWER

The Chief of Police will appoint an officer as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly Health and Safety Code § 11469 et seq. and Penal Code § 186.2 et seq. and the forfeiture policies of the forfeiture counsel.

(b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.

(d) Ensuring that property seized under state law is not referred or otherwise transferred to a federal agency seeking the property for federal forfeiture as prohibited by Health and Safety Code § 11471.2.

(e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

(f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form, and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:

1. Names and contact information for all relevant persons and law enforcement officers involved.
2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
3. A space for the signature of the person from whom cash or property is being seized.
4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized; that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.

(g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTB's), or Department Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

(h) Reviewing each asset forfeiture case to ensure that:

1. Written documentation of the seizure and the items seized is in the case file.
2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (Health and Safety Code § 11488.4).
4. Property is promptly released to those entitled to its return (Health and Safety Code § 11488.2).
5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
6. Any cash received is deposited with the fiscal agent.
7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

8. Current minimum forfeiture thresholds are communicated appropriately to officers.
9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.

(j) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property.

(k) Keeping a manual that details the statutory grounds for forfeitures and department procedures related to asset forfeiture; including procedures for prompt notice to interest holders, the expeditious release of seized property, where appropriate, and the prompt resolution of claims of innocent ownership (Heath and Safety Code § 11469).

(l) Providing copies of seized business records to the person or business from whom such records were seized, when requested (Heath and Safety Code §11471).

(m) Notifying the California Franchise Tax Board when there is reasonable cause to believe that the value of seized property exceeds $5,000.00 (Health and Safety Code § 11471.5).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives (Health and Safety Code § 11495).

606.7 DISPOSITION OF FORFEITED PROPERTY

Forfeited funds distributed under Health and Safety Code § 11489 et seq. shall only be used for purposes allowed by law, but in no case shall a peace officer's employment or salary depend upon the level of seizures or forfeitures he/she achieves (Heath and Safety Code § 11469).

The Department may request a court order so that certain uncontaminated science equipment is relinquished to a school or school district for science classroom education in lieu of destruction (Health and Safety Code § 11473; Health and Safety Code § 11473.5).

606.7.1 RECEIVING EQUITABLE SHARES

When participating in a joint investigation with a federal agency, the Fairfield Police Department shall not receive an equitable share from the federal agency of all or a portion of the forfeiture proceeds absent either a required conviction under Health and Safety Code § 11471.2 or the flight, death or willful failure to appear of the defendant. This does not apply to forfeited cash or negotiable instruments of $40,000 or more.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

606.8 CLAIM INVESTIGATIONS

An investigation shall be made as to any claimant of a vehicle, boat or airplane whose right, title, interest or lien is on the record in the Department of Motor Vehicles or in an appropriate federal agency. If investigation reveals that any person, other than the registered owner, is the legal owner, and that ownership did not arise subsequent to the date and time of arrest or notification of the forfeiture proceedings or seizure of the vehicle, boat, or airplane, notice shall be made to the legal owner at his/her address appearing on the records of the Department of Motor Vehicles or the appropriate federal agency (Health and Safety Code § 11488.4).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Informants

608.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with, the Fairfield Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Fairfield Police Department for a benefit (e.g.; a quid pro quo in the form of a reduced criminal penalty, money).

608.2 POLICY

The Fairfield Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited, and that payments to informants will be made according to the criteria outlined in this policy.

608.3 USE OF INFORMANTS

608.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from the Narcotic Investigation Unit or Special Operations Team supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

608.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

Except for the enforcement of laws related to the commercial sale of alcohol, marijuana, or tobacco products, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

(a) The juvenile’s parents or legal guardians

(b) The juvenile’s attorney, if any

(c) The court in which the juvenile’s case is being handled, if applicable (Penal Code § 701.5)

(d) The Chief of Police or the authorized designee

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

608.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

608.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

(a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Investigations supervisor, or their authorized designees.

  1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.

(b) Criminal activity by informants shall not be condoned.

(c) Informants shall be told they are not acting as police officers, employees or agents of the Fairfield Police Department, and that they shall not represent themselves as such.

(d) The relationship between department members and informants shall always be ethical and professional.

  (a) Members shall not become intimately involved with an informant.

  (b) Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Investigations supervisor.

  (c) Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

(e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer, or with prior approval of the Investigations supervisor.

  (a) Officers may meet informants alone in an occupied public place, such as a restaurant.

(f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.

(g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

(h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

608.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file “unsuitable” when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

(a) The informant has provided untruthful or unreliable information in the past.

(b) The informant behaves in a way that may endanger the safety of an officer.

(c) The informant reveals to suspects the identity of an officer or the existence of an investigation.

(d) The informant appears to be using his/her affiliation with this department to further criminal objectives.

(e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.

(f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.

(g) The informant commits criminal acts subsequent to entering into an informant agreement.

608.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Investigations. The Investigations supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Division Commander, Investigations supervisor, or their authorized designees.

The Operations Division Captain should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Investigations supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

608.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Name and aliases

(b) Date of birth

(c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos, or other distinguishing features

(d) Photograph

(e) Current home address and telephone numbers

(f) Current employers, positions, addresses, and telephone numbers

(g) Vehicles owned and registration information

(h) Places frequented

(i) Briefs of information provided by the informant and his/her subsequent reliability

1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.

(j) Name of the officer initiating use of the informant

(k) Signed informant agreement

(l) Update on active or inactive status of informant

608.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value, or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant’s previous criminal activity
- The level of risk taken by the informant

The Investigations Supervisor will discuss the above factors with the the Investigations Bureau Lieutenant and recommend the type and level of payment.

608.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

(a) Payments should be paid in cash from Investigations buy/expense fund.

1. The Investigations supervisor shall sign the voucher for cash payouts from the buy/expense fund.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Based on unique circumstances, or when the payment is a large sum, payment can be made by issuance of a check, payable to cash. Care should be taken in these instances to ensure the identity of the informant is not compromised.

1. The check shall list the case numbers related to and supporting the payment. The check number should be noted in the ledger when the supervisor signs for the payment.

2. A written statement of the informant's involvement in the case shall be placed in the informant's file.

(c) To complete the payment process for any amount, the officer delivering the payment shall complete an evidence of payment, which at minimum must contain a scan/ photocopy of the actual currency paid out.

1. The evidence of payment shall include the following:

i. Date

ii. Payment amount

iii. Fairfield Police Department case number

iv. A statement that the informant is receiving funds in payment for information voluntarily rendered.

2. The evidence of payment shall be signed by the informant.

3. The evidence of payment will be kept in the informant's file.

608.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant, and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant’s file.

608.6.3 AUDIT OF PAYMENTS

The Investigations Supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least annually, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g.; buy/expense fund records, cash transfer forms, invoices, receipts, and logs) will assist with the audit process.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Unlawful Firearm Possession Reward Program

609.1 PROCEDURE

Investigations will administer and audit a program that provides a $500.00 reward for information leading to recovery of unlawfully possessed firearms in theCity of Fairfield. Additionally, a reward of $100.00 will be given for information leading to the recovery and arrest for an unlawful non-firearm weapons possession on City of Fairfield school grounds. A citizen reporting another person in possession of a firearm (or an illegal non-firearm weapon on school grounds as defined by 626.10 PC) must have personal knowledge the weapon is unlawfully possessed and must provide current information regarding:

- Physical and clothing description of the responsible person.
- Current location of the responsible person and weapon.
- How they know the person is actually in possession of the weapon or firearm.

The person must cooperatively answer questions that may be necessary to ensure the witness's reliability.

Dispatchers receiving reports will obtain as much identifying information of the person making the report as possible.

- If the person making the report insists on remaining anonymous, the dispatcher will assign an incident number to the call, which will also be referred to as the Witness ID#.
- The ID# will be necessary to claim any reward issued for the information received.

The citizen/witness will be instructed to call back to confirm an unlawfully possessed gun or non-firearm weapon on school grounds was actually confiscated and make arrangements to collect any applicable reward.

609.2 DISPATCHING THE CALL

When a dispatcher receives information about an unlawfully possessed gun or weapon on school grounds, the call should be dispatched as soon as possible. Officers responding to the location of the suspect should conduct a search based on the information provided by the witness.

If an unlawfully possessed firearm or weapon is located, the person should be arrested and the weapon confiscated. In situations where the suspect is contacted and no gun or illegal weapon is located, officers should write an Information Report outlining details of the incident/contact. Supervisory approval shall be obtained in the event an identified suspect is not arrested or if a report is not generated.

609.3 CITIZEN/WITNESS CONFIRMATION

Dispatchers will provide information to the witness as indicated above and advise the citizen/ witness to contact the Investigations Bureau Lieutenant to collect the reward. The reward will

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

be issued in cash by the Investigations Bureau Lieutenant from the cash safe located in the Investigations Bureau.

The Investigations Bureau Lieutenant will and obtain a signature from the citizen/witness on the reward ledger/log kept in the Investigations Bureau cash safe.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Eyewitness Identification

610.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

610.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

610.2 POLICY

The Fairfield Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

610.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

610.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Investigations supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

610.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

610.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

610.7 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

610.8 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:

1. The length of time the witness observed the suspect.
2. The distance between the witness and the suspect.
3. Whether the witness could view the suspect’s face.
4. The quality of the lighting when the suspect was observed by the witness.
5. Whether there were distracting noises or activity during the observation.
6. Any other circumstances affecting the witness’s opportunity to observe the suspect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

7. The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(h) If a witness positively identifies a subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Crime Scene Log

611.1 PURPOSE AND SCOPE

The Fairfield Police Department is committed to preserving the integrity of all crime scenes and will establish a Crime Scene Log for all major crime scene investigations. The primary investigating officer will be responsible for initiating or assigning another officer to initiate a Crime Scene Log.

611.1.1 POLICY

During the investigation of a major crime scene, it typically becomes necessary to control and record the individuals who enter and exit a crime scene. A designated officer will be placed at the entrance/exit point of the crime scene to regulate and document ALL personnel entering the crime scene using the City of Fairfield Police Department Crime Scene Log.

After the crime scene has been released and the log completed it will be attached to the original investigation crime report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Brady Material Disclosure

612.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

612.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Fairfield Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

612.2 POLICY

The Fairfield Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Fairfield Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

612.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

612.4 DISCLOSURE OF PERSONNEL INFORMATION

Whenever it is determined that *Brady* information is located in the personnel file of a member of this department who is a material witness in a criminal case, the following procedure shall apply:

(a) In the event that a *Pitchess Motion* has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of *Brady* information in the officer's personnel file.

(b) The prosecuting attorney should then be requested to file a *Pitchess Motion* in order to initiate an in camera review by the court.

(c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.

(d) The Custodian of Records shall accompany all relevant files during any in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(e) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.

1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

612.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty, or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

612.6 TRAINING

Department members should receive periodic training on the requirements of this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Declaration To Increase Bail

613.1 PURPOSE AND SCOPE

In any case in which a person is arrested without a warrant for a bailable felony offense and a police officer has reasonable causes to believe that the bail set forth in the bail schedule is insufficient to assure the defendant's appearance or the safety of the public, the police officer shall prepare a "Declaration in Support of Motion to Increase Bail."

613.2 COMPLETION OF THE FORM

The completion of the form is self-explanatory; however, special attention must be given to the following areas:

- **Likelihood of Flight** - Facts such as prior failures to appear, lack of employment or ties to the community, violation of probation, or other pending offenses, etc. should be listed in support of this area.
- **Capital Crime** - When the charge is a capital crime the facts must be evident or the presumption great that the defendant is guilty. These facts must be set forth in the declaration.
- **Violent Felony** - When the charge is a violent felony, the facts must be evident or the presumption great that the defendant is guilty. The facts must show clear and convincing evidence of substantial likelihood that the defendant's release would result in harm to others. These facts must be set forth in the declaration.
- **Non-Violent Felony** - When the charge is a non-violent felony, the facts must be evident or the presumption great that the defendant is guilty and that there is clear and convincing evidence of that the defendant had threatened another person with great bodily harm and it is likely that the threat will be carried out.

A summary of the defendant's prior criminal history is required; both state and local information can be used. If the information is too lengthy for the form, the rap sheet, or other documents, may be attached.

Upon completion of the form, contact a judge for approval. If the motion is approved, immediately deliver it to the jail and attach a copy to the police report. Immediacy is important to prevent the defendant from posting bail while the motion is being prepared and approved. The motion must be obtained within eight hours of booking in order for it to be valid.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Prostitution Operations

615.1 PURPOSE AND SCOPE

Undercover operations designed to abate prostitution activities are a time-tested, effective law enforcement tool. Contemporary prostitutes may challenge an officer to frustrate the operation by demanding to touch or be touched in an intimate way. Some prostitutes believe that police officers are prohibited from touching during undercover operations. Although this belief is not supported by law or department policy, the potential for negative consequences requires guidelines to protect the integrity of the operation, safety of the officer, and the reputation of the Department.

In general, officers shall not do any more than is reasonably necessary to make the case. They shall always be mindful of the scrutiny these cases must bear in court and the potential impact on the Department's reputation and image.

615.2 INVESTIGATIVE PARAMETERS

Police Officers in undercover prostitution operations shall adhere to the following:

(a) Undercover officers shall not engage in any sexual activity with suspected prostitutes. Sexual activity, for purposes of this policy is defined as oral copulation, intercourse, ejaculation, digital penetration, or any other sex act that may be construed as shocking to a court of law.

(b) When faced with a suspected prostitute's demand to touch or be touched, the officer's first response shall be to distract the attention of the suspected prostitute away from the demand through verbal tactics and creative persuasion.

(c) As a last resort and when no other course of action or tactic has been effective or is practical, the officer may touch or be touched in order to make the case as long as the following are adhered to by the officer.

1. The officer shall not initiate or encourage physical contact with the suspected prostitute.
2. There is insufficient probable cause to make an arrest for either 647(a) PC, lewd Conduct; 314.2 PC Lewd Act; or 653.22 PC loitering for Prostitution, without allowing the touching.
3. The officer may touch the breast(s), skin to skin or the groin area (only through clothing), and preferably with the back of the hand, for very short duration (one or two seconds).
4. The officers shall not have skin-to-skin contact with the groin or genitalia of the suspected prostitute at any time, for any reason.

Officers shall not expose their genitals to a suspected prostitute nor allow any suspected prostitute to have skin-to-skin contact with their genitals.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Rape/Sexual Assault Physical Examination Protocol

617.1 PROCEDURE

In order to provide for the needs of the victim; facilitate a timely, cost-effective investigation; and to collect/preserve obtainable evidence, rape/sexual assault physical examinations will be conducted pursuant to department guidelines, Napa-Solano SART (Sexual Assault Response Team) protocol, and an operational agreement with the local sexual assault victim's advocate.

Not all sexual assaults require a medical examination to collect evidence. The officer will determine if the facts justify a medical examination to collect evidence. If there is no physical evidence to be collected and the victim is taken to the hospital only for medical treatment, it is not necessary to contact SART.

(a) Prior to an actual physical examination of the rape/sexual assault victim at the hospital, the investigating officer will conduct an interview with the victim to determine the facts. It is important for the officer to interview the victim to ascertain particular injuries that may exist. When conferring with examining personnel at the hospital, the officer can direct them to examine the victim for those specific injuries.

(b) With the victim's approval, the local sexual assault victim's advocate will be notified to have a sexual assault advocate/counselor meet the victim and officer at the hospital. The advocate will provide personal support through the medical exam and law enforcement interview. Penal Code 264.2(b)(1).

(c) The officer will notify the Communications Center when en route to the hospital for a rape/sexual assault physical examination. The Communications Center will notify and request response of the on-call SART nurse. If the victim is in need of immediate emergency care, he/she will be processed at the hospital as any other patient. The investigating officer may delay the notification of the SART nurse and/or advocate based on the victim's medical condition and ability to participate in the process.

(d) The nurse and advocate will meet the officer and victim at the designated hospital SART room.

When a victim goes directly to the emergency room to make the first report, the emergency room staff will contact our agency. Once the crime has been determined, the investigating officer will request the SART nurse and, with the victim's approval, the advocate.

(a) The SART nurse is responsible for the collection of evidence from the victim. Giving the evidence directly to the investigating officer, noting chain of evidence. The officer does not need to be present during the collection of evidence.

(b) The SART nurse is responsible for OCJP form 923/925 and distributing appropriate copies.

(c) After the physical examination, the investigating officer shall conduct a follow-up conference with examining personnel and the SART nurse to review the results

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

of the Department of Justice rape/sexual assault kit examination and any special examinations.

(d) The kit shall be sealed and placed in the refrigerator in the packaging area. A copy of the property sheet should be placed in locker #50, so that Property personnel are aware that the evidence has been placed there.

(e) Property personnel will check the kit for liquid blood evidence. The kit will be frozen and the blood will be refrigerated until there is a request for the item to be sent to the Department of Justice. If the suspect is unknown, the kit should be sent to the Department of Justice to develop a DNA profile.

1. The Department of Justice, upon receiving the kit, will refrigerate those perishable items contained within the kit. When the kit is returned to the police department after examination by the Department of Justice, it is no longer necessary to refrigerate the kit and its contents.

2. If any other potential evidence is obtained (i.e.; clothing, bed sheets, etc.) with seminal fluid or blood, it is suggested that those items, upon being returned by the Department of Justice crime lab, be frozen. Due to the lack of cold storage, the items will be stored on the shelf. The evidence shall be kept in accordance with current DNA retention laws. This procedure should be continued until the defendant's conviction is final, if the suspect is known, or one year after the incident if the suspect is unknown. In special cases of patterned rape or in murder/rapes, the evidence should be preserved indefinitely.

(f) When necessary, follow-up contact with the victim should be made to determine whether or not bruising or other trauma is present. If present, photographs are to be taken of the trauma area.

1. The victim should have a follow-up examination for pregnancy and venereal disease within four to six weeks of the incident. During the follow-up contact, the victim should be reminded the examination can take place with his/her private physician or theSolano County Public Health Department.

(g) Our Department will pay the fees associated with collecting evidence only, as stipulated by the agreement with Napa-Solano SART and participating medical facilities. The victim should be informed that medical treatment costs are his/her responsibility. The District Attorney's Victim of Violent Crime coordinator will assist the victim in applying for state reimbursement if the qualification is met.

(h) Officers will give victims a City of Fairfield Police Department Rape Crisis brochure (FPD 14) which describes the victim's rights and provides referral numbers.

(i) The victim should be requested to sign the Medical Records Release Waiver form (FPD 18). This enables our Department or the District Attorney to secure the victim's medical records from the medical facility.

(j) Victims who file false rape/sexual assault crime reports will be invoiced for payment of forensic evidence collection.

(k) SUSPECT EVIDENCE COLLECTION: The SART nurse will collect evidence from the suspect.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

617.2 CHILD SEXUAL ASSAULT VICTIMS

When an officer, based upon the reported circumstances, reasonably believes that acute injuries and/or DNA evidence is likely to be located, the officer will contact the on-call SART nurse to arrange for an examination. When the officer reasonably believes that evidence of healing injuries resulting from a sexual assault is present (usually greater than 72 hours after the incident), the officer will contact the SART coordinator to schedule a non-acute examination for the victim. The officer does not need to accompany the victim to the examination, but will make arrangements with the SART coordinator to sign the authorization form (OCJP 925) and retrieve any evidence collected during the exam.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Warrant Service

618.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this Department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured, or routine field warrant arrests by patrol officers.

618.2 POLICY

It is the policy of the Fairfield Police Department to balance the safety needs of the public, the safety of department members, privacy interests, and other relevant factors when making decisions related to the service of search and arrest warrants.

618.3 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor for review and classification of risk (see the Operations Planning and Deconfliction Policy).

618.4 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the SWAT Commander. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

618.5 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains the following, as applicable:

(a) Probable cause to support the search or arrest; including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime warrant execution.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) A clear explanation of the affiant's training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched.

(g) A sufficient description of the items to be seized.

(h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

618.6 HIGH-RISK WARRANT SERVICE

The SWAT Commander or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to physical search for evidence. The images should include the surrounding area and persons present.

(b) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

(c) Reasonable efforts are made during the search to not damage property.

(d) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(e) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

(f) A list is made of all items seized and a copy provided to the person in charge of the premises if present, or otherwise left in a conspicuous place.

(g) A copy of the search warrant is left at the location.

(h) The condition of the property is documented with video recording or photographs after the search.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(i) The location is secured or left in the care of a responsible party prior to leaving.

618.7 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

618.8 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts, and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible. But in any event, no later than any date specified on the warrant.

618.9 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The supervisor of the operation will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding, and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the Investigations Lieutenant, who will assign the appropriate unit to assist. The assigned unit supervisor should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The supervisor should ensure that members of the Fairfield Police Department are utilized appropriately. Any concerns regarding the requested use of Fairfield Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If the Investigations Bureau Lieutenant is unavailable, the Watch Commander should assume this role.

If officers intend to serve a warrant outside of the Fairfield Police Department jurisdiction, the supervisor of the operation should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Fairfield Police Department when assisting outside agencies or serving a warrant outside the Fairfield Police Department jurisdiction.

618.10 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Operations Planning and Deconfliction

619.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

619.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis. Including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

619.2 POLICY

It is the policy of the Fairfield Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations, and prevent duplicating efforts.

619.3 RISK ASSESSMENT

619.3.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any search warrant shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present, and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases, and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.

(b) Maps of the location.

(c) Diagrams of any property and the interior of any buildings that are involved.

(d) Historical information about the subject of investigation (e.g.; history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).

(e) Historical information about others who may be present at the location (e.g.; other criminals, innocent third parties, dependent adults, children, animals).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) Obstacles associated with the location (e.g.; fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).

(g) Other environmental factors (e.g;, nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

(h) Other available options that may minimize the risk to officers and others (e.g.; making an off-site arrest or detention of the subject of investigation).

619.3.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants, affidavits, and arrest warrants) to their supervisor.

The supervisor shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

619.3.3 HIGH-RISK OPERATIONS

If the supervisor determines that the operation is high risk, the supervisor should:

(a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:

1. SWAT/ CNT
2. Additional personnel
3. Outside agency assistance
4. Special equipment
5. Medical personnel
6. Persons trained in negotiation
7. Additional surveillance
8. Canines
9. Property or analytical personnel to assist with cataloguing seizures
10. Forensic specialists
11. Specialized mapping for larger or complex locations

(b) Contact the appropriate department members or other agencies as warranted to begin preparation.

(c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.

(d) Coordinate the actual operation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

619.4 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations, and alert participating agencies when others are planning or conducting operations in close proximity or time, or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

619.5 OPERATIONS PLAN

The supervisor of the operation should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives, and strategies.

(b) Operation location and people:

  (a) The subject of investigation (e.g.; history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history).

  (b) The location (e.g.; fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations) including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids.

  (c) Other environmental factors (e.g.; nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

  (d) Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

  1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g.; services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals, and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.

(k) Communications plan.

(l) Responsibilities for writing, collecting, reviewing, and approving reports.

619.6 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities, and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.

(b) All participants shall be visually identifiable as law enforcement officers.

1. Exceptions may be made by the supervisor for officers who are conducting surveillance or working undercover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(c) The briefing should include details of the communications plan.

1. It is the responsibility of the supervisor of the operation to ensure that the Dispatch Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.

2. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

619.7 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

619.8 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Unmanned Aerial System (UAS) Operations

620.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

620.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle [UAV]), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

620.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

620.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

620.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

-
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

620.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g.; thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

With an approved FAA waiver, authorized operators may:

- Conduct flight operations at night.
- Conduct flight operations over people not directly participating in the operation.

620.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

620.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 7 - Equipment

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them.An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available, and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

(f) Employees shall not modify or alter any issued equipment without the authorization of the Chief of Police or his/her designee.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Division Commander, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

To celebrate the Fairfield Centennial in 2003, the Department allowed employees to purchase a specially designed "Centennial Badge". It is the employee's responsibility to maintain the centennial badge; therefore, if it is lost, stolen, or damaged, the department will not repair or replace it.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties.Any employee who damages or causes to be damaged, any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

(c) The supervisor, before going off-duty, shall send an email to the Division Captain and Risk Manager detailing the location and damage to the personal property, and will cause the police report to be forwarded upon completion.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

The supervisor, before going off-duty, shall send an email to the Risk Manager detailing the location and damage to the personal property and will cause the police report to be forwarded upon completion.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Captain.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Personal Communication Devices

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCD's) but is intended to include all mobile telephones, personal digital assistants (PDA's), wireless capable tablets, and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the Internet.

702.2 POLICY

The Fairfield Police Department allows members to utilize department-issued or funded PCD's and to possess personally owned PCD's in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or off-duty hours for business-related purposes may subject the member and the member’s PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

702.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

702.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCD's can be retrieved, reassigned, accessed, or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD and use of a personal PCD at work, or for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

702.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCD's are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless a member is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

702.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g.; unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace, and have no expectation of privacy with regard to any department business-related communication.

    (a) Members may use personally owned PCD's on-duty for routine administrative work as authorized by the Chief of Police.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the expressed authorization of the Chief of Police or the authorized designee.

(f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department; which may include litigation, public records retention and release obligations, and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings, or other public records created or received on a member's personally owned PCD should be transferred to the Fairfield Police Department and deleted from the member's PCD as soon as reasonably practicable, but no later than the end of the member's shift.

Except with prior express authorization from their supervisor, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing memorandum of understanding or collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

702.6 USE OF PCD

The following protocols shall apply to all PCD's that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.

(b) All PCD's in the workplace shall be set to silent or vibrate mode.

(c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g.; informing family of extended hours). Members shall endeavor to limit their use of PCD's to authorized break times, unless an emergency exists.

(d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCD's should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

(e) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(f) Members will not access social networking sites for any purpose that is not official department business.

(g) Using PCD's to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited.Any member having knowledge of such conduct shall promptly notify a supervisor.

702.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCD's consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

702.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Members who are operating department vehicles that are not authorized emergency vehicles shall not use a PCD while driving, unless the device is specifically designed and configured to allow for hands-free use. In an emergency, a wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

702.9 OFFICIAL USE

Members are reminded that PCD's are not secure devices, and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCD's to ensure that sensitive information is not inadvertently transmitted.As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based line or other department communications network.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle Maintenance

704.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled, and present a clean appearance.

704.2 DEFECTIVE VEHICLES

When a Department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

704.2.1 ASSIGNED VEHICLE MAINTENANCE

Routine maintenance on assigned vehicles shall be performed by the Department's Fleet Operations Unit. The employee assigned to a vehicle shall be responsible for the following maintenance procedures:

(a) Checking all fluid levels, including oil, power steering fluid, transmission fluid and coolant, as necessary.

(b) Checking tire pressure and replacing flat tires as necessary. Our current tow contract provides tire changes in Fairfield and Suisun.

(c) Employees parking vehicles with MDC's will place their sunshade in the windshield when the temperature is 85 degrees Fahrenheit or above.

Employees are responsible for scheduling routine maintenance for assigned vehicles every 3,000 miles and should provide vehicle maintenance personnel with at least ten days advance notice so repairs and maintenance work can be scheduled when the employee is off duty. Employees are responsible for ensuring assigned vehicles are available at the Police Department when service is required.

704.2.2 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

704.2.3 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer’s parameters, should be removed from service and subjected to a safety inspection as soon as practicable.Such conditions may include rough roadways or off-road driving, hard or extended braking, and pursuits or prolonged high-speed operation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

704.2.4 REMOVAL OF WEAPONS
All firearms, weapons, and control devices shall be removed from a vehicle and properly secured in the Department armory prior to the vehicle being released for maintenance, service, or repair.

704.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes, and to perform routine duties.

704.3.1 PATROL VEHICLES
Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 Emergency road flares
- 2 Sticks yellow crayon or chalk
- 1 First aid kit, CPR mask
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 1 Traffic Safety Vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Evidence collection kit
- Riot Helmet with Face Shield
- Trauma Pack
- 1 Disposable Blanket
- 1 Fire Extinguisher
- HazMat Personal Protection Equipment

704.3.2 UNMARKED VEHICLES
An employee driving an unmarked department vehicle shall ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 Emergency road flares
- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit, CPR mask
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- 1 Hazardous waste disposal bag
- 1 Traffic Safety Vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Evidence collection kit
- Riot Helmet with Face Shield
- Trauma Pack
- 1 Disposable Blanket
- 1 Fire Extinguisher
- HazMat Personal Protection Equipment

704.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

704.5 WASHING OF VEHICLES

All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

704.6 CIVILIAN EMPLOYEE USE

Civilian employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Civilian employees shall also prominently display the “out of service” placards or lightbar covers at all times. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Assigned Vehicle Program

705.1 PURPOSE AND SCOPE

The Assigned Vehicle Program was implemented in 1983 to address the Department's patrol vehicle needs on a long-term basis. Since inception, the Assigned Vehicle Program significantly reduced vehicle maintenance and replacement costs. Participation in the Assigned Vehicle Program is a privilege, not an automatic fringe benefit or right. The longevity of the Assigned Vehicle Program depends largely on the program's cost effectiveness. The Support Services Division is responsible for administering the Assigned Vehicle Program.

705.2 ASSIGNMENT OF VEHICLES

Vehicles are assigned by the Administrative Services Lieutenant based on the employee's job requirements and on what vehicles are available at the time of the assignment.

When the Administrative Services Lieutenant receives notice of a new hire or change of assignment for an employee, the Lieutenant will send the employee an email indicating their assigned vehicle number and effective date of the assignment. This email and the accompanying Assigned Vehicle Agreement form will be generated whenever a change is made to the employee's vehicle assignment. A copy of the email will be sent to the employee's supervisor; the Assigned Vehicle Agreement form will be maintained by the Administrative Services Lieutenant. New Vehicles will be assigned in descending order of seniority (if their vehicle is over 3 years old) but no more than once every five years. Special assignment vehicles will be exempt from this rotation. To the extent possible, new hires will be assigned a vehicle early in the field training process.

As a general rule, assigned vehicles should be replaced after twelve years of service or 115,000 miles. The cost of maintaining a vehicle and the resale value of that vehicle are also considerations when determining whether replacement is warranted. Vehicles that sustain damage in excess of the value of the vehicle may be replaced rather than repaired.

The Administrative Services Lieutenant will notify the employee by email when their vehicle is rotating to the pool fleet, or when their vehicle is scheduled for auction. The employee's supervisor will receive a copy of the email.

Employees are required to drive pool vehicles if they have not been assigned a vehicle or when their assigned vehicle is inoperable. Exceptions to this must be approved by the Administrative Services Lieutenant or the employee's Watch Commander if the Administrative Services Lieutenant is not available.Pool cars shall not be taken home without permission from the Administrative Services Lieutenant.If an employee must leave their assigned vehicle overnight for maintenance, the employee must make other arrangements for transportation to and from work until their assigned vehicle is returned.

705.3 USE OF ASSIGNED VEHICLES

Assigned vehicles may be used for travel related to a work assignment as follows:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Sworn employees living within 60 minutes of driving time from the Police Department will be allowed to take an assigned vehicle home.

(b) Exceptions to the 60-minutes rule:

1. Motor officers
2. SWAT Team members
3. Canine officers
4. Officers driving unmarked police vehicles with the approval of the Chief of Police.
5. Officers with marked police vehicles with the approval of the Chief of Police.
6. Division Captains and Bureau Lieutenants who are entitled to either a take-home car or car allowance.

(c) Those employees who are eligible to take their cars home based on the above criteria shall provide off-street parking for the police vehicle. Exceptions to the 60-minute driving radius requirement must be approved by the Chief of Police.The address where the vehicle will be parked when not in use shall be current on the Assigned Vehicle form.

(d) Employees who do not take their assigned vehicle home may choose to park it at one of the following locations when off-duty:

1. Webster/ Kentucky East Lot (Pruneyard)
2. Waterman Treatment Plant
3. North Bay Water Treatment Plant
4. Dickson Hill Water Treatment Plant
5. Any Fairfield Fire Station
6. Other secure facility approved by the Administrative Services Lieutenant (documentation of permission to park may be required)

When driving an assigned vehicle to and from work, outside of the jurisdiction of the City of Fairfield Police Department, an officer shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists. Officers driving marked vehicles shall be armed at all times, and shall be dressed appropriately.Examples of inappropriate attire include, but are not limited to, clothing with offensive slogans, revealing attire, lack of shirt, and footwear that would not allow an officer to render public assistance if necessary. Employees shall not use assigned vehicles for personal business, such as errands, secondary employment, or transport of persons other than City employees without supervisor approval.

When an employee with a marked take-home vehicle is on vacation, leave, or out of the area in excess of one week, the vehicle shall be stored in a secure garage at the employee's residence or at one of the authorized policefacilities.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicles not in use or under the immediate control of the employee shall be locked. All firearms, Tasers, and other weapons shall be removed from the vehicle when the officer goes off duty.All firearms shall be stored in accordance with the Firearms policy. Use of an assigned vehicle for any other purposes shall be at the discretion of the Chief of Police. When a vehicle is assigned to an employee, an Assigned Vehicle Agreement form specifying the parameters for the vehicle's use and parking requirements shall be signed by the employee.The Chief of Police reserves the right to restrict an officer from taking a city-owned car home at any time.

Trainees shall not take assigned vehicles home until they have successfully completed the training program.

705.4 ASSIGNED VEHICLE EQUIPMENT

No modifications, additions, or deletions of any equipment shall be made to the vehicle without written permission from the Administrative Services Lieutenant who acts as the Assigned Vehicle Program manager.

The Department will stock assigned vehicles with a standardized inventory of supplies. Employees assigned to a vehicle shall be responsible for restocking the vehicle as necessary from equipment and supply reserves maintained by the department.

Employees should not remove equipment, including the spare tire, from one vehicle and attach it to another vehicle unless there is an emergency need, and a supervisor approves. An email should be sent to the Fleet Manager advising them of the equipment removal at the first opportunity so that it can be replaced. The department Fleet Manager are the only personnel authorized to remove or replace equipment, conduct maintenance, or install new equipment, unless authorized by the Administrative Services Lieutenant.

705.5 VEHICLES SUBJECT TO INSPECTION

All City owned vehicles are subject to inspection and/or search at any time by a supervisor. No employee assigned to, or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

705.6 KEYS

All uniformed field personnel approved to operate marked patrol vehicles shall be issued their own personal unit key as part of their initial equipment distribution upon hiring or at the time of vehicle assignment. The loss of any assigned key shall be promptly reported through the employee's chain of command.

705.7 MAINTENANCE

(a) Each employee is responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicle.

(b) Employees shall make daily inspections of their assigned vehicle for service/ maintenance requirements and damage.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) An employee whose take-home vehicle is not operable at their home shall immediately contact the on-duty supervisor.

(d) Supervisors should, at a minimum, perform semi-annual inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with policy.

(e) Routine maintenance and oil changes shall be done in accordance with the Fleet schedule. The vehicles will normally be serviced at the police department maintenance shop.

1. When leaving a vehicle for maintenance, the employee will complete a service request explaining the service or repair, and leave the vehicle in the "prune yard" lot.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vehicle Use

706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on-duty and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Fairfield to provide assigned take-home vehicles.

706.2 POLICY

The Fairfield Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments, and other considerations.

706.3 USE OF VEHICLES

706.3.1 SHIFT ASSIGNED VEHICLES

Pool cars are provided by the Department for use when an officer's assigned vehicle is down for maintenance.The use of pool cars is governed under the Pool Vehicles policy.

706.3.2 UNSCHEDULED USE OF VEHICLES

Members utilizing a City-owned vehicle for any purpose other than their regularly assigned duties shall first notify their supervisor of the reason for use. This section does not apply to members permanently assigned an individual vehicle (e.g.; command staff, detectives), who regularly use the vehicle on an unscheduled basis as part of their normal assignment.

706.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle, and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner, or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

706.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g.; continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation, or to engage in a foot pursuit, must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended while on-duty, and removed from the vehicle when off-duty.

706.3.5 MDC

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the Dispatch Center. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

706.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle’s location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data may be obtained by PSU or with Division Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

706.3.7 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

The loss of a key shall be promptly reported through the member’s chain of command.

706.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy or authorized by the officer's supervisor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

706.3.9 ALCOHOL
Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g.; task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

706.3.10 PARKING
Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

706.3.11 ACCESSORIES AND/OR MODIFICATIONS
There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

706.3.12 CIVILIAN MEMBER USE
Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall prominently display the "out of service" placards or light bar covers at all times. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

706.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES
Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment. The use of individually assigned vehicles shall be in accordance with the Assigned Vehicle Program policy.

706.4.1 ON-DUTY USE
Vehicle assignments shall be based on the nature of the member’s duties, job description, essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

706.4.2 TAKE-HOME USE
Members may take home assigned department vehicles as approved by the Chief of Police and the City of Fairfield in accordance with the Assigned Vehicle Program policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

706.4.3 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

(a) Members shall make daily inspections of their assigned vehicles for service/ maintenance requirements and damage.

(b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

(c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) When leaving the vehicle at the maintenance facility, the member will complete a service request explaining the service or repair.

(f) All weapons shall be removed from any vehicle left for maintenance.

(g) Supervisors shall make periodic inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

706.5 UNMARKED VEHICLES

Vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a division supervisor. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall get approval from the Watch Commander.

706.6 DAMAGE, ABUSE, AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. An administrative investigation may be initiated to determine if there has been any vehicle abuse or misuse.

706.7 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

(a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.

(b) Members passing through a toll plaza or booth during a response to an emergency shall notify the appropriate Division Commander within five working days explaining the circumstances.

(c) Members who drive City vehicles through toll plazas as part of their commute to and/or from work are responsible for paying their own toll.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Pool Vehicles

707.1 PROCEDURE

The Fleet Maintenance Unit is responsible for maintaining all department vehicles including; marked, unmarked, volunteer pool vehicles, and special use vehicles.

The Fleet Maintenance Unit will perform routine maintenance inspections on the pool vehicles weekly. This will include checking fluid levels, tire pressure, vehicle damage and general drivability. This inspection does not relieve drivers of the responsibility of examining the vehicle prior to operation to ensure it is in proper working order. If any pool vehicle is in need of repair or maintenance, the employee using the pool vehicle is responsible for submitting a service request.

After using a pool vehicle, the driver shall ensure the car has at least 1/2 tank of gas and the interior is neat and clean.

All pool vehicles are to be parked in the pruneyard parking lot (across Webster Street) only.

SMOKING IS NOT ALLOWED in any City owned vehicle, including assigned vehicles and all pool vehicles.

Private vehicles (POVs) are NOT TO BE USED for City business, including training, without prior authorization.

707.2 UNMARKED POOL VEHICLES

Sworn personnel who are assigned marked units are encouraged to take their vehicle to training, but have the option of using an unmarked pool vehicle if two or more employees are attending the same class, and a pool car is available.

This option requires prior authorization from the Administrative Services Lieutenant. Civilian personnel may also use unmarked pool vehicles for training, or if one is needed and available for administrative duties.

707.3 MARKED POOL VEHICLES

On-duty sworn personnel should use marked pool vehicles when their assigned unit is not in service. The marked pool vehicle is not to be used as transportation for training, and should not be taken home without supervisor approval.When an officer uses a pool vehicle, at the end of their shift he/she shall remove all trash, personal belongings, and equipment.Unassigned marked units that are not designated as pool cars should not be used without permission from the Administrative Services Lieutenant, or a Watch Commander.

707.4 VOLUNTEER POOL VEHICLES

Keys to the volunteer and Explorer vehicles are kept in the Keywatcher cabinet for check-out by the Sergeant or Watch Commander who will be responsible for ensuring the keys are returned to the Keywatcher cabinet after they are no longer needed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Exempt Registration Process

709.1 PROCEDURE

Initial registration of vehicles purchased for the Department is handled by the car dealership when transferring title of the vehicle to the City of Fairfield. Typically all City vehicles receive exempt license plates initially.

709.2 PREPARING TO REPLACE LICENSE PLATES

A temporary registration tag should be obtained and affixed to the vehicle. Request for a "temporary tag" from the Department of Motor Vehicles (DMV) Confidential Records Bureau can be made by phone at (916) 657-7142.Up to three temporary tags may be requested in one phone call. The DMV requires the following information on the vehicle:

- Vehicle make, model, and type
- Complete Vehicle Identification Number (VIN)

If there are more than three vehicles needing temporary tags, a letter including the vehicle information may be submitted by fax to (916) 657-8146.

Usually temporary tags arrive by mail in seven (7) to 10 days after the request to DMV.

When any assistance is needed, such as reordering forms or checking status of a license plate request, the phone number (916) 657-7142 may be used. No photocopies of DMV forms will be accepted, except INV 175 (see procedure below).

709.3 TO REQUEST NON-EXEMPT PLATES WHEN EXEMPT PLATES HAVE BEEN ISSUED

Send the following to DMV using a package delivery service with package tracking (such as FedEx or OnTrac):

- Exempt plates
- Original vehicle registration (always keep a photocopy of it)
- Letter stating the request
- DMV form # INV 218

<u>Send to:</u>

Department of Motor Vehicles

Attn: Confidential Records Bureau

2415 1st Ave.

Sacramento, CA 95818

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The necessary forms and the application process are handled through the Patrol Division, Vehicle Maintenance unit. Samples of a completed INV 218 and letter are available through the office specialist for the Patrol Division. It takes eight to 10 weeks to receive new non-exempt license plates from DMV.

709.3.1 TO REQUEST EXEMPT PLATES WHEN NON-EXEMPT (UNDERCOVER) PLATES ARE NO LONGER NEEDED

Send the following to DMV using a package delivery service with package tracking (such as FedEx or OnTrac):

- Undercover plates
- Original vehicle registration (always keep a photocopy of it)
- Letter stating the request
- DMV form # REG 5050

Send to same DMV address as above. This process is handled through the Patrol Division, the Vehicle Maintenance unit. New plates will arrive in eight (8) to 10 weeks from the DMV.

709.3.2 RENEWAL OF NON-EXEMPT REGISTRATION

Renewal of registration can be submitted within 60 days prior to the expiration date. To apply for renewal, prepare a list (original and one copy) for vehicles expiring during the same month.

- DMV form # INV 175, which is a list of all registrations being renewed
- DMV INV 218 for each vehicle
- Letter with request

Send to the same DMV address as above. This process is handled through the Operations Division, Vehicle Maintenance unit. Within eight (8) to 10 weeks, the DMV will send the copy of the INV 175, which has been stamped, the renewal tag number assigned to each vehicle, and the renewal tags for the vehicles. A copy of the INV 175 and the renewal tags are given to the Vehicle Maintenance unit to be placed on the appropriate vehicles.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Personal Protective Equipment (PPE)

710.1 PURPOSE AND SCOPE

This policy identifies the different types of Personal Protective Equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

710.1.1 DEFINITIONS

Definitions related to this policy include:

Personal Protective Equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

710.2 POLICY

The Fairfield Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

710.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

710.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

710.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

710.6 HEAD AND BODY PROTECTION

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

710.7 RESPIRATORY PROTECTION

The Administrative Services Uint Division Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (8 CCR 5144):

(a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.

(b) Fit testing, including identification of members or contractors qualified to conduct fit testing.

(c) Medical evaluations.

(d) PPE inventory control.

(e) PPE issuance and replacement.

(f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.

(g) Regularly reviewing the PPE plan.

(h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

710.7.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g.; a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (8 CCR 5144):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.

(b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.

(c) The member needs to replace the respirator, filter, cartridge or canister.

710.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (8 CCR 5144):

(a) Ensure that facial hair is short, and well-kept between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.

(b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.

(c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.

(d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

710.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (8 CCR 5144).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

(a) They smell, taste or are irritated by a contaminant.

(b) They experience difficulty breathing due to filter loading.

(c) The cartridges or filters become wet.

(d) The expiration date on the cartridges or canisters has been reached.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Replace canister if blue indicator on canister shows it needs to be replaced.

710.7.4 SELF-CONTAINED BREATHING APPARATUS
Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

(a) Entering the hot zone of a hazardous materials incident.

(b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.

(c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

710.7.5 RESPIRATOR FIT TESTING
No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (8 CCR 5144).

After initial testing, fit testing for respiratory PPE shall be repeated (8 CCR 5144):

(a) At least once every 12 months.

(b) Whenever there are changes in the type of SCBA or facepiece used.

(c) Whenever there are significant physical changes in the user (e.g.; obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

710.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE
No member shall be issued respiratory protection that forms a complete seal around the face until (8 CCR 5144):

(a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.

(b) A physician or other licensed health care professional has reviewed the questionnaire.

(c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

710.8 RECORDS
The Training Sergeant is responsible for maintaining records of all:

(a) PPE training.

(b) Initial fit testing for respiratory protection equipment.

(c) Annual fit testing.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule and 8 CCR 5144.

710.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (8 CCR 3380).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (8 CCR 5144).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 8 - Support Services

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide current useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long term planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Statewide Integrated Traffic Reporting System (SWITRS)
- Records Management System

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons in a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

800.5 DATA MAINTENANCE

Crime analysis should maintain a variety of computerized and manual records related to policy activity.

Information should be disseminated using the appropriate format, but not limited to:

- Reports
- Graphs
- Charts
- Maps

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Dispatch Center

802.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of the Dispatch Center. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

802.2 POLICY

It is the policy of the Fairfield Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability providing continuous communication between the Dispatch Center and department members in the field.

802.2.1 COMMUNICATIONS CENTER OPERATIONS

The Communications Center should be free of distractions such as boisterous activity or loud talking. It shall be maintained in a neat and orderly fashion. Dispatchers shall store personal items in assigned lockers or designated areas. Dispatchers shall be responsible for cleaning console counter-tops and light housekeeping in between scheduled janitorial service.

Use of electronic devices that have not been installed by the IT department, or authorized by police and IT management are prohibited in the Communications Center. Dispatchers shall abide by City policies with regards to internet, e-mail, and cell phone use.

Access to the Communications Center is restricted to on-duty dispatch personnel, supervisors, management, and department personnel with business for dispatch.All personnel shall leave the Communications Center when their business is completed.

802.2.2 COMMUNICATIONS CENTER STAFFING

The Communications Center will be staffed on a 24 hour/7-day basis.Recommended minimums shall be established to provide adequate coverage to support field operations and telephone activity levels. Recommended minimums shall be reviewed and updated if necessary at least every three years.

Shift schedules shall be designed to meet FEA MOU guidelines and at least provide minimum staffing levels at all times. Dispatchers may bid for shift preferences prior to rotation; however, final shift assignments may differ to insure a balance of experience is maintained throughout the day.

Requests for shift trades, regardless of length, must be submitted and receive approval from the supervisor in advance.

When staffing shortages occur, it is the responsibility of the on-duty dispatch supervisor to insure coverage is arranged in accordance with recommended minimum staffing levels. If no dispatch supervisor is on-duty the responsibility falls to the Patrol Sergeant or Watch Commander.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

802.2.3 DISPATCHER SHIFT RESPONSIBILITIES

At the beginning of each shift, dispatchers must familiarize themselves with events that have occurred on previous shifts as well as to check and adjust equipment to be used on their own shift.

(a) Dispatchers shall complete the following tasks at the beginning of each shift:

1. Check all printers and fax machine
2. Review the briefing log since last time on duty; print current events
3. Review the information clip board and initial as necessary
4. Review e-mail
5. Review the bulletin board

Dispatchers going off-duty are to thoroughly brief the dispatchers relieving them. A dispatcher will attend each Patrol Briefing as staffing allows. The purpose of attending this briefing is to exchange information about staffing assignments and to obtain information about tasks and operations planned for the oncoming patrol shift.

802.2.4 TDD PROFICIENCY

Every Communications Center position is integrated with TDD capability (telecommunications device for the deaf). Every dispatcher will be trained in the proper operation and function of the TDD system. It is the dispatcher's responsibility to train on the TDD system at least once a month and to provide proof of this training for review by the supervisor.

802.2.5 RADIO CONSOLE POSITION RESPONSIBILITIES

Emergency radio traffic is handled prior to telephone traffic to ensure that field units are ready and able to respond to calls for service received from telephone calls. It is the responsibility of each dispatcher to work as a team to meet the demands of the following priorities:

(a) Handling of all traffic on assigned radio channels

(b) Handling of all 9-1-1 telephone calls

(c) Handling of all non-emergency telephone calls and monitoring other radio channels

(d) Handling of all teletype work

(e) Handling of all other tasks assigned to the Communications Unit

802.3 THE DISPATCH CENTER SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of the Dispatch Center, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for the Dispatch Center.

Access to the Dispatch Center shall be limited to the Dispatch Center members, Watch Commander, Command Staff, and Department members with a specific business-related purpose.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

802.3.1 LOGGING RECORDER PROCEDURE

Emergency radio and telephone communications for all City radio channels must be recorded on an audio recording system to comply with California Government Codes §§ 53115(e) and 26202.6. This recording system, purchased from Digital Loggers, Inc., operates 24 hours a day, seven (7) days a week. The recording equipment is maintained in the Dispatch Center.

The Digital Logger system has two fiber channel disc arrays. Both disc arrays record the same information for redundancy. As an added precaution, the recordings are backed up on external USB drives. The USB hard drives are switched out monthly and sent off site for storage. A separate dedicated workstation is included for audio editing.

Recordings made from this system may be used as evidence for court proceedings, internal investigations, and training purposes. Only personnel trained in the use of this system are authorized to produce recordings from this system.

802.3.2 SUPERVISORY NOTIFICATIONS

The role of the dispatcher is to deploy field units to calls for service in a manner consistent with Department objectives, service levels, and always with safety in mind. Dispatchers are authorized to make decisions within these parameters, along with the following guidelines:

(a) Patrol Supervisors must be advised of all calls at schools that have pended more than five minutes and where students are present.

(b) Patrol Supervisors shall be kept advised of pending call volumes, including any priority 1 calls that cannot be dispatched within one minute, or any other call that cannot be dispatched within 30 minutes.

(c) Patrol Supervisors shall be notified of all calls re-assigned in which an officer will not arrive within 30 minutes of first being dispatched.

(d) Patrol Supervisors will routinely monitor the radio and will advise the dispatchers as they become aware of emergency calls of a major or serious nature. In the event of a major incident, the dispatchers will ensure the Patrol Supervisor is advised.

802.3.3 TELEPHONE CALL PRIORITIES

Four types of telephone lines terminate in the Communications Center and should be answered in the following priority:

(a) 9-1-1 emergency lines

(b) Seven-digit emergency lines

(c) Point-to-point ring-down or direct dial lines

(d) Non-emergency business lines

Dispatchers shall place callers on hold to answer a higher priority telephone line. High priority emergency lines should be answered within two rings, non-emergency lines within five rings.

Business calls for other department employees will be transferred to the appropriate central answering point. Calls for officers in the field will be forwarded to their voicemail number.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

802.3.4 EMERGENCY LINES

The incident type “911” shall be used for all landline 911 hang ups. “911c” shall be used for all 911 cellphone hang-ups until a different code type is warranted. "911T" shall be used for all Text -to-911 calls. All “911”, “911c” and "911T" coded calls shall be treated as a potential in-progress event and dispatched within a reasonable period of time. Patrol Supervisors shall be advised by dispatch of all “911”, “911c” and "911T" coded calls pending more than five minutes.

All “911” calls shall be entered as a call for service. An officer will be dispatched to the address on the ALI screen. Should the Automated Numeric Identifier/Automated Location Identifier (ANI/ALI) screen not display an address, the dispatcher shall use other resources to attempt to obtain this information.

All “911c” calls shall be entered as a call for service. If an address is not known from the ANI/ALI screen, dispatch shall use other resources to obtain this information. If an address is located from other resources, dispatch will update the address in the call for service. If latitude and longitude are all that are available and it’s within 50 meters of an address, dispatch will update the location in the call for service and dispatch an officer.

If a phase 1 "911c" call is received with an open line, the dispatcher will attempt to rebid/retransmit the call and update the call with the new latitude and longitude. If a location is found within 50 meters of an address, dispatch will update the location and dispatch officers. (A phase 1 is any call where ANI/ALI shows only the cell tower address with a generic latitude/longitude).

Dispatch shall attempt to call back the cell number and check for prior contacts for all "911c" calls. If the dispatcher is unable to make contact with the caller, and no associated address is found and the range is greater than 50 meters from a location, the dispatcher may close out the call with a disposition of “unable to locate”. If the dispatcher calls back and makes contact with someone who states the call was a misdial or pocket dial, dispatch may close the call with the proper documentation and a disposition of “unfounded”.

All "911c" calls where the number begins with a prefix of 911 shall be entered into CAD and then closed with “unable to locate”, unless a local address can be obtained within 50 meters of an address. (A prefix of 911 means no provider information available).

Security at the Solano Town Center and NBMC may check 911 hang ups. The call can be closed out once security has confirmed the location has been checked. Security should not be requested to respond to calls where there is an obvious indication of trouble.

All “911T” calls shall be entered as a call for service. Calls received via text message will come into the Center on the 911-telephone console. All call taking procedures will be followed, including verifying the address and phone number. The dispatcher may use canned messages in collecting specific call related information. The dispatcher will broadcast the call as 911 Text (same as 911 Cell broadcast).

Dispatchers shall not use texting jargon/lingo, abbreviations, or acronyms, and shall spell out questions to avoid misunderstanding with the callers. Dispatchers shall ask for clarification for

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

receipt of any ambiguous messages/phrases. Dispatchers should not assume to understand abbreviations or slang provided by the callers without verifying its meaning. Once all the necessary information is obtained from the text caller, the dispatcher will make it clear that the text session will be ending before ending the session.

For **In Progress Calls**, the conversation will be kept “open” to provide updates until an Officer arrives on scene. If the conversation is “ended”, we are only able to re-contact via a phone call, which may not be applicable in all situations.

A voice call should not be made to a text caller in cases where their safety, or the safety of another, is in question. The dispatcher should ask the caller if it is safe to receive a voice call. If an Officer requests a call back, inform the Officer the call came in via text. If the Officer still requests a call back, make the call back and document the request in the CAD incident.

If a text message is received without information or with vague information, the call taker will send a canned message, “Fairfield 911, what is your emergency?” If no response after 2 minutes, the dispatcher may end the session.

When transferring text calls, remain on the line to make sure the agency receives the transfer. If a transfer fails, place a voice call to the agency and remain on the text call if needed.

802.3.5 PROCESSING CALLS FOR SERVICE

The dispatcher's role is to determine the type of service requested by the caller, and to dispatch the appropriate field personnel or to refer the caller to the proper resource. Calls for service are classified and assigned an "activity type," and are prioritized as follows:

(a) In-progress emergencies requiring response by first available police or fire unit.

(b) Non-emergency request for service requiring response by police officer, CSO, or firefighter.

(c) Services provided exclusively by Communications.

Dispatchers shall use discretion when committing to a specific response time to avoid setting unrealistic expectations by the public. Dispatchers should attempt to re-contact the reporting party when it becomes apparent that the call will not be dispatched within sixty (60) minutes.

802.3.6 INFORMATION NOT TO BE BROADCAST OVER A VOICE CHANNEL

Information of a sensitive or confidential nature shall not be broadcast over a voice radio channel, unless there is an immediate threat to life and no other means available to deliver the information. Information considered confidential includes:

- Addresses/telephone numbers of department employees.
- Locations of inoperable alarm systems.
- Locations of buildings that cannot be secured.
- Locations of stakeouts/undercover assignments or search warrants before they are served.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Department of Justice Criminal History.

802.3.7 STATUS CHECKS

For the sake of safety, dispatchers will be constantly mindful of the status of units in the field. The CAD status screen will, at all times, be kept accurate based upon information provided to the dispatcher by field units. Dispatchers will inquire about the status of any field unit who remains inactive for an extended period of time. While assigned to an event and depending on the type of detail, the dispatchers shall check the status of field units within a reasonable time-frame.

If an inaudible radio transmission is heard, which may indicate the officer is in trouble, the dispatcher shall initiate a status check of all units by broadcasting, *"Attention, Fairfield Units status check",* followed by all unit numbers individually on the CAD status monitor. Once all units are accounted for, the dispatcher shall broadcast, *"All units accounted for, Fairfield clear at (current time)".* The dispatcher will immediately advise the Patrol Supervisor of any field unit who does not answer the call for status check. If known, a cover unit will be dispatched to the location of the missing unit.

802.4 SPECIAL TYPES OF CALLS FOR SERVICE

802.4.1 DISPATCHING CRIMES IN PROGRESS

A crime in progress includes an incident that has just occurred or the suspect is still at the scene. Information from witnesses at the scene must be recorded and relayed to field units as quickly as possible to increase the likelihood of suspect apprehension. Dispatchers will first obtain the location, nature of the incident, and immediately generate a CAD incident to insure the incident can be broadcast and field units assigned as soon as possible. All dispatchers should be attentive to the actions of co-workers to insure they know an emergency call has been entered. Dispatchers will update the event in the CAD system by entering each line of information as it is received.

Dispatchers should not hesitate to advise field units of a pending dispatch of an emergency call. Once the initial details of the incident are broadcast, dispatchers should refer to various resources in the Communications Center to assist field units in setting up a perimeter, if necessary. If appropriate, the dispatcher may activate a "Code 33" to restrict radio traffic so additional information about the incident can be relayed as it is received.

802.4.2 DOMESTIC VIOLENCE CALLS FOR SERVICE

Domestic violence is a serious crime. Penal Code § 13702 mandates that calls reporting threatened, imminent or ongoing domestic violence -- and the violation of any protective orders -- shall be ranked among the highest priority calls. Dispatchers shall appropriately code all domestic violence calls in accordance with department policy. They shall ask the reporting party about the existence of any protection orders pertaining to the victim or suspect, and note in the call for service.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

802.4.3 DISPATCHING FIRE DEPARTMENT PERSONNEL

The assignment of fire personnel to fires, medical emergencies, and other public service calls is all pre-determined based upon the location of the incident relative to a fire station, and the amount of equipment and personnel needed to provide the service.

All of these responses are contained in the CAD Recommendation Table, otherwise known as "Fire Run Cards". Dispatchers will follow these pre-determined responses in all cases, unless directed otherwise by a Fire Supervisor.

802.4.4 METHODS FOR NOTIFYING FIRE STATIONS OF CALLS FOR SERVICE

Fire Stations are notified of calls for service using one of the following methods and in the order they are listed, depending upon the availability of the method of notification:

(a) Radio Paging Encoder and voice broadcast on the main Fire channel and CAD printout.

(b) Radio Paging Encoder and voice broadcast on secondary Fire channel or Failsoft designated channel, and CAD printout.

(c) Ring-down telephone line and CAD printout.

(d) Telephone call to Centrex extension and CAD printout.

(e) Station cell phones.

802.4.5 STEPS TAKEN BY DISPATCHERS WHEN PROCESSING FIRE DEPARTMENT CALLS FOR SERVICE

Dispatchers will take the following steps when processing a Fire Department call for service:

(a) Determine the nature of the emergency, location, and generate a CAD event.

(b) Determine the appropriate response by pressing then using the CAD recommendations.

(c) Dispatch the call initiating a broadcast.

1. Press the alert tone for TWO seconds.
2. Broadcast, *"Standby Engine # for a (nature of the call)."*
3. Activate the appropriate paging tones.
4. Broadcast, *"Attention Engine #, respond to a (nature of the incident) at (location) (details, including ambulance company is responding, if appropriate), (map page) time out (current time)."*
5. If any engine dispatched to a call for service does not acknowledge the call either verbally via radio or by updating the engine's status to "E" in CAD within 3 minutes, the dispatcher will confirm that the engine copied the dispatch.
6. The dispatcher will complete status checks with fire engines on scene at calls. Typically, this should occur once the engine has been on scene for 15 minutes. Additional status check may be necessary in 15 minutes increments thereafter;

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

depending on how long the unit remains on scene. Any changes in status shall be logged in the CAD incident.

(d) Advise police personnel of all emergency response by the Fire Department over Patrol 1.

802.4.6 FIRE/AMBULANCE AND POLICE RESPONSE TO MEDICAL EMERGENCIES

(a) Policy

1. Dispatchers are not to determine the response code of fire/ambulance personnel. The response code is determined by fire/ambulance personnel or by a first responder (i.e.; police officer) on scene.

802.4.7 FIRE/AMBULANCE AND POLICE RESPONSE TO MEDICAL EMERGENCIES

(a) Procedure

1. Dispatchers are to automatically send fire/ambulance personnel, along with police units to all reports of; head-on traffic collisions and rollover accidents, all accidents with airbag deployment, and reports of motorcyclists down. The calls should be coded as 11-79b or "Rescub" to generate a response from both agencies.

2. Dispatchers and police officers do not determine the response code for the Fire Department or ambulance service. The code of response is determined by the responding agency (fire/ambulance). As first responders and when on scene, police officers can choose to reduce the number of responding fire/ambulance units upon determination (the best judgment of the police officer) that the difference in Code 3 or Code 2 response time would not impact the patient's outcome.

3. The first responder (police officer) may cancel a responding fire/ambulance unit upon determination that there are no injuries or illnesses that require ambulance transport, or if the patient on scene refuses fire/ambulance services.

802.4.8 CITIZEN REQUESTS FOR EMERGENCY MEDICAL ASSISTANCE

When any citizen requests and then cancels that same request for emergency medical care prior to the arrival of fire/ambulance units, the dispatchers may cancel the responding units and note the reason for cancellation on the CAD incident.

When any citizen has established telephone contact and indicated that they are experiencing a medical emergency but are unsure whether they want or need medical assistance, dispatchers will dispatch Fire and medical personnel to their location to ensure the safety and well-being of the individual.

802.4.9 DECISIONS ABOUT WHEN TO STAGE A RESPONSE

For those calls that require both fire/ambulance and police response, Dispatch will advise responding fire/ambulance units to stage when:

- The suspect is on scene or nearby.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- The patient is violent.
- There is a threat of violence to responding fire/ambulance personnel.
- There is a weapon involved.

Dispatch must advise responding fire/ambulance units of the reason for staging. Dispatch must also advise responding police units that medical is staging and the reason. Only police units shall determine scene security.

If responding fire/ambulance personnel decide to stage on their own, they are to advise Dispatch. Dispatch then is to advise responding police units that fire/ambulance personnel are staging.

If Fairfield Fire units are responding to a County jurisdiction, such as Mental Health, Fairfield Dispatch will immediately advise Solano County Dispatch where staging is required.

On dual-response calls, Fire personnel will advise Dispatch from where they are responding Code 3, and Dispatch will relay that information to responding police units. Fire personnel responding from a location other than in quarters are required to advise Dispatch of the location.

802.5 SPECIAL RESPONSES

802.5.1 AMBER ALERT

An Amber Alert occurs when a law enforcement agency sets in motion a widespread broadcast and multi-agency notification to enlist the assistance of the public in attempts to locate an abducted child.

Refer to Policy § 334 and to the Response Plan manual located in Dispatch for the full Amber Alert protocol.

802.5.2 EMERGENCY DIGITAL INFORMATION SYSTEM (EDIS)

Emergency Digital Information System (EDIS) is a service provided through the Governor's Office of Emergency Services. The EDIS system provides emergency agencies the ability to alert and inform news media and the public on emergency situations such as natural disasters, child abductions, and other threats to public safety. It can be accessed via the CLETS system.

Refer to the Response Plan manual located in Dispatch for the full EDIS protocol.

802.5.3 NORTH AMERICAN AEROSPACE DEFENSE COMMAND (NORAD)

The NORAD (North American Aerospace Defense Command), in conjunction with NENA (National Emergency Number Association) and NASNA (National Association of State 9-1-1 Administrators), have created an agreement for all Public Safety Answering Points (PSAP) to follow when receiving 9-1-1 calls from parties reporting terrorist activity or a hijacking on an airborne aircraft.

802.6 EMERGENCY EVACUATION AND E9-1-1 TRANSFERS

Fairfield Police Department is the backup 9-1-1 PSAP for the Solano County Sheriff's Office and the Travis Air Force Base Security Police Department. In the event of an emergency

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

requiring evacuation of either Communications Center, a dispatcher from that agency will notify our Communications Center and request activation of the E9-1-1 Automatic Transfer Switch. Should a dispatcher from the County be assigned to dispatch from our Communications Center, a console will be assigned.

802.6.1 EVACUATION PROCEDURES FOR FAIRFIELD POLICE DEPARTMENT COMMUNICATIONS CENTER

When a situation arises that requires the evacuation of our own Communications Center, dispatchers will perform the following functions prior to leaving, unless the situation is life-threatening:

- Broadcast to all personnel on the main Police and Fire channels, and over the paging system within the building the nature of the emergency, advising that the Dispatch Center is being evacuated. Advise the Patrol Watch Commander of the emergency situation.
- Contact Solano County Sheriff's Office via telephone or their radio channel and advise them of the emergency and pending evacuation. Request they activate the 9-1-1 call transfer switch; this will automatically forward City of Fairfield 9-1-1 calls to their communications center.
- Request a patrol unit report to the sally port with a patrol vehicle. Take the portable radios assigned to Dispatch from the Communications Manager's office.
- Evacuate the Dispatch Center using the closest available exit door.

802.7 CLETS

All personnel shall abide by the Department of Justice CLETS policies. All hard copy printouts shall be disposed of via shredding.

When requesting entry into the CLETS system, a case number along with pertinent information is required.

802.7.1 CLETS DRIVERS LICENSE/CRIMINAL HISTORY INQUIRIES FOR ARRESTS

Criminal Histories are run for all arrests resulting in booking into the County jail or Juvenile Hall, excluding warrant arrests or those for public intoxication or release under Penal Code § 849b. Criminal Histories are also run for all citations issued in violation of Business & Professional Codes, Health and Safety Codes, and Penal Codes.

All Criminal History requests must include a case number, requesting officer ID, and dispatcher/ clerical ID.

802.7.2 RECOVERED STOLEN VEHICLES

When an officer in the field recovers a stolen vehicle, it is incumbent upon the officer to attempt to notify the victim of the recovery of the vehicle. One attempt is sufficient.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

When Communications Center personnel receive teletype notification of a recovered stolen vehicle, they shall attempt to notify the victim of the recovery of the vehicle. Documentation of the notification shall be made on the CAD incident. One attempt is sufficient.

802.8 DESTRUCTION OF HARD COPY RECORDS

Hard copy printouts of any record obtained from the department's Records Management System, CAD or CLETS systems are considered confidential and are "controlled documents". In all cases when hard copy printouts are no longer needed, they shall be destroyed beyond recognition.

802.9 RADIO BROADCAST AND A RADIO BROADCAST ALERT

All field units must be aware of a variety of incidents and information; some may require the use of a radio broadcast alert. An alert may be generated within the department or received from other agencies via radio, telephone, or the CLETS network. In all cases, this information shall be documented in CAD, either on the original event or in a separate CAD event.

802.9.1 DISPATCHERS MAY BROADCAST AN ALERT

Dispatchers may broadcast an alert using the radio or PMDC or both, depending upon the nature of the information. When determining the best method of dissemination, dispatchers will consider the importance of the information to those units without access to a PMDC (Traffic, Investigation, Explorers, etc.).

Typically information regarding officer safety, vehicles, or persons of interest should be broadcast both on the radio and PMDC. Information of a sensitive nature that could be compromised by a broadcast on the radio should be put out exclusively on the PMDC. If necessary, personnel without a mobile computer should be directed to call the Dispatch Center by telephone.

802.9.2 DISPATCHERS' FORMAT FOR ALL BROADCASTS AND WHEN BROADCASTING AN ALERT

All broadcasts shall be preceded with *"Attention, City of Fairfield units, standby to copy (nature of the broadcast, i.e.; crime or information)."* When broadcasting an alert regarding a crime, the following format shall be used:

(a) Type of crime; when it occurred and location.

(b) Vehicles involved and direction of travel.

  1. Color, year, make, model, body type, other, license

(c) Suspects involved and weapons used.

  1. Descriptors: race, sex, age, height, weight, hair color, eye color, facial hair, glasses
  2. Clothing, top to bottom

(d) Authority for action (stop, detain, arrest).

Suspects should be referred to by number and their involvement (driver, passenger, etc.).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

802.10 RESPONSIBILITIES

802.10.1 THE DISPATCH MANAGER

The Chief of Police shall appoint and delegate certain responsibilities to a Dispatch Manager. The Dispatch Manager is directly responsible to the Support Services Division Commander or the authorized designee.

The responsibilities of the Dispatch Manager include, but are not limited to:

(a) Overseeing the efficient and effective operation of the Dispatch Center in coordination with other supervisors.

(b) Scheduling and maintaining dispatcher time records.

(c) Supervising, training, and evaluating dispatchers.

(d) Ensuring the radio and telephone recording system is operational.

1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.

(e) Processing requests for copies of the Dispatch Center information for release.

(f) Maintaining the Dispatch Center database systems.

(g) Maintaining and updating the Dispatch Center procedures manual.

1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.

2. Ensuring dispatcher compliance with established policies and procedures.

(h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.

(i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

802.10.2 ADDITIONAL PROCEDURES

The Dispatch Manager should establish procedures for:

(a) Recording all telephone and radio communications and playback issues.

(b) Storage and retention of recordings.

(c) Security of audio recordings (e.g.; passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).

(d) Availability of current information for dispatchers (e.g.;Watch Commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).

(e) Assignment of field members and safety check intervals.

(f) Emergency Medical Dispatch (EMD) instructions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(g) Procurement of external services (e.g.; fire suppression, ambulances, aircraft, tow trucks, taxis).

(h) Protection of essential equipment (e.g.; surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).

(i) Protection of radio transmission lines, antennas, and power sources for the Dispatch Center (e.g.; security cameras, fences).

(j) Handling misdirected, silent, and hang-up calls.

(k) Handling private security alarms, if applicable.

(l) Radio interoperability issues.

802.10.3 DISPATCHERS

Dispatchers report to the Dispatch Manager. The responsibilities of the dispatcher include, but are not limited to:

(a) Receiving and handling all incoming and transmitted communications, including:

  (a) Emergency 9-1-1 lines.

  (b) Business telephone lines.

  (c) Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.

  (d) Radio communications with department members in the field and support resources (e.g.; fire department, emergency medical services (EMS), allied agency law enforcement units).

  (e) Other electronic sources of information (e.g.; text messages, digital photographs, video).

(b) Documenting the field activities of department members and support resources (e.g.; fire department, EMS, allied agency law enforcement units).

(c) Inquiry and entry of information through the Dispatch Center, department and other law enforcement database systems (CLETS, DMV, NCIC).

(d) Monitoring department video surveillance systems.

(e) Maintaining the current status of members in the field, their locations, and the nature of calls for service.

(f) Notifying the Watch Commander or field supervisor of emergency activity, including, but not limited to:

  1. Vehicle pursuits.

  2. Foot pursuits.

  3. Assignment of emergency response.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

802.11 CALL HANDLING

This Department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location, and priority by asking five key questions:

- Where?
- What?
- When?
- Who?
- Weapons?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in the Dispatch Center, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual, and the interpreter.

Dispatchers should be courteous, patient, and respectful when dealing with the public.

802.11.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Watch Commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

802.11.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

802.12 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language, and correct procedures. Such transmissions shall include, but are not limited to:

(a) Members acknowledging the dispatcher with their radio identification call signs and current location.

(b) Dispatchers acknowledging and responding promptly to all radio transmissions.

(c) Members keeping the dispatcher advised of their status and location.

(d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Dispatch Manager shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

802.12.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Fairfield Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

802.12.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment, and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

802.13 DOCUMENTATION

It shall be the responsibility of the Dispatch Center to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document, and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

802.14 CONFIDENTIALITY

Information that becomes available through the Dispatch Center may be confidential or sensitive in nature. All members of the Dispatch Center shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

802.15 TRAINING AND CERTIFICATION

Dispatchers shall receive training consistent with minimum standards established by POST (Penal Code § 13510).

802.16 CAD SYSTEM FILE MAINTENANCE

The CAD System contains various files of information that must be constantly updated and purged. IT is responsible for CAD, RMS, and GEO File maintenance.

A hard copy of the Master Street Index is maintained in the Communications Center, in case of CAD system failure.

Ready Reference contains a variety of reference information pertaining to procedures, call out lists, directories, and any other type of reference information necessary to the daily operation of the Communications Center.

Ready Reference information is considered permanent and has no regularly applied purge criteria. The information is periodically reviewed and updated as necessary.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Property and Evidence

804.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and identifies those persons authorized to remove and/or destroy property.

804.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law (e.g.; Welfare and Institutions Code § 5150 (mentally ill persons))

Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

804.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly packaged, labeled, logged into RIMS, and placed in the designated evidence locker or storage area. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The officer shall document the release of property not booked in the report narrative.

804.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

(a) Complete the RIMS property section describing each item of property separately, listing all serial numbers, owner’s name, finder's name, and other identifying information or markings.

(b) Mark each item of evidence with the booking employee’s initials and the date booked using the appropriate method so as not to deface or damage the value of the property.

(c) Print a RIMS property label and attach it to each package or envelope in which the property is stored.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) For items booked off site (bicycle locker, outdoor temporary storage locations) a copy of the RIMS property sheet shall be submitted into Locker 50.

804.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately in a drug lab envelope. Drug envelopes shall be placed in the "Blood/Drug Locker". Larger quantities of narcotics, such as marijuana, shall be placed in a large paper bag with the drug lab envelope affixed to the bag. These items shall be placed in the evidence lockers. A specific off site storage location is available for bulk quantities of narcotics.

Paraphernalia as defined by Health and Safety Code § 11364 shall be photographed, then destroyed and the photograph booked as evidence.

804.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling, and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only remnants of explosives deemed safe may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. Officers shall submit a copy of the RIMS property sheet into Locker 50Property Officer.

804.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.

(b) All license plates shall be booked into property. Those found not to be stolen or connected with a known crime will be returned to the Department of Motor Vehicles by Property Unit personnel.

(c) All bicycles and bicycle frames valued at over $100 (pursuant to Penal Code § 2080.1(a)) shall be booked into property. Property tags shall be securely attached to each bicycle or bicycle frame and placed in the bicycle storage area. Officers shall submit a copy of the RIMS property sheet in locker 50.

(d) All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Watch Commander shall be contacted for cash in excess of $1,000 for special handling procedures.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

804.3.5 RELINQUISHED FIREARMS

Individuals who relinquish firearms pursuant to the provisions of Penal Code § 29850 shall be issued a receipt that describes the firearm, the serial number, or other identification of the firearm at the time of relinquishment (Penal Code § 29810).

Relinquished firearms shall be retained for 30 days, after which time they may be destroyed, retained, sold, or otherwise transferred, unless (Penal Code § 29810):

(a) A certificate is issued by a judge of a court of record or the District Attorney stating the firearms shall be retained; or

(b) The convicted person provides written notice of an intent to appeal the conviction that necessitated the relinquishment; or

(c) The Automated Firearms System indicates that the firearm was reported lost or stolen.

1. In such event, the firearm shall be restored to the lawful owner as soon as it is no longer needed as evidence, the lawful owner has identified the weapon and provided proof of ownership, and the Department has complied with the requirements of Penal Code § 33850 et seq.

The Property Officer shall update the Automated Firearms System and the disposition of the firearm for purposes of notifying the California Department of Justice (DOJ) (See the Records Bureau Policy).

804.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs

(b) Firearms (ensure they are unloaded and booked separately from ammunition)

(c) Property with more than one known owner

(d) Paraphernalia as described in Health and Safety Code § 11364

(e) Contraband

804.4.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs, in a suitable container available for its size. Knife boxes should be used to package knives, gun boxes should be used to secure handguns, and syringe tubes should be used to package syringes and needles.

A property bar code label shall be securely attached to the outside of all items.

804.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Narcotics and dangerous drugs shall be packaged in a drug lab envelope of appropriate size available in the packaging room. The booking officer shall initial the evidence tape on the sealed envelope. Narcotics and dangerous drugs shall not be packaged with other property.

A completed barcode label shall be attached to the outside of the container.

804.4.3 KEEPING CONTAINERS OF ALCOHOL FOR EVIDENCE
Containers of alcohol collected as evidence should not be logged into the Property Room as evidence, unless the related case is a felony. Instead, the officer should photograph the alcohol container and thoroughly describe the container, contents, and quantity. Afterwards, the alcohol container can be emptied and thrown away.

804.5 RECORDING OF PROPERTY

The Property Officer receiving custody of evidence or property shall record the storage location of the property in the Property and Evidence tracking database.

An item number and barcode label shall be obtained for each item or group of items. This number(s) and label(s) is electronically generated by RIMS.

Any changes in the location of property held by the Fairfield Police Department shall be noted in the Property and Evidence tracking database.

804.6 PROPERTY CONTROL

Each time the Property Officer receives property or releases property to another person, he/she shall enter this information in the Property and Evidence tracking database. Officers desiring property for court shall contact the Property Officer at least one day prior to the court day.

804.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry in the Property and Evidence tracking database shall be completed to maintain the chain of possession.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms, along with a detailed written explanation of the analysis needed, and submitted to the Property Officer. This request may be filled out any time after booking of the property or evidence.

804.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting employee will check the evidence out of property via the Property and Evidence tracking database. The original lab form(s) will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer/Property officer will record the delivery date on the form and indicate the employee to whom it was delivered. A copy of the signed lab form will be returned to the Property and Evidence unit and attached to the Property and Evidence tracking database.

All narcotics, other drug related evidence, and DUI blood evidence shall be delivered weekly to the Solano County Crime Lab.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

804.6.3 STATUS OF PROPERTY

Property personnel receiving property will make the appropriate entry into the Property and Evidence tracking database to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted in this database, stating the date, time, and to whom it was released.

The Property Officer shall obtain the signature of the employee to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in the Property and Evidence tracking database, indicating date, time, and the person who returned the property and their signature.

804.6.4 AUTHORITY TO RELEASE PROPERTY

The Investigating Officer, Investigations Division, the District Attorney's Office, or the Court may authorize the disposition or release of evidence coming into the care and custody of the Department.

Property and Evidence Unit personnel shall make the decision to release or cause an alternate disposition without authorization from the Court or the District Attorney's Office in cases involving found or safekeeping property.

804.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

With the exception of firearms and other property specifically regulated by statute; found property shall be held for a minimum of 90 days, and property held for safekeeping shall be held for a minimum of 60 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be destroyed or auctioned (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in the Property and Evidence tracking database and the Records Management System.

A Property Officer shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the chain of custody form and scanned into the Property and Evidence tracking database.

Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Property Officer should also make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

804.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

804.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The Property and Evidence Unit will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department, including paraphernalia as described in Health and Safety Code § 11364.

804.6.8 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS

Firearms and other deadly weapons confiscated pursuant to Penal Code § 18250,(i.e.; from the scene of a domestic violence incident involving a threat to human life or an assault, or while serving a domestic violence restraining order) shall be released or disposed of as follows:

(a) If a petition regarding the return of the firearm or deadly weapon has been initiated pursuant to Penal Code § 18400 et seq., the weapon shall be released or disposed of as provided by an order of the court.

(a) 1. If the Court orders a firearm returned, the firearm shall not be returned unless and until the requirements of Penal Code § 33850 et seq., are satisfied.

2. If, following a hearing pursuant to Penal Code § 18410, the court does not order the firearm returned, it shall be held for at least 12 months to allow the person to petition the court for a second hearing (Penal Code § 18420).If after the second hearing the court does not order the firearm returned, or the person does not request a second hearing, the firearm or other deadly weapon may be sold or destroyed as provided in Penal Code §§ 18000 and 18005 (Penal Code § 18420).

(b) If no petition is initiated pursuant to Penal Code § 18400 et seq., and the firearm is not retained as evidence, the Department shall make the firearm available for return in accordance with the requirements of Penal Code § 33850 et seq.However, under no circumstances may the firearm be returned before the expiration of 48 hours from the time of confiscation (Penal Code § 18265(a)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) If a firearm is available for return for any of the above reasons, notification shall be sent to the owner, or if the firearm is not registered, to the person last in possession of the firearm, at the person's last known address. If the person does not contact the Department within 180 days from notification to retrieve the firearm or facilitate its sale or transfer to a licensed dealer, the firearm shall be deemed abandoned. Any firearm still in the possession of the Department 180 days after the person was notified that the firearm is available for return, it may be sold or destroyed as provided by Penal Code §§ 18000 and 18005 (Penal Code §§ 33870, 33875, 34000, and 34005).

Firearms relinquished pursuant to a restraining order in a domestic violence matter, and not confiscated pursuant to Penal Code § 18250, shall be returned within five (5) days of the expiration of a restraining order, if the requirements of Penal Code § 33850 et seq., are satisfied. Unless the firearm is determined to be stolen, is evidence in a criminal investigation, or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).

804.6.9 RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS

Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

(a) If a petition regarding the return of the firearm or other deadly weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the weapon shall be released or disposed of as provided by an order of the court.If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33865.

(b) If the court orders a firearm returned, the firearm shall not be returned unless and until the requirements of Penal Code § 33850 et seq. are satisfied and the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33850.

(c) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the firearm or deadly weapon is not retained as evidence, the Department shall make the firearm or deadly weapon available for return in accordance with the requirements of Penal Code § 33850.

(d) No firearm will be returned unless and until the the person presents valid identification and written notification from the California DOJ which conforms to the provisions of Penal Code § 33865 unless the person contacts the Department to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870. Firearms not returned should be sold, transferred, destroyed, or retained as provided in Welfare and Institutions Code § 8102.

804.6.10 RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, he/she is entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18120).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18120 and the Fairfield Police Department determines him/her to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

804.6.11 RELEASE OF FIREARMS IN OFFICER-INVOLVED SHOOTING MATTERS
Firearms and magazines that were taken into custody shall be returned to the involved officer, or Fairfield Police Department inventory after the following requirements have been met:

(a) The firearm has been submitted for a lab work-up and been test fired so it can be later forensically compared to the casings and/or slugs at the scene; and

(b) The Administrative and Criminal Investigation is complete; and

(c) The District Attorney's Office has no intent to file charges against the involved officer. A clearance letter is not required for the purpose of releasing the firearm.

The Professional Standards Unit Sergeant will complete a memo requesting the release of the firearm when the above conditions are met. The memo will be forwarded to the Administrative Services Lieutenant and the Investigations Lieutenant, and vetted through the City Risk Manager. The Risk Manager will document the authorization for release to the Property Supervisor.

804.6.12 RELEASE OF FIREARMS, MAGAZINES, AND AMMUNITION
The Department shall not return any firearm, magazine, or ammunition taken into custody to any individual unless all requirements of Penal Code § 33855 are met.

804.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property Officer shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from a supervisor or detective.

804.7.1 EXCEPTIONAL DISPOSITIONS
The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)
- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen, or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680)

804.7.2 UNCLAIMED MONEY

If seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than $15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

804.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Property Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant

(b) The defendant’s attorney

(c) The appropriate prosecutor and Attorney General

(d) Any sexual assault victim

(e) The Investigation Division Lieutenant

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the Property Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the Property and Evidence tracking database and a copy forwarded to the Investigation Division Lieutenant.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Investigation Division Lieutenant should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

804.7.4 CRITERIA FOR FIELD RELEASE OF RECOVERED PROPERTY
When possible, the officer shall release the property to the victim/owner at the scene (excluding firearms). Recovered property is eligible for release when:

(a) The victim/owner is known.

(b) The victim/owner or responsible agent presents proper identification and reasonable proof of ownership.

(c) The ownership of the property is not disputed.

(d) The property was not used in commission of a crime.

(e) The property is not necessary to show an aggravated nature of the crime (arming).

(f) The property was not recovered pursuant to a search warrant.

(g) The property is not contraband or illegal to possess under municipal, state or federal law, including property with altered or defaced manufacturer's identification numbers.

(h) The property does not require additional examination or processing by a crime lab or identification officer.

(i) A photograph may reasonably represent the property.

804.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Unannounced inspections of evidence storage areas should be conducted bi-annually by the Manager over the Property Division, or as directed by the Chief of Police.

(c) Whenever a change is made in personnel who have access to the evidence room, all locks shall be changed and access cards updated.

804.9 PROPERTY ROOM ALARM PROCEDURE

As an added level of security, the storage room for narcotics, currency, and weapons is equipped with an alarm system. The alarm is an audible tone that will sound directly outside of the room with a visual alert installed in the Dispatch Center. All rooms and locations storing evidence shall be alarmed.

The alarm system will be activated after hours and on weekends. The system covers the exterior entry door and a motion detector which monitors the interior of the room. It is manually armed by property personnel by use of a keypad on the outside of the entry door. Only personnel permanently assigned to the Property Unit will have access to the room and have the ability to arm and disarm the alarm system. The supervisor or Manager of the unit will manage the system and its codes.

Activation consists of an audible tone to the exterior of the room and the blue strobe light will illuminate in the Dispatch Center. The audible tone will sound and the strobe will stay lit until the system is disarmed.

If activation occurs, Communications is to immediately contact the Watch Commander on duty. The Watch Commander will inspect the area outside the door to determine if a security breech has occurred. The Watch Commander will then contact the Property Supervisor or designee to determine if further action or response is required. Communications staff will generate a call for service in CAD as an information report. A copy shall be printed and distributed to the Communications and Property Supervisors.

All activations are automatically logged in the monitoring system database.

804.10 FORENSIC DRYING LOCKER AND TEMPORARY LOCKERS

The forensic drying lockers and temporary evidence lockers are designed to serve as temporary holding locations for a specific purpose.

Forensic Drying Lockers

The Forensic Drying Lockers are designed to dry and preserve a variety of evidence items in a controlled environment and to protect personnel from the odors and particulates generated during the drying and/or decaying of organic matter. Items placed in these lockers are NOT considered "booked" into evidence. A sheet of butcher paper will be placed, as a liner, on the bottom of the drying locker to absorb or collect any material that may fall from the item. The directions on the outside of the drying lockers must be followed - particularly all warnings listed.

It is the responsibility of the booking officer to monitor the items being dried and to complete the booking process once the items have thoroughly dried.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

After the evidence has been placed into the drying lockers the door shall be locked using the pad lock provided. If additional items of evidence (from a separate case) need to be placed into the drying locker, the investigating officer will find the extra key in the Key Watcher System. The key shall be returned after the evidence has been secured.

Temporary Evidence Lockers

The bank of storage lockers is for use by department personnel for safe, temporary storage of evidence, typically not longer than the officer's shift. Property personnel will use these lockers to temporarily store evidence that has been received which was improperly packaged or must be returned to the employee for other reasons. Property personnel will provide a key for the locker to the supervisor of the employee who improperly packaged the item(s) so that corrective measures can be taken. Once the property has been correctly packaged the employee who originally booked the item is responsible for re-booking the evidence in the permanent lockers.

The temporary lockers may also be used for temporary storage of evidence for short periods of time within an employee's work shift. All items placed in temporary lockers for this purpose must be removed and properly disposed of prior to the end of the employee's work shift.

The Property Unit Supervisor will be responsible for monitoring the use of the temporary lockers for compliance with this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Destruction of Bulk Marijuana Quantities

805.1 PURPOSE AND SCOPE

In many instances, marijuana investigations yield the recovery and seizure in quantities that exceed the abilities of the Fairfield Police Department to adequately and safely store. It shall be policy of this department to take appropriate steps to evaluate when bulk marijuana quantities can be destroyed prior to the adjudication of criminal proceedings.

805.2 AUTHORIZATION OF DESTRUCTION

Per 11479 H&S, the destruction of bulk marijuana in excess of 10 pounds must be under the approval of the Chief of Police or his/her designee. For purposes of the Fairfield Police Department, the Chief's designee will be the Investigations Lieutenant and/or Narcotic Investigations Unit Supervisor.

805.3 EVALUATION FOR DESTRUCTION

The Fairfield Police Department will follow law as outlined under 11479 H&S:

(a) At least five random and representative samples have been taken, for evidentiary purposes, from the total amount of suspected controlled substances to be destroyed. These samples shall be in addition to the 10 pounds required above. When the suspected controlled substance consists of growing or harvested marijuana plants, at least one 10 pound sample (which may include stalks, branches, or leaves) and five representative samples consisting of leaves or buds shall be retained for evidentiary purposes from the total amount of suspected controlled substances to be destroyed.

(b) Photographs have been taken which reasonably demonstrate the total amount of the suspected controlled substance to be destroyed.

(c) The gross weight of the suspected controlled substance has been determined, either by actually weighing the suspected controlled substance or by estimating that weight after dimensional measurement of the total suspected controlled substance.

(d) The chief of the law enforcement agency has determined that it is not reasonably possible to preserve the suspected controlled substance in place, or to remove the suspected controlled substance to another location. In making this determination, the difficulty of transporting and storing the suspected controlled substance to another site and the storage facilities may be taken into consideration.

Subsequent to any destruction of a suspected controlled substance pursuant to this section, an affidavit shall be filed within 30 days in the court which has jurisdiction over any pending criminal proceedings pertaining to that suspected controlled substance, reciting the applicable information required by subdivisions (a), (b), (c), and (d) together with information establishing the location of the suspected controlled substance, and specifying the date and time of the destruction. In the event that there are no criminal proceedings pending which pertain to that suspected controlled substance, the affidavit may be filed in any court within the county which would have jurisdiction over a person against whom those criminal charges might be filed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Destruction of Bulk Marijuana Quantities

NIU detectives will only be responsible for destruction orders pertaining to this policy. Property Division personnel will maintain supervision and removal of property for destruction of other items in police department custody.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Records Bureau

806.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Fairfield Police Department Records Bureau. The policy addresses department file access and internal requests for case reports.

806.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically within the Records Bureau by Records Bureau personnel.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number YY-00001 would be the first new case beginning January 1 of a new year.

806.1.2 CASE NUMBERS

Case numbers will be assigned to all police reports as well as citations that include: Property sheets, Health and Safety Code violations, Business and Professions Code violations, and non-traffic City Ordinance violations (e.g.; Daytime Curfew). Crime and incident reports are assigned case numbers via the Computer Aided Dispatch (CAD) system. New reports are assigned a case number by Dispatch personnel or the assigned employee may assign a case number to their call using the Mobile Digital Computer (MDC).

If it is necessary to cancel a case number and the cancellation is required during the same shift in which the original case number was requested, the person requiring the cancellation can notify Dispatch verbally and have them cancel the case number in CAD.If the cancellation occurs after the shift ends, the person requiring the cancellation must write a narrative in RIMS explaining the need to cancel the case number, and change the offense code to "VOID".

806.2 POLICY

It is the policy of the Fairfield Police Department to maintain department records securely, professionally, and efficiently.

806.2.1 REQUESTING ORIGINAL REPORTS

Original reports shall not be removed from the Records Unit.

806.3 REQUISITION OF SUPPLIES

The Records Unit Supervisor is responsible for ordering and maintaining supplies for the Records Unit.The assigned administrative assistant may also order supplies as needed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

806.3.1 RECORDS BUREAU MANAGER

The Chief of Police shall appoint and delegate certain responsibilities to a Support Services Manager over the Records Bureau. The Records Bureau Manager shall be directly responsible to the Administrative Services Uint Division Commander or the authorized designee.

The responsibilities of the Records Bureau Manager include, but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Bureau.

(b) Scheduling and maintaining Records Bureau time records.

(c) Supervising, training, and evaluating Records Bureau staff.

(d) Maintaining and updating a Records Bureau procedure manual.

(e) Ensuring compliance with established policies and procedures.

(f) Supervising the access, use and release of protected information (see the Protected Information Policy).

(g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include, but are not limited to:

1. Homicides.
2. Cases involving department members or public officials.
3. Any case where restricted access is prudent.

806.3.2 RECORDS BUREAU

The responsibilities of the Records Bureau include but are not limited to:

(a) Maintaining a records management system for case reports.

1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.

(b) Entering case report information into the records management system.

1. Modification of case reports shall only be made when authorized by a supervisor.

(c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.

(d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:

1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
2. Suspected hate crimes (Penal Code § 13023).
3. Complaints of racial bias against officers (Penal Code § 13012; Penal Code § 13020).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

4. Civilian complaints made against officers (Penal Code § 832.5; Penal Code § 13012).
5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
   (a) The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).

(e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.

(f) Identifying missing case reports and notifying the responsible member's supervisor.

(g) Updating the Automated Firearms System to reflect any firearms relinquished to the Department and the subsequent disposition to the DOJ pursuant to Penal Code § 34010 (Penal Code § 29810).

(h) Entering into the Automated Firearms System information about each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, or under observation within seven calendar days of the precipitating event (Penal Code § 11108.2).

(i) Maintaining compliance with the state and DOJ reporting requirements regarding the number of transfers of individuals to immigration authorities and offenses that allowed for the transfers (Government Code § 7284.6(c)(2)).

806.3.3 RECORDS BUREAU PROCEDURE MANUAL
The Dispatch and Records Manager should establish procedures that address:

(a) Identifying by name persons in reports.

(b) Classifying reports by type of incident or crime.

(c) Tracking reports through the approval process.

(d) Assigning alpha-numerical records to all arrest records.

(e) Managing a warrant and wanted persons file.

806.4 DETERMINATION OF FACTUAL INNOCENCE

In any case where a person has been arrested by officers of the Fairfield Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Records Unit Supervisor. The Records Unit does not determine factual innocence, it acts on the sealing via a court order.

Penal Code §851.8(b) provides in part: "If, after receipt by both the law enforcement agency and the district attorney of a petition for relief under subdivision (a), the law enforcement agency and district attorney do not respond to the petition by accepting or denying such petition within 60 days after the running of the relevant statute of limitations or within 60 days after receipt of the petition in cases where the statute of limitations has previously lapsed, then the petition shall be deemed to be denied. In any case where the petition of an arrestee to the law enforcement agency to have

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

an arrest record destroyed is denied, petition may be made to the municipal or justice court. A copy of such petition shall be served on the district attorney of the county having jurisdiction over the offense at least ten (10) days prior to the hearing."

Note: The petitioner shall be responsible for obtaining the original petition from the law enforcement agency and submission to the court of jurisdiction.

806.5 ARREST WITHOUT FILING OF ACCUSATORY PLEADING

The Operations Division Captain should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

(a) The individual is issued a certificate describing the action as a detention.

(b) All references to an arrest are deleted from the arrest records of the Department and the record reflects only a detention.

(c) The California DOJ is notified.

806.6 CONFIDENTIALITY

Records Bureau staff has access to information that may be confidential or sensitive in nature. Records Bureau staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Bureau procedure manual.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Indexing Records

807.1 PURPOSE AND SCOPE

The purpose of indexing records is to centrally locate names that will assist in locating a report at some later time and provide statistical information for departmental reports.

807.2 PROCEDURE

The following have generally proven effective as a means to accomplish this task:

- Crime Reports victims, arrestees, suspects, witnesses, reporting parties, and registered owners of vehicles
- Traffic Reports drivers, registered owners of vehicles, injured parties, property owners
- Case data (date, time, location, officer, crime code, UCR code)
- MO elements
- Suspect person and/or vehicle descriptions
- Collision data
- Names of registrants
- Names of persons issued permits (such as solicitors, taxi driver, massage)
- Names of Community Service Volunteers
- Juvenile probation orders
- Names of parties in restraining orders

807.3 NOTIFICATION OF FALSE NAME GIVEN/JOHN DOE BOOKINGS

Arrested persons who have no identification in their possession should be booked under whatever name they give the arresting officer. The officer should enter the name given on the Arrest/ Detention Report followed by the term "Questionable Identity." The Sheriff's Department will include the "Questionable Identity" notation on the live-scan form sent to Department of Justice (DOJ). This causes DOJ to make a special effort to determine if the name given is a true name or an alias.

This Department will be notified if the name given is something other than the person's true name. Department personnel receiving the corrected information will record the information on a Supplemental Crime Report form. Records personnel will distribute the supplement according to established procedure.

Records personnel will be responsible for updating the Records Management System (RMS) with the correct information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Restoration of Firearm Serial Numbers

808.1 PURPOSE AND SCOPE

The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

808.2 PROCEDURE

Any firearm coming into the possession of the Fairfield Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

808.2.1 PRELIMINARY FIREARM EXAMINATION

(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g.; the detachable magazine, contents of the tubular magazine) as well as the chamber contents.

(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.

(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.

(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

808.2.2 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

808.2.3 OFFICER RESPONSIBILITY
The Property Officer receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.

808.2.4 DOCUMENTATION
Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

808.2.5 FIREARM TRACE
After the serial number has been restored (or partially restored) by the criminalistics laboratory, the Property Officer will complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in Falling Waters, West Virginia or enter the data into the ATF eTrace system.

808.3 BULLET AND CASING IDENTIFICATION
Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Records Maintenance and Release

810.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

810.2 POLICY

The Fairfield Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

810.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

(a) Managing the records management system for the Department, including; the retention, archiving, release, and destruction of department public records.

(b) Maintaining and updating the department records retention schedule including:

1. Identifying the minimum length of time the Department must keep records.
2. Identifying the department division responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 6253).

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).

(g) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.

(h) Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.

(i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

(j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department’s website.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

810.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

810.4.1 REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to the following (Government Code § 6253):

(a) The Department is not required to create records that do not exist.

(b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver's license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).

(c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

(d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).

(e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

(a) A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

810.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Social Security numbers (Government Code § 6254.29).

(c) Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).

1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.

2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.

(d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).

1. Victims of certain offenses (e.g.; domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

(e) Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 6254.4.5.

(f) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).

1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).

(g) Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Attorney, or the courts pursuant to Penal Code § 1054.5.

(h) Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).

(i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).

(j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).

(k) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol (CHP), Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

(l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).

(m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).

(n) Records relating to the security of the department's electronic technology systems (Government Code § 6254.19).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(o) A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).

(p) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).

(q) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).

810.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

810.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

810.8 RELEASE OF POLICE REPORTS TO SCHOOL DISTRICTS

In cases where the school district requests a copy of a report where they are the victim (or when the school district could be potentially liable for an incident that occurs on school property), the City of Fairfield Police Department should release a copy of the report.

There are some cases where the school district is not a victim nor are they potentially liable; however, they may have an interest in a particular report due to Education Code Section 48900. In summary, Section 48900 provides that a pupil in public schools may be suspended or expelled for acts related to school activity or attendance that occur at any time, regardless of location.

If the school district has a particular interest in a report (due to EC 48900), they should contact the school resource officer. The school resource officer will check the status of the report. If the report

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

has been referred to probation, the school district will be referred to the probation department. If the report is still under investigation by our agency, the school resource officer will summarize the event and verbalize the information to the school district.

If the report has been closed and our agency has a disposition on file (either from the Hearing Officer or Probation), then a copy of the report will be made and stamped with purge information. (Welfare & Institutions Code Sections 827 and 707 of provides for notification by the courts to the school districts when pupils have been convicted of specific crimes. Each notice sent by the court shall be stamped with the instructions: "Destroy this Record 12 Months After the Minor Returns to Public School. Unlawful Dissemination of this Information is a Misdemeanor.") The purge information statement would ensure the timely destruction of these juvenile records and parallels the instructions from the court.

810.9 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Dispatch and Records Manager shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

810.10 SECURITY BREACHES

The Dispatch and Records Manager shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual’s first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

issued on a government document commonly used to verify the identity of a specific individual

- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology
- Unique biometric data

810.10.1 FORM OF NOTICE

(a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:

1. The date of the notice.
2. Name and contact information for the Fairfield Police Department.
3. A list of the types of personal information that were or are reasonably believed to have been acquired.
4. The estimated date or date range within which the security breach occurred.
5. Whether the notification was delayed as a result of a law enforcement investigation.
6. A general description of the security breach.
7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.

(b) The notice may also include information about what the Fairfield Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).

(c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):

1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the person uses the same username or email address and password or security question and answer.

2. When the breach involves an email address that was furnished by the Fairfield Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

810.10.2 MANNER OF NOTICE

(a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

(a) Written notice.

(b) Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.

(c) Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:

(a) Email notice when the Department has an email address for the subject person.

(b) Conspicuous posting of the notice on the department's webpage for a minimum of 30 days.

(d) Notification to major statewide media and the California Information Security Office within the California Department of Technology.

(b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

810.11 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or depicts an incident in which the use of force by an officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 6254(f)(4)).

The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

810.11.1 DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed as follows if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source:

(a) Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident.

(b) Delay of disclosure may continue after the initial 45 days and up to one year if the Department demonstrates that disclosure would substantially interfere with the investigation.

(c) Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 6254(f)(4)).

810.11.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 6254(f)(4)):

1. During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.

(b) When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Chief of Police in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

810.11.3 REDACTION

If the Custodian of Records, in consultation with the Chief of Police or authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 6254(f)(4)).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 6254(f)(4)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

810.11.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):

(a) The person in the recording whose privacy is to be protected, or his/her authorized representative.

(b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.

(c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 6254(f)(4)).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(A)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Protected Information

812.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release, and security of protected information by members of the Fairfield Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

812.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored, or accessed by members of the Fairfield Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state, or local law enforcement databases that is not accessible to the public.

812.2 POLICY

Members of the Fairfield Police Department will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

812.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records, and California Law Enforcement Telecommunications System (CLETS).

(b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating,and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

812.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Fairfield Police Department policy, or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

812.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

812.4.2 RELEASE OF CORI

Only the persons listed below are authorized to release CORI. Each authorized person releasing CORI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

(a) Criminal Records Security Officer

(b) Dispatch and Records Manager

(c) Full-time employees of the Records Bureau

(d) Personnel specifically designated in writing by Division Commanders with the concurrence of the Criminal Records Security Officer

812.4.3 RELEASE OF CORI TO FIELD PERSONNEL

Personnel shall not have access to CORI until a background investigation has been completed and approved.

CORI shall not generally be transmitted by radio, cellular phone, or through computer terminals to field personnel or vehicles, except in cases where circumstances reasonably indicate that the immediate safety of the officer or the public are at significant risk. Examples of situations where the transmission of summary criminal history information would be justified include a hostage situation or an armed suspect, however a routine investigation or traffic enforcement stop would not be sufficient justification.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Nothing in this procedure is intended to prohibit broadcasting warrant information concerning wanted persons.

812.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Dispatch and Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Bureau to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone, or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members, or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

812.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

812.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures, and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents including computer attacks.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Tracking, documenting, and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

812.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

812.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

812.7.1 COMPUTER TERMINAL SECURITY

Computer terminal equipment capable of providing access to automated criminal offender record information is located in the Records Bureau, Dispatch Center, and in Investigation to preclude access by unauthorized persons.

No employee shall be authorized to operate computer terminal equipment with access to CORI until the operator has completed the appropriate training.

812.7.2 DESTRUCTION OF CORI

When any document providing CORI has served the purpose for which it was obtained, it shall be destroyed by shredding.

Each employee shall be responsible for destroying the CORI documents they receive.

812.7.3 CUSTODIAN OF CRIMINAL RECORDS

The Dispatch and Records Manager, unless otherwise directed by the Support Services Division Captain, shall be the Department's official Custodian of Criminal Records. The Custodian of Criminal Records shall be responsible for the security, storage, dissemination, and destruction of criminal records, and will serve as a primary contact for the California Department of Justice for any related issues. The Support Services Division Captain may appoint other department employees to the role of Custodian of Criminal Records, who will share the same responsibilities regarding criminal records.

The Support Services Division Captain will ensure that he/she makes the appropriate applications and notifications to the California Department of Justice regarding the Department's Custodian of Criminal Record appointments, per the requirements of Penal Code § 11102.2.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

This subsection is not intended to interfere with any other employee acting as a custodian of records for other statutory purposes, but is narrowly tailored to address issues of criminal history records.

812.8 TRAINING PROGRAM

All personnel authorized to process or release CORI shall be required to complete a training program prescribed by the Criminal Record Security Officer. The Training Unit shall coordinate the course to provide training in the proper use, control, and dissemination of CORI.

812.9 PENALTIES FOR MISUSE OF RECORDS

Penal Code §§ 11140 and 11144 make it a misdemeanor to furnish, buy, receive, or possess Department of Justice rap sheets without authorization by a court, statute, or case law.

Title 11, California Administrative Code § 702 provides that authorized persons or agencies violating the Regulations Regarding the Security of Criminal Offender Record Information in California may lose direct access to CORI maintained by the California Department of Justice.

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of Policy Manual § 340.3.7(a).

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of Policy Manual § 340.3.7(a).

812.10 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Computers and Digital Evidence

814.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCD's), digital cameras, digital recorders, and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

814.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as; fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.

1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery.
3. Call the Computer Crime Task Force or an identified computer crimes detective in the Department's Investigation unit to determine the proper method to shut down the device so as not to lose any pertinent information or evidence.

(e) Label each item with case number and item number using a bar code label.

(f) Handle and transport the computer and storage media (e.g.; tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.

(g) Store all computer items in a property locker. Do not store computers where normal room temperature and humidity is not maintained.

(h) At minimum, officers should document the following in related reports:

1. Where the computer was located and whether or not it was in operation.
2. Who was using it at the time.
3. Who claimed ownership.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

4. If it can be determined, how it was being used.
5. Interview the owner and/or operators of the device to determine any passwords that may be needed.

(i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables) should not be seized unless as a precursor to forfeiture.

814.2.1 BUSINESS OR NETWORKED COMPUTERS

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

814.2.2 FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of the computer's hard drive, floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

(a) Copy of report(s) involving the computer, including the Evidence/Property sheet.

(b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer.Or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.

(c) A listing of the items to search for (e.g.; photographs, financial records, e-mail, documents).

(d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

814.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

(a) If the media has a write-protection tab or switch, it should be activated.

(b) Do not review, access, or open digital files prior to submission. If the information is needed for immediate investigation, request a detective with computer forensic training to copy the contents to an appropriate form of storage media.

(c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters, or other sources of magnetic fields.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) Do not leave storage media where they would be subject to excessive heat, such as in a parked vehicle on a hot day.

(e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

814.4 SEIZING PCDS

Personal communication devices such as cell phones, PDA's, or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Officers should not attempt to access, review, or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) Do not turn the device on or off.

(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

814.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

814.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted, or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition, or relevance. Video and audio files will not be altered in any way.

814.5.2 SUBMISSION OF DIGITAL MEDIA

Digital media files should be transferred to digital optical media (writable CD's) and booked into evidence. Photographs taken in the line of duty become the property of the City of Fairfield Police Department and shall not be retained or disseminated without the express consent of the Chief of Police or his/her designee.

814.5.3 DOWNLOADING OF DIGITAL FILES

Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

(a) Files should not be opened or reviewed prior to downloading and storage.

(b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory, or downloaded to a folder on the host computer for copying to the storage media.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

814.5.4 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

814.5.5 CONTROL OF DIGITAL IMAGES

When an officer or other Department representative takes photographic evidence of a crime scene or incident, the photograph is considered the property of the City of Fairfield Police Department and is for Official Use Only. Photographs shall not be taken for personal use or released to the public. Photographs must be downloaded as outlined in § 814.5.2 and § 814.5.3, and may not be copied or distributed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fingerprinting City Applicants and Volunteers

815.1 PURPOSE AND SCOPE

The police department provides fingerprinting for city applicants, volunteers, and those required by the City to carry specific permits. Fingerprints shall be taken by Records personnel to ensure the appropriate paperwork is submitted to DOJ and correct fees are charged.

815.2 PROCEDURE

The Records Unit may fingerprint officers and their family members who require this service in order to facilitate the volunteer process and when the City will not incur a fee pursuant to Penal Code § 11105.3. The volunteer must have the paperwork for the volunteer organization, proper photo identification, and the appropriate AFIS fingerprinting forms. It is a violation of Penal Code § 502(a) for police department employees to fingerprint themselves to circumvent or facilitate the volunteer process.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Peer Support

816.1 PURPOSE AND SCOPE

The Fairfield Police Department's most valuable resource is its employees. The purpose of the Peer Support Program is to assist personnel with stress created in their personal and/or professional lives, so they can continue to be productive members of this Department.

816.1.1 DEFINITIONS

Critical Incident/Traumatic Event - Directly experiencing or witnessing actual or threatened death or serious injury, or experiencing a threat to one's own physical integrity or the physical integrity of someone else. Any event that may temporarily overwhelm an individual's usual methods of coping or produce unusually strong reactions. It is important to note an individual's reaction to a traumatic event is individual-specific based on the totality of circumstances in that individual's life (i.e.; the degree of involvement, cumulative events, personal likeness, children, etc.).

Critical Incident Debriefing - Deemed appropriate by the Chief of Police or his/her designee, designed to mitigate the psychological impact of a traumatic event, prevent the subsequent development of a post-traumatic stress disorder, and serve as an early identification mechanism for individuals who may require professional mental health follow-up.

Debriefings are a structured group meeting or discussion during which personnel are given an opportunity to discuss their thoughts and reactions concerning a traumatic event in a controlled environment under the direction of a mental health professional and/or peer support personnel. It is a process that should generally be conducted within 72 hours of the traumatic event. Critical Incident Debriefs require mandatory attendance.

Peer Assistance - A process by which trained personnel provide emotional support and referrals for a colleague during a crisis or when they are under stress. Generally, peer assistance is sought by the employee in need, or suggested by the employee's peer(s) or supervisor. Peer assistance or support is a necessary adjunct to professional mental health guidance and leadership in trauma support services. Peer assistance is not a replacement for the department's Employee Assistance Program (EAP).

Defusing - A defusing is a shortened version of the debriefing generally lasting less than one hour. A defusing is a peer guided discussion that should take place as soon as possible after the traumatic event and before involved personnel are released (within 8 hours).

816.2 POLICY

It is the policy of the Fairfield Police Department to provide departmental employees with voluntary and confidential resources of support and assistance related to personal, work, and/or critical incident stress.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

816.3 PROGRAM STAFFING AND RESPONSIBILITIES

The Peer Support Team shall consist of the following positions:

A. Program Manager: Police Lieutenant

B. Program Coordinator: Police Sergeant

C. Police Chaplain

D. Selected Peer Support Personnel

A. Program Manager

1. A lieutenant, appointed by the Chief of Police, as the primary liaison between the team, and management staff. The Program Manager will be the only management representative on the Team. He will serve as the team administrator and be available for peer support for other Department Managers. The Manager will generally not participate in peer support for non-management employees. The Peer Support Program Manager will be directly responsible to the Support Services Division Captain or authorized designee.
2. The manager will be responsible for the team budget, authorizing overtime as necessary, approving team deployment in extraordinary circumstances, and specifying and maintaining team training standards.

B. Program Coordinator

1. The role of the Program Coordinator is to manage, maintain, and coordinate the program. They will act as liaison between Peer Support Personnel, outside resource persons, and the Department.
2. Authorize overtime as necessary.
3. Supervise and coordinate Peer Support Personnel.
4. Coordinate and specify training of Peer Support Personnel.
5. Will assist in conducting defusing and demobilization interventions, assess the need for follow-up referrals, and assist in teaching stress management.
6. Create a list of qualified referral sources for the use of the Peer Support Personnel. Referral sources will be researched fully by the Program Manager prior to being included on the list.
7. Will be responsible for determining the continued training needs of the Peer Support Team and for the scheduling of initial and continuing training.

C. Police Chaplain

1. The Team Chaplain will be trained in Critical Incident Stress Management and Pastoral Crisis Intervention.
2. The Chaplain may assist, as requested by the Program Manager and/or the Program Coordinator, in group crisis interventions, for follow-up referrals, and to assist in teaching stress management.

D. Team Members

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. Members will respond immediately when called upon for critical incidents.
2. Contact affected personnel to assess their needs and provide necessary assistance.
3. Provide emotional support to involved personnel who may be experiencing difficult reactions as a result of a critical incident.
4. Provide information to the employee or their family regarding possible reactions they may experience as a result of involvement in a critical incident.
5. If necessary, suggest resources and refer the employee or family members to a resource(s) outside of the police department.
6. Ensure the involved employee gets home safely after a critical incident.
7. Follow-up with employee the day after the critical incident, or as necessary, to assess additional needs.
8. Will provide one-on-one peer assistance to affected employees at the request of either the individual employee, or referred by a supervisor or the team coordinator.

816.4 TEAM MEMBER SELECTIONS

The Peer Support Team may be selected for participation in the Peer Support Program via the following criteria:

1. A memorandum will announce the formation of a Peer Support Team comprised of sworn and non-sworn personnel representing a variety of employee groups in the organization. Nominations will be sought to identify specific individuals who are already seen as sources of support for others in the workplace. All nominations will be kept confidential.
2. Nominees must express a voluntary desire to be a member of the Peer Support Program with a minimum commitment of three (3) years.
3. Must be a full-time paid employee of the Fairfield Police Department who has successfully completed probation, or a police chaplain who has completed a chaplain's training program.
4. Not currently the subject of a serious or major investigation, or suffering from serious personal problems or psychological stress.
5. All team members must be prepared to answer calls for help 24 hours a day.
6. Must consistently display solid judgment and have strong interpersonal communication skills.

Team members will be selected from those nominated by peers. Once the nomination process has been completed, employees interested in becoming a Peer Support member shall submit a memorandum of interest to the Program Coordinator. The current team members, program manager, and program coordinator will make the selection, with the approval of the Chief of Police. Future team members will be selected based upon the above criteria.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Peer Support Team Members serve on the Peer Support Team at the will and pleasure of the Chief of Police, and may be removed from the team at his discretion.A breach of confidentiality by Peer Support Team Members shall result in immediate removal from the Peer Support Program.

816.5 TRAINING

The Peer Support Coordinator is responsible for monitoring the training status of Peer Support Personnel to insure appropriate preparedness of Team Members. The Program Coordinator will be responsible for the scheduling of initial team training and as well, updated training for team members.

Peer Support Team Members shall receive the following training:

1. New team members shall attend a POST 40 hour Individual Crisis Intervention/Peer Support Course.
2. Peer Support personnel shall participate in quarterly training sessions scheduled and developed by the Program Coordinator.

816.6 PROGRAM PROCESS

A. Request for Peer Assistance

1. Lists of the names of peer support team members shall be posted on Departmental bulletin boards and shall be provided to all employees. Any police employee in need of peer assistance may select a peer support team member of their choice.

B. Critical Incident/Traumatic Event Activation

1. In the event that a critical incident occurs, the supervisor of the employee should notify the Peer Support Manager as soon as possible. The Peer Support Manager and/ or Peer Support Team Coordinator will then confer with the supervisor and assess whether or not the incident warrants the need for a formal group crisis intervention. The final decision as to whether a debriefing or diffusing is warranted will be made by the Peer Support Manager.
2. When making the notification, the supervisor should attempt to utilize an on-duty Peer Support Team Member in the absence of the Peer Support Coordinator or Manager.

C. Debriefing/Defusing

1. This program is dependent upon the identification of all critical incidents large and small, to help reduce the emotional impact and to avoid the effects of post-traumatic stress.
2. The critical incident stress debriefing should include any sworn and/or non-sworn personnel directly involved in the incident. If the debriefing to be conducted is for an incident described in this order, the attendance will be automatic for those involved. Active participation in the discussion is not a requirement. Anyone not directly involved in the incident, may not attend the critical incident stress debriefing. Peer support personnel will be in attendance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

3. In general, these de-briefings will be facilitated by the contracted Psychological Consultant Services.
4. Critical incident stress defusing may be used to determine the need for debriefing and/or other services, and are typically conducted by a peer support team member. Defusing will be offered to all employees to assist in identifying any stress or trauma experienced during the incident and should be held as soon as practical after the incident.

D. Referrals

1. Members of the Peer Support Program are trained to be effective listeners, to provide feedback, clarify issues, and assist employees in identifying options for problem resolution; however, they are not therapists. When problems are acute or appear to require specialized assistance, information on referral resources will be made available to employees.
2. Peer Support Team members should not make referrals to a mental health professional without the Peer Support Program Manager's authorization.
3. A list of available professionals shall be available to the Program Coordinator and Manager to assist employees in making a choice if a referral is made. This list should include EAP providers as well as private practice professionals.
4. Peer assistance is not a replacement for the department's Employee Assistance Program (EAP).

E. Confidentiality

The most important aspect of the Peer Support Program is the promotion of trust, anonymity, and confidentiality. With this in mind, it is the intent of the Peer Support Program to keep all communications between Peer Support personnel and employees involved in critical incidents confidential, with the following exceptions:

1. The Peer Support team member believes that the employee is a danger to themselves or others.
2. The information provided to the Peer Support team member constitutes a criminal offense.
3. Information gathered that would require investigation per department policy.
4. Furthermore, the evidence code does not recognize Peer Support members as a protected class with respect to privileged communication(s).

If any of the above conditions exist, the on duty Watch Commander, Program Manager, and Program Coordinator shall be notified immediately.

In the event that the employee has threatened injury to an individual, the intended victim shall also be notified.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The exceptions to confidentiality are either required by law or deemed necessary. Peer Support team members shall not abdicate their responsibilities to report criminal conduct. If concerns arise, Peer Support personnel shall contact the Program Coordinator for guidance.

816.7 MEMBER WITHDRAWAL

Peer Support personnel may request withdrawal or inactive status from the program if serious personal and/or professional problems arise which prevent continued participation. The employee shall write a memorandum to the Program Manager requesting such withdrawal from the program.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

False Alarm Penalty

817.1 PROCEDURE

Fairfield City Ordinance 2009-13 allows the Fairfield Police Department to charge a false alarm penalty to any resident, business, or agent who has caused any signal, message, or alarm to be transmitted to the Police Department, either by direct telephone or other direct communication and is determined to have been a false alarm after investigation by the responding police officer or fire department personnel.

The Support Services Division will be responsible for notification by mail (to the resident, business, or agent) the determination of the false alarm and initiate the collection process of any penalty.

In the event the resident, business, or agent disagrees with the findings of the investigation conducted by the responding officers, a hearing may be requested within fourteen (14) days of receipt of the notice, to further determine if a false alarm occurred.

The decision of the Chief of Police may be appealed to the City Council.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Petty Cash

819.1 PROCEDURE

Petty cash reimbursement is limited to $50 without prior approval by a Finance Manager. All petty cash reimbursements must be accompanied by:

- Authorized signatures approving the reimbursement.
- Account number to which the item is to be charged, and a brief description of the purchase.

A receipt for the items involved should accompany all petty cash reimbursements. If a receipt is not obtained, the reimbursement may be processed only after approval by a Finance Manager. The following is a complete list of items that may be reimbursed through petty cash. Any items not listed cannot be reimbursed without prior approval by a Finance Manager.

- Seminar lunch reimbursement.
- Lunch, bridge tolls, and parking fees for professional meetings.
- Lunch or dinner for oral interview boards, City affiliated agency meetings, and emergency work crews.
- Office supplies or small tools not available in stores or available through a vendor with an open purchase order.
- Teaching supplies for Recreation/Community Services classes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Registration of Firearms

821.1 PURPOSE AND SCOPE

It is in the best interest of law enforcement and the community to register firearms. This assists in recovery of lost and stolen firearms and in the investigation of crimes involving the use of firearms.

821.2 PROCEDURE

Voluntary handgun registration is performed by members of the Support Services Division, Training Unit. The registration process is by appointment only. Citizens wishing to register their handguns will be instructed to contact the Training Unit. The Training Unit will set up an appointment to complete the registration process. The weapon owner will be required to bring the unloaded weapon to the department in a locked container on the appointed date/time.

When an appointment is made, the officer should obtain the person's name, address, date of birth, and weapon serial number so appropriate checks can be made to determine if the person registering the weapon is legally authorized to possess it. Prior to registering the weapon, run a "want" check through RMS on the subject.

If a weapon is brought into the Department, the weapon will be seized by sworn Training personnel who will take appropriate enforcement action.

If a citizen requests registration of any firearm, the weapon owner will be instructed to leave the gun unloaded in the trunk of their vehicle. The assigned officer will accompany the owner to the vehicle to record the serial number and other necessary registration information. The firearm will not be brought into the lobby.

Records personnel will assist Training personnel in the completion of the necessary paperwork associated with gun registration.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Purchasing Card (CAL-CARD or IMPAC VISA CARD)

822.1 PROCEDURE

Specific Department employees are issued a State of California "Cal-Card", also known as an IMPAC VISA card, for authorized purchases. These are:

- Chief of Police
- Division Captains
- Investigations Lieutenant
- Patrol Lieutenants
- Administration Services Lieutenant
- Communications and Dispatch Manager
- Training Unit Sergeant
- Administrative Support Supervisor
- Property Unit Supervisor
- The Training Office Specialist (for bookingtraining travel arrangements)

All purchases must be in accordance with the City's Purchasing Policies as described in the City of Fairfield Administrative Policy Chapter 400 -- Purchasing, Section 7 -- Purchasing Methods.No personal charges may be made on the card.Each month when the CAL-CARD invoices are received, the cardholder shall:

(a) Verify all charges made with their card.

(b) If the cardholder loses a receipt, they need to contact the vendor for a copy. If there is going to be a delay that prevents the invoice from being paid in a timely manner, the cardholder shall write a memo to the City's Purchasing Officer indicating the reason for submitting the invoice for payment without the required receipt.

(c) The cardholder shall sign the statement, attach the receipts, and forward to their approving official within three business days.

The approving official will review the invoice and if approved, will forward it to the claims processing clerk for payment. If a purchase is to be processed with an account code other than that of the cardholder's area of responsibility, the purchase must have the approval of the Division Captain whose budget will bear the expense of the purchase. All disputed charges will be resolved as soon as possible in accordance with the CAL-CARD purchasing guidelines.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Department of Justice (DOJ) Information Bulletins

824.1 PURPOSE AND SCOPE

It is important that all relevant information from the California Department of Justice be disseminated to the appropriate personnel on a timely basis. In order to assure that this occurs, the following procedure will be followed.

824.2 PROCEDURE

Upon receipt by the department, all DOJ information bulletins shall be forwarded to the Agency Terminal Coordinator (ATC). The ATC shall log the receipt of these bulletins and distribute them to all Administration management staff. Bulletins shall also be distributed to departmental personnel who are affected by or can benefit from the information contained in the bulletin.

The ATC shall maintain an index of all bulletins received, including the date and time received and the topic of the bulletin.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Contacts with the Public

826.1 PURPOSE AND SCOPE

The role of the individual employee in community relations is manifested in its most common form in the numerous daily encounters between public safety personnel and citizens. In dealing with people, employees must attempt to make their contact one that inspires respect for themselves as individuals and their profession, and on which generates the cooperation and approval of the public.

826.2 PROCEDURE

The department has a long-standing commitment to provide the best possible service to the community. Part of maintaining quality levels of service involves constant assessment and evaluation of citizen perceptions as to how the department is providing these services.

The Quality Assurance Audit has been developed as an ongoing program designed to measure the perception of the citizens who come in contact with personnel of the department. Surveys are conducted of a random number of citizens who have received services. The survey can be done by mail, phone, or in person. Mailed surveys include a self-addressed stamped envelope. The resident is asked to give his/her opinion about the quality of service received, and provide comments and/or suggestions. The responses are analyzed and action taken where appropriate to improve the level of service.

The Quality Assurance Audit may be conducted by any unit Manager within either Division of the Police Department. An audit of each division within the department should be conducted at least semi-annually. The unit Manager will coordinate the audit and analyze the results with the Support Services Division Captain. Audit results will be forwarded to the Chief and all affected supervisors. Results will be discussed with all employees within the division/work unit audited.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Burglary Alarm Response

828.1 PROCEDURE

Officers dispatched to or encountering a burglary alarm will respond to that location and attempt to determine if the alarm is factual or false. All reasonable efforts shall be made to check the business or residence for possible entry.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Use of Radio Channels

830.1 PROCEDURE

A talk group (channel) will be referred to as "channel".

Police calls being dispatched and on-viewed typically take place on Patrol 1. A code 33 may be initiated on Patrol 1 to accommodate an incident. Personnel not assigned to that incident should switch to Patrol 2.

Dispatch will designate a Tactical channel for tactical incidents requiring prolonged channel designation and extended usage when deemed necessary by the Patrol Sergeant or Watch Commander. Dispatch will conduct a roll call of units unless otherwise specified by the Patrol Sergeant.

Officers needing a Tactical channel shall route the request through Dispatch who will assign a Tactical channel based on availability of resources.

Patrol 1 and 2 are the only Fairfield Police channels designated by Dispatch to be monitored at all times. Dispatch will monitor other Fairfield Police channels only when deemed necessary to accommodate a specific designated incident and as resources allow.

The City Emergency channel may be used by Transit or Public Works employees to report in progress emergencies when all other means of calling into the Police Dispatch Center are not available. The City Emergency channel shall be monitored by Dispatch at all times.

A Dispatcher can patch and multi-select 2 channels when needed. A Dispatcher shall practice this once each month to ensure proficiency.

Fire calls being dispatched and on-viewed will take place on Fire Main Channel. Dispatch will designate a TAC channel for all calls requiring 2 Engines and a BC or more. Responders will remain on Fire Main through on-scene, and then will switch to the designated TAC channel for their incident. Fire Units will advise on Fire Main that they are switching to Fire TAC # (designated). All radio to/from dispatch will take place on Fire Main via Dispatcher and IC, BC, or Primary Engine. Fire Tactical channels will not be routinely monitored by Dispatch.

Fire incidents that require mutual aid may be patched from a designated Fairfield Fire Tactical channel to a designated Solano County channel, when necessary.

Fire Main is the only Fairfield Fire channel designated by Dispatch to be monitored at all times. Dispatch will monitor other Fairfield Fire channels only when deemed necessary to accommodate a specific designated incident and as resources allow.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Telephone Calls Placed for Field Personnel

832.1 PROCEDURE

Field personnel may request that dispatchers make telephone calls for them in urgent cases and when a telephone is not available in the field. Field personnel will provide the dispatcher with complete information prior to the telephone call being made.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

AT&T Telephone Traces and Address Information

834.1 PROCEDURE

AT&T or cell phone providers provide emergency telephone traces and address information to the police department. Cellular providers require a form to be filled out and faxed for emergency traces and address information.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Optional Methods of Filing a Police Report

836.1 PROCEDURE

In addition to the traditional method of filing a police report through personal contact with a police department employee, citizens may choose (in certain cases) to use one of the optional reporting methods. In any case, however, if a citizen desires to have personal contact by a department employee to file a report, the appropriate personnel shall be dispatched.

CAD INCIDENT REPORTS

This option may be offered to citizens at the time the incident is reported to the department. Minor incidents without suspect information or without a requirement for follow-up may be documented in the CAD system on the incident screen. A case number can be immediately provided to the citizen for insurance purposes. CAD Incident Reports may be taken for vandalism with less than $5,000 in damage, lost property, and petty theft. All CAD incidents are closed with a disposition of "7."

CITIZENS CRIME REPORTS

This option may be offered to citizens who come into the front counter but they do not wish personal contact by a police officer. These reports can be used to document the same types of incidents as described above. In addition, forms are available for citizens to use to document non-injury accidents for their insurance company.

ONLINE REPORTING

This option may be offered to citizens who wish to file certain types of reports on line.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fire Response to Alarms

838.1 PROCEDURE

Communications personnel shall dispatch the appropriate Fire units to all fire and medical alarm calls without delay.

Typically, an alarm company makes these calls to the Fairfield Communications Center.

The responding Fire personnel may cancel their response to a fire alarm if telephone contact has been made with an individual advising that the alarm is false and that the Fire department is not needed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fire Duty Chief Notification

840.1 PURPOSE AND SCOPE

It is imperative that Fire Department command staff (the daily Duty Chief) stay apprised of calls for service and staffing levels at all times. At any given time, the Duty Chief may reassign or redirect Fire units as necessary to ensure response capabilities are adequately maintained.

840.2 PROCEDURE

Whenever two or more stations respond to a single incident, Dispatch shall tone out the on-duty Duty Chief. The broadcast shall include the nature of the call and the total number of stations assigned. The Duty Chief shall advise Dispatch whenever he/she will be responding.

The Duty Chief shall also be notified in all cases where multiple stations (three or more) are committed to calls, and when ambulance coverage for the jurisdiction is unavailable or delayed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

City Hall Complex Fire Alarm Monitoring Panel

842.1 PROCEDURE

The City Hall complex has a fire alarm system that is monitored in the Communications Center. The system includes smoke detectors, rate of rise heat detectors, and manual pull devices. The system also detects system faults and power outages.

When a fire alarm is received, the dispatcher will create a CAD event and will note the specific location of the fire alarm as indicated by the fire alarm panel. Fire personnel shall be dispatched according to the CAD Recommendation File. If the alarm occurs during business hours, Building Maintenance should be notified. Fire personnel will reset the activated system. If a system fault is detected, the dispatcher shall immediately notify Building Maintenance personnel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Arrest Register

844.1 PROCEDURE

The Arrest Register consists of names of all adult persons arrested and booked by this agency. Each time an officer arrests and books a subject, this information must be reported to Dispatch who will then record the name of the arrested person, the charges, the date, time of arrest, and the arresting officer's ID number. The Arrest Register is considered public information under Government Code Section 6254(f).

The Records Unit also uses the Arrest Register as a daily guide in determining in custody reports needed by the District Attorney's Office. Completed pages are collected and maintained by the Dispatch and Records Supervisor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Information Received on Private Property Tows

846.1 PROCEDURE

When vehicles are towed from private property by order of the property owner, the property owner is required to report the tow to the police department under Vehicle Code Section 22658(a). All information received on private property tows shall be referred to the Communications Center for processing.

The information on vehicles removed from private property shall be recorded in CAD as a CAD report and immediately be entered into the Department of Justice Stolen Vehicle System as a Towed and Stored Vehicle. The number 4803 will be used as the case number in the "OCA" field indicating a private property tow. The location where the vehicle was towed from, as well as the towing company name and phone number, will be entered into the "REF" field as a reference.

These entries will remain in the SVS system for a 30-day period and will purge automatically. Communications Center personnel will print a copy of the entry and attach it to the CAD incident report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Radio Procedure

848.1 PROCEDURE

In using a radio system, words should be pronounced distinctly and rather slowly. The normal dispatch rate should be between 40 to 60 words per minute. Lengthy transmissions should be broken at 30 second intervals. This allows the receiving party to keep up and obtain the information or, if unable to receive, ask for a repeat. This also allows any other unit or station that may have emergency traffic to break in without delay. Personnel should be impersonal on the air. Members of the department and other police officers should be directed by proper title or rank and name, never by name alone. First names or nicknames should not be used, unless it is absolutely required for clarification purposes, and then the full name would also be used. Dispatchers should never guess or assume anything and should check all doubtful words, names and locations with the originating source. Dispatchers should never announce acceptance of a message until definitely sure it is correct in every detail. Choice of words in making up a message determines to a large extent whether the receiving operator will copy it correctly the first time, or find it necessary to ask for repeats. Calls should be dispatched enabling responding personnel to prepare for appropriate action in a logical manner. The best method of assigning a call to a fire or patrol unit, after initial contact has been established, is:

(a) Unit number

(b) Nature of detail and when it occurred

(c) Location of detail

(d) Description of suspects and their direction of travel, where applicable

(e) Easily misunderstood street names or locations should be phonetically spelled; (e.g.; F-I-R, "Frank, Ida, Robert"; and F-I-R-S-T Street; "Frank, Ida, Robert, Sam, Tom" Street).

(f) Phonetic alphabet spelling to units should not be used unless a doubt exists. The phonetic alphabet is routinely used only for license numbers.

(g) Driving under Code Three (3) conditions is hazardous. Officers responding to an emergency should be assisted by providing them with the cross street or landmark directions.

(h) Channels should be monitored before transmitting to prevent interference with other traffic. Transmission should not be "clipped," and personnel should be certain the transmit switch is depressed before speaking and maintained in that position until the transmission is completed.

(i) Standard radio codes should be used whenever possible. Dispatchers shall acknowledge the unit by repeating the unit's identifier.

The CAD system requires that certain routine radio transmissions use a standard format for broadcasting information. In all of the cases below, field personnel shall precede the transmission

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

with the radio call number and the nature of their activity (i.e;, Fairfield, L222, (nature of event), 11-95 etc.).

- TRAFFIC STOPS: Call sign, 11-95, (location), (license plate or vehicle description)
- PEDESTRIAN STOPS: Call sign, 11-94, (location)
- OTHER ON-VIEW ACTIVITY: Call sign, (activity type), (location)
- NAME INQUIRIES (warrant checks, driver's license checks): Call sign, last name, first name, middle initial, date of birth or age.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Radio Usage and Allied Agencies

850.1 PURPOSE AND SCOPE

All vehicles assigned to sworn personnel are equipped with 800 MHz radios programmed with the Solano County Sheriff's Department frequencies. The Sheriff's Department primary radio channel is Solano 1 and is available to Fairfield police personnel for emergency communications when radio contact with Fairfield Dispatch has been lost or is intermittent due to radio frequency range limitations (including "dead spots" of radio coverage in City limits).

850.2 PROCEDURE

Fairfield officers may use Solano 1 during an emergency when they have lost City of Fairfield Dispatch radio coverage or when they are aware that they may soon be out of range, such as during a vehicle pursuit, mutual aid response, or other circumstance which may cause the officer to roam outside City of Fairfield's 800 MHz radio coverage area.

Before switching to Solano 1, a field unit must advise City of Fairfield Dispatch of this intention, if practical. City of Fairfield Dispatch shall notify Solano Dispatch of the unit ID and the need to use Solano Dispatch resources. City of Fairfield Dispatch will provide a description of the circumstances and the incident to Solano Dispatch (e.g.; a vehicle pursuit with a stolen vehicle). If an officer is already out of City of Fairfield UHF radio coverage, he or she may initiate contact with Solano Dispatch as outlined below.

When communicating with Solano Dispatch, the field unit shall introduce themselves by using their full City of Fairfield unit ID proceeded by a "2" (the City of Fairfield PD unit identifier) and then stating "Requesting Mutual Assist". It is imperative that officers ensure Solano 1 channel is clear of other radio traffic before initiating contact with Solano Dispatch.

Solano Dispatch shall be responsible for acknowledging radio traffic generated by any City of Fairfield officers on their primary channel. City of Fairfield Dispatch shall be responsible for monitoring the Solano channel and updating the CAD incident with any information copied over the Solano 1 channel.

When the Solano 1 channel is no longer needed, City of Fairfield Dispatch will notify Solano Dispatch.

Additional allied agency frequencies have been programmed into the County radios. Officers may monitor them in order to improve field operations effectiveness. Officers should not transmit on these frequencies except under extreme, life-threatening emergencies, or as requested specifically by that agency (e.g.; Mutual Aid Response). If practical, officers must advise City of Fairfield Dispatch that they are working on an allied agency frequency under these conditions.

The City of Fairfield Communications Center and City of Vacaville Communications Center agree to communicate via telephone (ring down or direct dial) for all communication (daily business, non-emergency, emergency).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Radio Usage and Allied Agencies

Fairfield police units may use Vacaville Patrol 2 to communicate with the Vacaville Communications Center when transmitting emergency radio traffic while in the City of Vacaville. City of Fairfield police units shall use their Solano County agency identifier (2) followed by their call sign. Vacaville Communications Center will retain control of all radio traffic and may redirect City of Fairfield police units to a different channel as deemed necessary.

Vacaville police units may use City of Fairfield Patrol 2 to communicate with the City of Fairfield Communication Center when transmitting emergency radio traffic while in the City of Fairfield. Vacaville Police units shall use their Solano County agency identifier (3) followed by their call sign. City of Fairfield Communications will retain control of all radio traffic and may redirect Vacaville police units to a different channel as deemed necessary.

Fairfield fire units communicating emergency radio traffic or station coverage/incident response while in the City of Vacaville may use Vacaville Fire Main.

Vacaville fire units communicating emergency radio traffic or station coverage/incident response while in the City of Fairfield may use City of Fairfield Fire Main.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Communications Equipment Repair

852.1 PROCEDURE

Motorola has responsibility for maintaining the City radio in conjunction with IT. IT is responsible for all other computer equipment, except 911 equipment. The City Radio System includes all remote transmitter and receiver sites, all radio equipment in the Communications Center, and all portable and mobile radios operating on the City frequencies.

852.1.1 CITY RADIO SYSTEM FAILURE

Dispatchers are responsible for monitoring the City Radio System and for reporting any malfunctions detected. Any failure of this system that may inhibit the operations of the Police and Fire departments shall immediately be reported to the following persons:

- Dispatch and Records Manager/Dispatch Shift Supervisor
- Motorola
- Patrol Supervisor (if affecting police channels)
- Battalion Chief (if affecting fire channels)

852.1.2 COMPUTER SYSTEM FAILURE

Dispatchers are responsible for monitoring the CAD, RMS, MDC, and CLETS and for reporting any malfunction of these systems. Any malfunction that may render these systems inoperable or that may affect the emergency response of the Police and Fire Departments shall immediately be reported to the IT Division.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fire Evacuation Alert Tone

854.1 PROCEDURE

The purpose of the Fire Evacuation Alert Tone is to ensure that fire personnel are warned when it becomes necessary to evacuate a building while fighting a fire.

When circumstances warrant, the Incident Commander will advise the dispatcher to sound the Evacuation Tone. The dispatcher will press the alert tone 3 (A3) button on the Orbacom for five (5) seconds. This will cause a warbler tone to be broadcast over the RED channel. The Incident Commander will then broadcast evacuation instructions over the radio to all fire personnel on the scene.

MAYDAY is a radio term used to alert the Incident Commander or other persons on the emergency scene that personnel are in an imminent life-threatening situation. When a MAYDAY is called the Battalion Chief will advise Dispatch on Fire 1 that there is a MAYDAY on the TAC channel, stating the nature of the emergency. The dispatcher will then be responsible for monitoring the TAC channel. On the TAC channel, the dispatcher will use ALERT tone 1 for five seconds and announce the MAYDAY. The dispatcher will monitor and act as a direct resource to the IncidentCommander during the MAYDAY event. When advised by the Incident Commander, the dispatcher will advise when the MAYDAY is clear.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Solano County Radio Call Number Identifiers

856.1 NUMERICAL LAW ENFORCEMENT AGENCY IDENTIFIERS

1 - Solano Sheriff

2 - Fairfield Police

3 - Vacaville Police

4 - Benicia Police

5 - Suisun Police

6 - Dixon Police

7 - Rio Vista Police

8 - Isleton Police

9 - Vallejo Police

10 - Vacant

11 - Solano Agriculture

12 - Solano Communications

13 - Solano County Environmental Health

14 - Solano Weights & Measures

15 - Solano Animal Control

16 - Vacant

17 - Vacant

18 - CA Department of Corrections

19 - Solano County District Attorney

20 - Vacant

21 - Solano County Office of Education

22 - CHP

23 - FBI

24 - Solano Community College PD

25 - Solano County Park Ranger

26 - Solano County Mosquito Abatement

27 - Solano County Health Department

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

28 - Emergency Medical Services

54 - Solano County Welfare Department

856.2 NUMERICAL FIRE AGENCY IDENTIFIERS

10-14: Benicia Fire Dept

15-16: Valero Fire Dept

17-28: Vallejo Fire Dept

29-31: Cordelia Fire Protection District

32-34: Suisun Fire Protection District

35-44:City of Fairfield Fire Dept

45-46: Travis AFB Fire Dept

47-50: Suisun City Fire Dept

51-54: Montezuma Fire Protection District

55-59 :Rio Vista Fire Dept

60: Delta Fire Protection District

61-63: Ryer Island Fire Protection Dist

64-69: Vacaville Fire Protection Dist

70: CMF Fire Dept

71-80: Vacaville Fire Dept

81-85: Dixon Fire Dept

86: Isleton Fire Dept

87: River Delta Fire Protection Dist

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Solano County Radio Call Number Identifiers

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Issuing Radio Call Number Identifiers

858.1 PROCEDURE

It is the responsibility of the City of Fairfield Information Technology (IT) Division to issue and maintain radio call numbers to employees of the Police and Fire Departments who require the use of the radio, as they are hired/terminated, and receive assignment changes. The IT Division is responsible for publishing and updating the Radio Call Number Roster and disseminating the changes in a timely fashion.

The radio call sign consists of three basic parts. The first digit is "2" for a Police Department unit. The next digit(s) are alpha character(s) indicating a functional choice. The digits following the alpha character(s) represent an individual job assignment or specific function within a particular division or unit. Fire apparatus is identified by their designated station number and equipment type.

858.2 ALPHA CHARACTER FUNCTIONAL CHOICES

A	Admin/Division Managers
C	Civilians, Technical/Chaplains
D	Station Officers
E	Explorers
G	Investigations Gang Unit
H	Investigations
I	ID/Property
J	Youth Diversion/School Resource Officers
K	K9 Unit Officers
L	Patrol Personnel
N	Narcotics Investigation
P	Prevention/Code Enforcement
R	Park Rangers (Community Services)
S	Supervisors Sworn/Civilian
T	Traffic Unit
TAC	Special Patrol
V	VIPS/Volunteers In Police Service
Y	Patrol CSO

858.3 FIRE DEPARTMENT FUNCTION ASSIGNMENTS

BT#	Battalion Chief or Duty Chief
COMMAND	Fire Incident Command
FAIRFIELD	Communications Center

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Issuing Radio Call Number Identifiers

A	Air Support or Administrator
B	Engine (Type 3 Brush)
BT	Battalion
D	Dozer
E	Engine (Type 1 or 2)
EM	ALS Engine (Type 1 or 2)
FB	Fire Boat
FT	Fuel Tender
G	Engine (Type 4 Grass)
HAZM	HazMat Trailer
M	Medic
MC	Mobile Communications
R	Rescue (Light Duty Type 3 or 4)
RT	Rescue Trailer
S	Squad (Heavy Duty Type 1 or 2)
T	Truck
U	Utility
W	Water Tender
U	Utilities
I	Investigators/Prevention
SU	Support

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Radio Paging System

860.1 PROCEDURE

The Motorola radio paging system is used to alert fire stations, and the duty chiefs. The paging system operates on Fire Main Channel by generating a series of tones. The dispatcher can generate the tones by pressing the individual station buttons, the individual Battalion Chief buttons, or the First Alarm.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Alert Tones

862.1 PROCEDURE

Alert tones are used to call the attention of personnel to the radio for a particular reason or emergency. There are three distinct alert tones available for use on any radio channel. Dispatchers will use alert tones as follows:

(a) Police Radio Channels

1. Steady Tone (A1) - Used to raise the attention of a field unit no answering the radio.
2. Warbler Tone (A2) - Used before broadcasting a serious crime or incident that just occurred such as a shooting with injuries, robberies, fights with a gun involved or known serious injury, and large accidents with extrication.
3. Two Tones (A3) - Used before broadcasting all BOLs, Code 666 and for all announcements, such as when a radio channel is not available or when a computer system is down.

(b) Fire Radio Channels

1. Steady Tone (A1) - Pre-Alert tone for all calls for service.
2. Warble Tone (A2) - Used to signal fire personnel to evacuate a building or during a MAYDAY. This tone will only be sounded at the direction of the incident commander.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Computer System Security

864.1 PROCEDURE

The City of Fairfield's Information Technology Division (IT) is responsible for managing the security of the department's computer and radio systems. All reasonable measures will be taken to ensure the integrity and security of the computer system equipment and data files.

Access to the computer system is provided through a user account and specified options. IT is responsible for creating, modifying, and deleting these accounts and options when authorized by a police department supervisor. The user's supervisor shall make requests for new accounts and options. All required training shall be provided to the employee prior to being provided access to the account and options.

When the Training Unit receives notification (via the Personnel Action Form) that a new employee has a start date to begin work, they will forward the required forms to establish a new computer user account to the appropriate supervisor. The supervisor will complete the forms and return them to Training. Training will process the paperwork and forward to IT. IT will contact the new employee's supervisor to schedule and conduct the required computer training. In addition to the training given to all general users, CLETS access will be established once a certified CLETS Trainer conducts the required training.

Each employee is responsible for maintaining a password for their account on the computer systems using the password software program available on the systems and to change their passwords as necessary. Passwords for accounts on the MDC system are set by IT. Users will not share access to their accounts with anyone. Users are responsible for all computer transactions completed while they are logged on to the systems. Users shall log off of the systems each time they have completed use of the systems.

Use of information from automated systems is restricted by California Penal Code Sections 11142, 11143, and 502 and by the California Department of Justice policy. Access and use of information is based upon a "right to know" and "a need to know." These rules apply to all of the Department's computer systems.

Users shall take reasonable precautions to ensure that persons who are not authorized cannot access or view information from the computer systems while the user is logged on. This is particularly important when citizen observers are present, near an MDC, or while in the Communications Center. The same concerns apply to hard copy material printed from the computer systems.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Free Format Automated Computer Messages

866.1 PROCEDURE

The MDC and CAD computer systems allow free format messages to be sent from one terminal to another for the purposes of reducing the amount of radio voice traffic necessary to perform a function.

Messages sent using this feature shall not contain unprofessional language, profanity, racial, or slanderous remarks. This feature will be used for business purposes only. A log of all MDC transmissions will be maintained for 100 days and will be reviewed at random on a monthly basis by the Communications Supervisor to ensure appropriate use of the system.

A supervisor may also review the log of transmissions by submitting a request with the specific dates and times desired to the Communications Supervisor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Downtime CAD Operations

868.1 MANUAL INFORMATION PROCESSING

There are two types of computer "downtime" that describe periods of time when the CAD system is not operational. The first is "scheduled" downtime and results from planned activities such as maintenance, installation of new software, etc. The second is "system failure" and results from a malfunction of either a hardware element or software feature.

As soon as a system failure is detected, the dispatcher will notify the ID CAD Project Manager, who is responsible for first line troubleshooting, and the Communications Supervisor. Once the restart is successful, a reversal of the manual process should occur as soon as described below.

During "downtime," dispatchers will record information manually so that it can be processed for automated systems entry at a future time. The Communications Center will document in a CAD information call, the time that CAD went down, all notifications made, and the time CAD came back up. This information call will be printed and forwarded to the Communications Supervisor and the Administrative Services Lieutenant.

868.2 SCHEDULED DOWNTIME

Dispatchers will be notified in advance that the automated system will be disabled. Events that are active at the time of shutdown must be recorded on dispatch cards and the manual system must be enabled prior to the initiation of the shutdown procedure. Events that have been verified but not dispatched should be transferred to dispatch cards. Events that are unverified before the notice to disable is delivered must be entered onto dispatch cards. Dispatch cards must contain the following minimum information for each event.

- Unit number or numbers
- Corresponding officer identifications
- Valid activity code
- Location of the event
- Name of reporting party (where applicable)
- Address of reporting party (where applicable)
- Phone number of reporting party (where applicable)
- ID number of dispatcher receiving the call
- ID number of dispatcher dispatching the call
- An indication as to whether the event is a call for service, on-view or out of service activity
- Reporting area
- Case number (where applicable)

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Disposition code
- Time stamps as appropriate
- The incident number of the event
- All other activity shall be recorded using the Manual Data Cards (see Policy/Procedure 6904"Manual Data Collection Card")

When the system is ready for "restart" the process must be reversed. Events that have been logged on cards must remain active in that mode until they are closed. When the "restart" process is complete, the system operator will obtain the last manually assigned sequence and report number from dispatch for the purpose of resetting the automated system. Once CAD is restarted and the history file is running, each newly reported event can once again be processed in the typical manner.

868.3 UNSCHEDULED DOWNTIME (SYSTEM FAILURE)

System failure will be characterized by a loss of interactive capability; this may or may not include a blank screen or foreign screen image condition. In such an event the first steps taken will be the most important for insuring that a smooth process continues under manual operation.

Events that have been verified but not dispatched must be transferred to manual cards to contain all information previously listed under "scheduled downtime." Events that have been dispatched must be transferred to cards. In either case, all manually processed information must be filed so that dispatchers can later enter the data into the history file.

The primary dispatcher will be responsible for reviewing all cards and placing them in sequential order. The cards will be banded together with the card containing the list of incident numbers used and the dispatcher's beat assignment card.

A Dispatch Shift Supervisor will then review the cards. Once reviewed, the cards will need to be entered into CAD by the Communications Center. Once entered, all cards will be banded together with a note indicating the date the entry was completed and placed in the Supervisor box. A Dispatch Shift Supervisor will be responsible for ensuring these cards are filed in Records.

As each new event is received and time stamped, a sequential number that corresponds with the series that was active at the time the manual process was initiated must be assigned and noted in the "additional details" section of the dispatch card as previously described.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Manual Data Collection Card

870.1 PURPOSE AND SCOPE

When automated systems are not operating, a manual data collection card is completed each time an officer is notified to respond to the location of a call for service, and each time an officer initiates some kind of on-view activity. In addition, these cards are completed when officers go out of service for breaks, and when they communicate miscellaneous requests.

Under certain circumstances, all action for an event may be recorded on this card. In these instances the card is the only record of the incident and a detailed report is not required. It is also a source document for automated management reports and incorporates a method to monitor proper initial case disposition.

870.2 DETAILS OF THE MANUAL DATA COLLECTION CARD

The card has two sides. The face side includes the information required to dispatch calls or otherwise account for times, location, and type of activity. It also provides a disposition block and is completed as follows:

A. Assigned: Enter the complete call number of the officers or units. More than one card may be needed for situations where more than two officers are assigned.

B. Back up: Enter the complete call number of the officers or units used to assist. Use a separate card for each back up unit assigned beyond that initially attached to the event.

C. Status Code/Activity Type: Describe the activity by code, whenever possible. Use English for non coded activity.

D. Location of Activity: Enter the location where the officer is sent or the location where the officer is out of service. Be exact. Use street address, whenever possible. This can be a telephone number on out of service records.

E. PSA: Enter the PSA where the officer is to be sent. This need only be completed on dispatched calls, as its only function is to assist dispatchers in determining which unit or officer to select.

F. Reporting Party Name: Enter the name of the person who reports the activity or the name of the person the officer should contact. This is only required on dispatched calls.

G. Reporting Party Address: Enter the address of the reporting party. This may be left blank if the address is the same as location of activity. Draw a line through this blank if the address is not known to prevent confusion. This block is only required on dispatched calls.

H. Reporting Party Phone: Enter the telephone number where the reporting party may be contacted for additional information if necessary. It is important to have a telephone number where the officer may be reached during the time he is at the scene if a telephone is present. This block is only required on dispatched calls.

I. Received By: Enter the number or initials of the person who receives the call.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

J. Dispatched By: Enter the number or initials of the radio operator.

K. Incident Number: Assign a sequentially progressive number, consistent with the automated system outputs at last shutdown, for each event.

L. PSA: This is the reporting area where the officer takes the report or initiates activity. This must be completed before being sent to Records Bureau, Data Entry clerical processing. Use reporting area table.

M. Do Not Contact: Check this block if the reporting party does not desire contact by the reporting officer.

N. Report Number: Enter the case number if the officer requests one.

O. Disposition: Enter the disposition number provided by the reporting officer, if applicable.

P. Additional Details: Enter any additional data that will aid the dispatcher in passing on pertinent information(i.e.; description, direction of travel or other notes regarding the incident). This is very important when the dispatcher is not the person who received the call.

870.3 DISPOSITION CODES

The disposition code allows the dispatch card to become an incident report when a written detailed report is not required by department policy. The Status Code/Activity Type denotes the type of event that was handled. The disposition code in turn tells how the event was handled.

Disposition Codes are defined as:

A - Unable to locate, unable to contact; gone on arrival or unable to complete the assignment for exceptional reasons.

1 - Unfounded report or complaint.

2 - Civil matter referred to attorney or court.

3 - Assist or service completed to reporting party's satisfaction.

4 - Referred to other agency.

5 - Warning given (primarily for traffic stops).

6 - Report taken or citation issued.

7 - Service completed in Communications Center

8 - Service completed by Records

9 - Test call

All cards must be completed as accurately and fully as possible since they may be used in courtroom presentations and frequently will become an official report. Operating procedures will vary, according to the way the card is utilized.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Manual Data Collection Card

Call for Service Use: Each card must have a minimum of four time stamps. These stamps indicate:

- Time call was received
- Time call was dispatched
- Time of arrival
- Time cleared

Additional times may be stamped prior to the time the officer clears the call due to special requests or location changes. Enter the disposition code when the call is cleared.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

CAD SYSTEM FILE MAINTENANCE

873.1 PURPOSE AND SCOPE

The CAD System contains various files of information that must be constantly updated and purged. IT is responsible for CAD, RMS, and GEO File maintenance.

A hard copy of the Master Street Index is maintained in the Communications Center, in case of CAD system failure.

873.2 READY REFERENCE

Ready Reference contains a variety of reference information pertaining to procedures, call out lists, directories, and any other type of reference information necessary to the daily operation of the Communications Center. A hard copy of this file is maintained in the Communications Center in case of CAD System failure.

Ready Reference information is considered permanent and has no regularly applied purge criteria. The information is periodically reviewed and updated as necessary.

873.3 CAD PREMISE FILE

The Premise File contains information regarding conditions at a specific address. Information is categorized into six groups:

- A - ALERT (officer safety or caution advised)
- C - Commercial (merchant cards, business info)
- F - FIRE (sprinkler system, knox box, shut off valves)
- M - Medical

Personnel requesting ALERT comments shall submit the information in a police report, in an alert/comment card approved by a Sergeant or Watch Commander, or verbally to the Communications Center supervisor for entry.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Cost Recovery for Specified Emergency Responses

873.1 PURPOSE AND SCOPE

It is the intent of the department to seek reimbursement for the costs of emergency responses whenever lawful and practical to do so. "Emergency Response" is defined as any response that must be handled without delay. There is no requirement the response be made "Code Three." Typical emergency responses are traffic collisions, crimes in progress, fires, medical emergencies, and spills of hazardous or toxic materials.

873.2 PROCEDURE

Copies of reports involving people and activity meeting the legislative criteria described in H&S Code 13009.6 and Gov. Code sections 53150 and 53158 should be routed to the department personnel responsible for initiating the collection process. Such reports must provide adequate information to justify attempting to collect for the services rendered.

873.2.1 H & S CODE 13009.6

Any person (and the person's employer if the negligence occurs in the course of the person's employment) who negligently causes an emergency response by a public agency; to confine, mitigate the release, escape, or burning of hazardous substances is liable for the costs of the response if any of the following occurs.

(a) Evacuation beyond the property where the incident originates is necessary to prevent loss of life or injury.

(b) The incident results in a spread of hazardous substances or fire posing a real and imminent threat to public health and safety beyond the property of origin.

Hazardous substances are defined as substances designated as such by:

(a) Title 15 U.S.C. section 2606.

(b) Title 33 U.S.C. sections 1317(a), 1321(b)(2)(A).

(c) Title 42 U.S.C. sections 7412, 6921, and 9602, except any waste that has regulation suspended by act of Congress under the Solid Waste Disposal Act.

(d) Any hazardous waste or mixture of hazardous wastes which, if human exposure should occur, may likely result in death, disabling injury, or serious illness because of its quantity, concentration, or chemical characteristics.

(e) Any waste because of its concentration, quantity, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or illness or poses a substantial present or potential hazard to human health or environment when improperly managed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

873.2.2 GOVERNMENT CODE ARTICLE 8, SECTIONS 53150-53159

(a) Any person, under the influence of an alcoholic beverage or drug or a combination of the two, whose negligent operation of a motor vehicle, boat, vessel or civil aircraft causes any incident resulting in an appropriate emergency response is liable for the expense of the response. "Under the influence" for purposes of this section is defined as, "Being in a state due to intoxication where the person's mental or physical abilities are impaired to a degree they cannot operate a vehicle with the caution that a sober person would." The presumptions described in V.C. 23152 and 23155 apply to this article.

(b) Any person whose intentionally wrongful conduct causes any incident resulting in an appropriate emergency response is liable for the expense of the response. "Intentional wrongful conduct" for purposes of this section is defined as "conduct intended to injure another person or property."

(c) The liability may not exceed $12,000.00, is not insurable, and no insurance policy shall pay for the expense.

(d) This article does not require either an arrest or conviction in order for the responsible person to be liable for the expense of the emergency response. The arrest of a person for driving under the influence of alcohol or drugs when such person caused a traffic collision is sufficient to initiate the collection process on those kinds of emergency responses. In other instances, it is necessary to fully describe the negligent or intentional wrongful conduct.

873.2.3 THE COLLECTION PROCESS

The Administrative Services Lieutenant and the Support Services Division Captain, when notified, will take the necessary steps to initiate the collection process. Depending upon the circumstances, assistance will be solicited from the Finance Department Revenue Section, the District Attorney's Consumer Protection Unit, or the appropriate court when it appears more practical to follow PC 1203.1 as it relates to restitution as a part of probation. If either City property, or an employee's uniform or equipment is damaged as a result of a criminal act, the reporting officer shall indicate in the police report referred to the District Attorney the nature and extent of damage, how it occurred, and an estimate of loss, if known. The report shall also request the District Attorney's Office to seek restitution for the damage. In cases of vehicle accidents as a result of criminal acts (such as pursuits, vehicular assaults, and so forth) the report shall also state the current information on the driver's insurance, including name and address of agent. A copy of the police report shall be forwarded to the Support Services Division Captain, who will be responsible for determining any unknown damage estimates and forwarding that information to the District Attorney's Office, as soon as it is known. A copy of the police report shall be forwarded to the Administrative Services Lieutenant who shall:

(a) Initiate the billing for damage or emergency response.

(b) Monitor the incident so that payments received as a result of action taken through the District Attorney's Office or Probation Department can be appropriately logged and deposited.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Work with the Finance Department - Accounts Receivable. The Administration Division Manager shall have the case referred to the appropriate collection agency if, after 60 days, no payment has been made.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Verbal Notice of Suspension of Driver's License

875.1 PROCEDURE

Form DL310 is completed by authorized police department personnel to notify a driver that their driving privilege in the State of California has been suspended or revoked. Authorized personnel, including any sworn employee, Records Assistant, or Records Supervisor, will confiscate the driver's license when in possession and forward form DL310 and the driver's license to Records Unit personnel, who will immediately forward the form DL310 and/or the driver's license to: Department of Motor Vehicles, P.O. Box 942890, Sacramento, CA 94290 0001. No record is maintained of form DL310 mailings.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Control, Indexing and Review of Permanent Records

877.1 CONTROL OF PERMANENT RECORDS

To maintain an adequate level of integrity in a police department records system, it is imperative that once a finished product is submitted and processed for permanent file, the original document not be released for indiscriminate distribution or possible loss. Therefore, the following records control procedure is established:

(a) No original or other file copy of a permanent record will be removed from the Records Bureau except:

1. By court order
2. On written order of the Records Manager or superior authority. (Under such circumstances, a copy of the written order will replace the document removed from file. Return of the file document will be the responsibility of the authority approving its removal.)

(b) Intradepartmental needs for access to information contained in original documents will be met by Records Bureau personnel providing copies upon such request.

877.2 REPORT REVIEW BY GOVERNMENT AGENCY EMPLOYEES

Police reports on file with this Department may be viewed by the following persons provided they have an official interest in the document or its subjects:

- Solano County District Attorney, Deputies District Attorney, and/or Investigators
- Federal Bureau of Investigation, agents, or investigators
- City Manager and/or assistants
- City Attorney and/or Investigators
- Solano County Coroner and/or deputies
- Probation Department and parole officers
- Civil Service Commission Investigators
- Internal Revenue Service, agents or investigators*
- City, County, State or Federal Law Enforcement or investigative officers
- Heads of City departments* (This privilege does not extend to City employees below the status of Department Head.)

*Identity of arrested juveniles may not be released without Court Order.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Police Report Release Fees

879.1 POLICY

Government Code 6253.9(b) and the City's established Fee Schedule authorize a fee to be charged for release of documents. The police department may not arbitrarily apply rules or policies to individuals or agencies. In the interest of equity, the fees will be applied in all situations, except as noted in the following procedure.

879.2 PROCEDURE

Except as provided by statute, a fee (per the City's published Fee/Service Schedule) will be charged for release of reports, except in the following situations:

- No fee is charged for report copies to the District Attorney's Office when the report is needed for prosecution purposes.
- No fee is charged for report copies released to any law enforcement agency (as defined in Penal Code 830) when the report is needed to conduct a criminal investigation, an internal investigation, or a pre-employment background investigation on a prospective law enforcement employee or volunteer. A photocopy of the law enforcement identification is not necessary for processing provided they present their identification upon request and receipt.
- No fee is charged for report copies to the school district when the report is needed for disciplinary action against a student or former student.
- No fee is charged for report copies to the California Transportation Department (Cal Trans) when the report is needed to repair state property.
- No fee is charged for report copies to a child protective agency (as defined in 11165.9 P.C.) when the report is needed to investigate a child abuse (or alleged abuse) situation as defined in article 2.5 of the California Penal Code.
- No fee is charged for the first copy of a police report released to domestic violence victims (6228 FC) when the request is made within five years from the date of the incident.
- No fee is charged for the first copy of a police report released to the victim of identity theft (530.6(a) PC).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Taxi Driver Permit

881.1 PROCEDURE

The applicant needs to complete the All Purpose Application, and pay the fee. Their employer should have provided them a drug testing authorization form, if not, provide the applicant the form. Advise them they must submit a drug test within the next 48 hours.

Taxi permits are good for one (1) year from the date fees were paid.

881.2 RENEWAL

A renewal must be done every year. Renewals consist of paying fees, having the Driver License re-run, and reissuing a new ID Card.

881.3 INITIAL PERMIT

The Records Assistant (RA) processes the applicant through AFIS, runs RMS checks, and runs wants/warrants/27 (DL for validity) checks through CLETS. The RA takes a digital photo of the applicant. The application is logged in EXCEL in the folder titled "Permit Logs" in the Taxi Applicant spreadsheet. The RA can issue the next sequential Taxi Permit number from this spreadsheet. The permit number will be written on the application itself. The RA then prepares a Taxi ID Card.

881.4 AFTER DOJ RESPONSE IS RECEIVED

When the DOJ response comes back, provide the following information to the designated Police Department supervisor:

- The DOJ Response regarding summary criminal history
- The completed permit application
- The lab results submitted to the City of Fairfield Police Department by the independent laboratory
- The City Taxi ID card that the RA printed/prepared
- All RMS checks
- Notation whether clear (10-26) or not
- A copy of the applicant's Driver License
- The drug test results that were faxed/sent in via employer
- The prepared Taxi ID Card

The designated Department supervisor does the following:

- Signs and approves the application; *OR,*
- Denies the application; if denied, the designated Department supervisor contacts the applicant via letter prepared by the RA

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If approved, the designated supervisor signs the Taxi ID card and gives the packet back to the processing RA. The RA contacts the applicant to pick up his/her signed card. The RA has the applicant review the ID card for accuracy and sign the card. The RA laminates the card, makes a copy of the Taxi ID card for the file, has the applicant sign the application acknowledging receipt of the card and then files the application/attachments (in accordance with the City of Fairfield Police Department records retention).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Record Expungements

883.1 PROCEDURE

An adult may, under certain circumstances, apply to have his or her criminal record expunged (Penal Code 1203.4). An expunged record must be viewed in the same light as a record having no conviction. On receipt of an expunged order, the following procedure is used to comply:

(a) Change the individual's RMS master index arrest entry from "arrest" to "suspect."

(b) Attach the expunged order to the master copy of the report and return a copy of the order to the appropriate agency with an endorsement reflecting compliance.

(c) Forward a copy of said order to the Sheriff's Office, Services Division, for information. That agency will make notification to the Department of Justice and/or FBI as required.

In the event that the record to be expunged has been copied to digital reel, the report, any supplements, and the expunged order will be re-laserfiched and re-indexed with the corresponding report number. It is important to note that the expunged order does not relieve the probationer of the obligation to disclose the conviction in response to any question contained in a questionnaire/ application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery. Furthermore, it does not permit a person to own or possess any concealable firearm.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Criminal History Local Review

885.1 PROCEDURE

Under Penal Code Section 13320, persons for whom a record is maintained in the files of the Department have the opportunity to examine their local record. Individuals contacting this agency requesting a review of their local record must:

- Complete required request form
- Provide picture identification
- Remit to the City of Fairfield applicable fees for record processing

This information will be forwarded to the designated Records personnel for processing. Once processed the requestor is notified and given the option of picking up the record or having it mailed. Persons examining local records and who desire to refute any erroneous or inaccurate information may be provided copies of specific reports/documents in compliance with statutes relative to disclosure (i.e.; Penal Code Sections 13320-13323). Said person challenging the accuracy of their record must submit a written request describing the alleged inaccuracy and shall specify any available proof or corroboration. Within sixty (60) days of receipt, applicable department personnel will forward results of the review to the applicant, as described in Penal Code Section 13324.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hospital/Doctor Notification (11160/11161 P.C.)

887.1 PROCEDURE

The Fairfield Police Department routinely receives both verbal and written notifications by a hospital or doctor that a patient has been seen and has alleged their injuries were the result of a criminal act or deadly weapon.

VERBAL NOTIFICATION: The hospital is required to report all gunshot wounds/assaults with deadly weapon. An officer will be dispatched to respond to the hospital to contact the victim.

WRITTEN NOTIFICATION: Upon receipt of the written notification, Records Unit personnel will determine if there is a corresponding report and attach the written notification to the report. If there is no report on file, the Records Unit personnel will forward notification to Investigations for follow-up.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Juvenile Record Sealing

889.1 PROCEDURE

A person may petition the Juvenile Court to have their criminal record sealed any time after they reach the age of 18 years. Orders to seal such records are almost routinely given and apply only to records concerning arrest or citation for criminal matters. Traffic-related records may not be sealed. When a Juvenile Record Sealing Order is received by this department, the Lead Records Assistant or Records Manager is responsible for generating a Sealing Notification letter. Notification letters should be sent to all departments or agencies who have received copies of the report from our agency and who are not listed on the sealing order. These Departments or agencies are responsible for returning the Notification letter and any accompanying data to Records in ten working days. All arrest indicators in the juvenile's name shall be removed from the RMS master name index, as well as other entries that could be defamatory such as "suspect" or "investigative lead." Laserfische reports containing identifying information of the juvenile shall be eradicated, re-scanned, and re-indexed. All "clean copy" documents pertaining to the juvenile record sealing will be placed in a manila envelope, sealed, and placed in a secure file area until the destruction date.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Solicitor Identification Card

891.1 PROCEDURE

Solicitors need to fill out the appropriate solicitor application and the all-purpose application and then go to the City's Finance Department to pay their fees.

Solicitors who don't have a current business license in the City of City of Fairfield must pay for a yearly business license, the new application fee, plus the ID card and fingerprint fees. A Business License is valid for one year or until January 31 of the coming year. ID cards are valid for three years.

Every person that the owner employs needs to fill out the all-purpose application and needs to pay fees for the ID card, fingerprinting and application.

After one year, the solicitor must come in and pay for a business license again and a permit fee of $300. Note that the solicitor doesn't have to pay for an ID at this point because their ID card is valid for three years.

If solicitor has paid the correct fees, the Records Assistant (RA) gives him/her an all-purpose application and solicitor application to fill out. Food vendors must provide a copy of their Solano County food permit which they get from the government center at 675 Texas Street in City of Fairfield. They must also include a copy of their vehicle insurance for the vehicle they are using for their business. The solicitor then needs to be live-scanned and told that they are not to do business until they get their ID card and permit. The RA also makes a copy of their driver license and takes their photo with the Kodak camera in the Records unit. The Records Assistant responsible for permit processing is notified that a solicitor-applicant's Kodak photo has been taken; that RA downloads the photo and renames it with the applicant's name.

When the application has been filled out and fees have been paid, do the following:

- Run the name in CLETS to check for wants/warrants and print the DL response.
- Run an RMS check and print the pages if the applicant has a negative history.
- Make a copy of the reports and dispositions for all the negative contacts.

If there were no negative contacts with the applicant and they had no wants/warrants, then please write "10-26" in the upper left hand corner of the all-purpose application.

Log the application in EXCEL in the folder titled "permit logs" while we wait for the fingerprint response from DOJ. Once the fingerprint responses are received from DOJ, send the entire packet to Code Enforcement, Attn: Laura, and email her the applicant's photo as an attachment.

If the application is approved, the permit and ID card will be returned to Records. The RA will call the applicant to come in and sign his ID card and the RA will then laminate it. The RA will then make a copy of the permit and ID card and have the applicant sign the copies acknowledging that it was received. The RA goes back to the permit log in EXCELl and indicates the date the entire process was complete and the permit picked up.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Solicitor Identification Card

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 9 - Custody

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Custodial Searches

901.1 PURPOSE AND SCOPE

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

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

901.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy, and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment, or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

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

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

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

901.4 STRIP SEARCHES

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

(a) The detection of an object during a custody search that may be a weapon or contraband, and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g.; past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual's actions or demeanor.

(e) Criminal history (i.e.; level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.4.1 STRIP SEARCH PROCEDURES

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

(a) Written authorization from the Watch Commander shall be obtained prior to the strip search.

(b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

(c) All strip searches shall be conducted in a professional manner, under sanitary conditions, and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

(e) Members conducting a strip search shall not touch the breasts, buttocks, or genitalia of the individual being searched.

(f) The primary member conducting the search shall prepare a written report to include:

1. The facts that led to the decision to perform a strip search.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. The reasons less intrusive methods of searching were not used, or were insufficient.
3. The written authorization for the search, obtained from the Watch Commander.
4. The name of the individual who was searched.
5. The name and sex of the members who conducted the search.
6. The name, sex, and role of any person present during the search.
7. The time and date of the search.
8. The place at which the search was conducted.
9. A list of the items, if any, that were recovered.
10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.

(g) No member should view an individual's private underclothing, buttocks, genitalia, or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

(h) If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from the Watch Commander shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.

(i) A copy of the written authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual’s authorized representative.

901.4.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Watch Commander authorization, and only in exceptional circumstances, such as when:

(a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Watch Commander authorization does not need to be in writing.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

901.5 PHYSICAL BODY CAVITY SEARCH

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

(a) No individual shall be subjected to a physical body cavity search without written approval of the Watch Commander, and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse, or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.

(c) Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including:

1. The facts that led to the decision to perform a physical body cavity search of the individual.
2. The reasons less intrusive methods of searching were not used, or were insufficient.
3. The Watch Commander's approval.
4. A copy of the search warrant.
5. The time, date, and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any department members present.
8. Any contraband or weapons discovered by the search.

(f) Copies of the written authorization and search warrant shall be retained and shall be provided to the individual who was searched, or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

901.6 TRAINING

The Training Sergeant shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.

(b) Conducting searches of transgender and intersex individuals.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Chapter 10 - Personnel

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides the framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Fairfield Police Department and that are promulgated and maintained by the Personnel Department.

1000.2 PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATIONS

(a) The Fairfield Police Department adheres to the hiring guidelines set forth by POST.

1. Candidates for the position of Police Officer, Dispatcher, Community Services Officer, and Crime Scene Investigator are required to submit to a pre-employment psychological evaluation performed by the Department's consulting psychologists. Candidates must be found free from job-relevant psychological limitations in accordance with Government Code § 1031.
2. The summary psychological report is sent to the Chief of Police by the Department's psychologist. The Chief may provide access to the Department's Personnel Sergeant, if deemed necessary.
3. During the Trainee's probationary period, Department personnel may have access to elements of the report that, in the judgment of the Chief, may facilitate the Trainee's successful performance.

(b) Candidates for the position of Police Officer, Dispatcher, Community Services Officer, and Crime Scene Investigator who are found to be psychologically unsuitable for employment have no right to Departmental appeal of this decision.

1000.3 POLICY

In accordance with applicable federal, state, and local law, the Fairfield Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.4 RECRUITMENT

The Department should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The strategy should include:

(a) Identification of racially and culturally diverse target markets.

(b) Use of marketing strategies to target diverse applicant pools.

(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.

(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.

(e) Employee referral and recruitment incentive programs.

(f) Consideration of shared or collaborative regional testing processes.

The Department shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process. And should periodically inform each candidate of his/her status in the recruiting process.

1000.5 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record).

(b) Driving record.

(c) Reference checks.

(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9, and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.

(e) Information obtained from public internet sites.

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.).

(g) Local, state, and federal criminal history record checks.

(h) Lie detector test (when legally permissible) (Labor Code § 432.2).

(i) Medical and psychological examination (may only be given after a conditional offer of employment).

(j) Review board or selection committee assessment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1000.5.1 VETERAN'S PREFERENCE
Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran's preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

1000.6 BACKGROUND INVESTIGATION
Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Fairfield Police Department (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

1000.6.1 NOTICES
Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

1000.6.2 STATE NOTICES
If information disclosed in a candidate's criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

1000.6.3 REVIEW OF SOCIAL MEDIA SITES
Due to the potential for accessing unsubstantiated, private or protected information, the Department shall not require candidates to provide passwords, account information or access to password-protected social media accounts (Labor Code § 980).

The Department should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.

(b) Material and information to be considered are verified, accurate, and validated.

(c) The Department fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Department should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1000.6.4 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file (11 CCR 1953).

1000.6.5 RECORDS RETENTION
The background report and all supporting documentation shall be maintained for a minimum of two years and in accordance with the established records retention schedule (Government Code § 12946; 11 CCR 1953).

1000.6.6 BACKGROUND INVESTIGATION UPDATE
A background investigation update may, at the discretion of the Chief of Police, be conducted in lieu of a complete new background investigation on a peace officer candidate who is reappointed within 180 days of voluntary separation from the Fairfield Police Department, or who is an interim police chief meeting the requirements contained in 11 CCR 1953(f).

1000.7 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators, candidate information, and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.8 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community. The California Commission on Peace Officer

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Validated, job-related, and non-discriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Personnel Department should maintain validated standards for all positions.

1000.8.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by POST (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

(a) Free of any felony convictions

(b) Citizen of the United States, or permanent resident alien eligible for and has applied for citizenship

(c) At least 18 years of age

(d) Fingerprinted for local, state, and national fingerprint check

(e) Good moral character as determined by a thorough background investigation (11 CCR 1953)

(f) High school graduate, passed the GED or other high school equivalency test or obtained a two-year, four-year or advanced degree from an accredited or approved institution

(g) Free from any physical, emotional, or mental condition which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)

(h) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):

1. Reading and writing ability assessment (11 CCR 1951)
2. Oral interview to determine suitability for law enforcement service (11 CCR 1952)

In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

1000.8.2 STANDARDS FOR DISPATCHERS

Candidates shall satisfy the POST selection requirements, including (11 CCR 1956):

(a) A verbal, reasoning, memory, and perceptual abilities assessment (11 CCR 1957)

(b) An oral communication assessment (11 CCR 1958)

(c) A medical evaluation (11 CCR 1960)

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Evaluation of Employees

1002.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1002.1.1 SUPERVISORY RESPONSIBILITY

Each supervisor should discuss the tasks of the position, standards of performance expected, and the evaluation rating criteria with each employee at the beginning of the rating period. When an employee's job performance falls below the established standards of the job, the supervisor should, as soon as practical, advise the employee in writing in order to provide an opportunity for the employee to improve performance. The involved employee will be provided the opportunity to initial any such writing and respond in writing within 30 days, if desired. Failure to meet established performance standards is justification for an unsatisfactory rating. Rating factors that are not observed are assumed to be performed at a standard level.

All sworn and civilian supervisory personnel shall be sent to a POST approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

The performance reporting system is based upon results shown by the employee in carrying out assigned duties and responsibilities. From the supervisor's viewpoint, the following are significant uses of the performance evaluation process:

(a) Maintain a high level of efficiency;

(b) Inform the employee of good performance, which may in turn lead to promotion or higher pay;

(c) Indicate to the employee those points of weak performance and suggest the proper means of raising that performance to the desired level;

(d) Encourage better working relationships and mutual understanding;

(e) In discussing the report with the employee the supervisor should:

1. Describe any progress;
2. Commend efforts;
3. Advise need for specific improvements and course of action to obtain;
4. Advise advancement preparation techniques;
5. Allow the employee an opportunity to make comments or suggestions.

1002.2 POLICY

The Fairfield Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1002.2.1 PROCEDURE

Employee performance evaluations will be completed by the employee's supervisor at the prescribed time for the individual employee. Employees shall be evaluated on the approved department form.

Prior to evaluation due dates, the Administrative Assistant shall notify the Division Captain of the evaluation due date for applicable division employees. When an employee's evaluation is due, a watch commander will assign a supervisor the responsibility for the completion of the evaluation.

Prior to beginning the evaluation process, the evaluating supervisor shall review the department Performance Evaluation Guidelines. After an evaluation is completed by the shift supervisor it shall be routed through the Division Captain to their supervisor. Upon review, the evaluation shall be returned to the supervisor for any necessary revisions and discussion with the employee. The evaluation will then be routed to the Chief of Police.

1002.2.2 RATING CRITERIA

When completing the Employee Performance Evaluation, the rater will place a rating in the rating column. The definition of each rating category is as follows:

OUTSTANDING - is actual performance well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

MEETS STANDARDS - is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

SUB-STANDARD - is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A sub-standard rating must be thoroughly discussed with the employee.

Space for written comments is provided next to each column and at the end of the evaluation in the rater comments section. These sections allow the rater to verbalize employee strengths, employee weakness and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

1002.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and civilian supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

1002.3.1 RESERVE OFFICER EVALUATIONS

Reserve officer evaluations are covered under the Reserve Officers Policy.

1002.3.2 ALL PERMANENT EMPLOYEES

Permanent employees shall receive a Performance Evaluation annually, based on their individual review/merit increase date.

1002.3.3 MERIT REVIEW

All employees shall be evaluated at the time they are eligible for a merit increase.

Additionally, employees may be evaluated at any time deemed necessary by their supervisors.

1002.4 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the Employee Comments section of the performance evaluation report.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1002.4.1 DISCRIMINATORY HARASSMENT FORM

At the time of each employee's annual evaluation, the reviewing supervisor shall require the employee to read the City and Department harassment and discrimination policies. Following such policy review, the supervisor shall provide the employee a form to be completed and returned by the employee certifying the following:

(a) That the employee understands the harassment and discrimination policies.

(b) Whether any questions the employee has have been sufficiently addressed.

(c) That the employee knows how and where to report harassment policy violations.

(d) Whether the employee has been the subject of, or witness to, any conduct that violates the discrimination or harassment policy which has not been previously reported.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week.

The employee's completed answers shall be attached to the evaluation. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall insure that appropriate follow up action is taken.

1002.5 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Division Commander). The Division Commander shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Division Commander shall evaluate the supervisor on the quality of ratings given.

1002.5.1 PROCEDURE

Sworn supervisors will use the Supervisor's Comment Form (SCF) to document favorable as well as adverse comments as soon as possible after receiving the supporting information, or making personal observations. Favorable comments include but are not limited to: praise of the employee based on personal observation; comments received by the employee's peers and coworkers; compliments from citizens or others with who the officer has had contact; and written correspondence. Adverse comments include but are not limited to: synopsis of informal training given by the supervisor in response to inappropriate behavior on the employee's part; educational reminders; review of department policy and procedure in light of the employee's performance during a particular incident; critique of the employee's safety practices and field tactics; critique of written work; and statements concerning the employee's investigative skills.

When available, supervisors should attach supporting documents, whether favorable or adverse in nature, to the SCF.

Once the supervisor has discussed the information on the SCF with the employee, he or she shall request the employee sign the form. Once signed, the supervisor will give the employee a copy of the comment form. If the employee refuses to sign the form, the supervisor should note the refusal in the employee signature block, and request the employee to initial the refusal-to-sign block at the bottom of the document.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

When an SCF is completed, employees shall be advised that they have 30 days to respond in writing to any adverse comment, and that any such written response will be attached to the SCF.

When an employee performance evaluation is being completed, the supervisor writing it will check the employee's shift file and consider all SCF's when completing the evaluation. The SCF's will then be attached to the completed annual performance evaluation. Once the evaluation is completed to the bureau commander's satisfaction, the SCF's should be destroyed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Promotional and Transfer Policy

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Fairfield Police Department.

1004.1.1 GENERAL REQUIREMENTS

The following conditions will be used in evaluating employees for promotion and transfer:

(a) Present a professional, neat appearance.

(b) Maintain a physical condition which aids in their performance.

(c) Demonstrate the following traits:

1. Emotional stability and maturity
2. Stress tolerance
3. Sound judgment and decision-making
4. Personal integrity and ethical conduct
5. Leadership
6. Initiative
7. Adaptability and flexibility
8. Ability to conform to organizational goals and objectives in a positive manner.

1004.2 SWORN NON-SUPERVISORY SELECTION PROCESS

The following positions are considered transfers and are not considered promotions:

(a) Investigations

(b) Motor Officer

(c) DUI Officer

(d) Accident Investigator

(e) K-9 Officer

(f) Police Probation Team Officer

(g) Mobile Field Force

(h) SWAT/CNT

(i) School Resource Officer

(j) Training Unit

(k) Press Information Officer

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(l) Terrorism Liaison Officer

(m) Crime Scene Investigator

(n) SolNET

1004.2.1 DESIRABLE QUALIFICATIONS
The following qualifications apply to consideration for transfer:

(a) Three years experience / at the discretion of the Chief of Police

(b) Off probation

(c) Has shown an expressed interest in the position applied for

(d) Education, training and demonstrated abilities in related areas; such as, enforcement activities, investigative techniques, report writing, public relations, etc.

1004.3 SELECTION PROCESS

The following criteria apply to transfers.

(a) Administrative evaluation and process as determined by the Chief of Police. This may include a review of supervisor recommendations.

(b) The supervisor recommendations will be submitted to the Division Commander for whom the candidate will work. The Division Commander will schedule interviews with each candidate.

(c) Based on supervisor recommendations and those of the Division Commander after the interview, the Division Commander will submit his/her recommendation(s) to the Chief of Police.

(d) Appointment by the Chief of Police

The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

1004.4 LENGTH OF ASSIGNMENT-POLICY

In an effort to balance the interests of individuals selected for a special assignment to fully appreciate and benefit from the opportunity, and to provide ample opportunity to others who have a desire and ability to perform those assignments, there is a need to establish some limits of duration for special assignments. This policy should help to avoid a few individuals from "locking up" a limited number of special assignments that prevent or deter opportunities or progress of other deserving people to develop desired skills and experience. This policy also establishes a set of common ground rules that will be used by all sworn members of the department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1004.4.1 LENGTH OF ASSIGNMENT

The duration of special assignments is based upon the approval and satisfaction of the supervisor or commander of a unit or division. However, a person selected for the following positions may anticipate the following terms:

(a) Gang Officer 0-3 years

(b) Detective 0-5 years

(c) K-9 Officer 0-5 years (or the useful life of the assigned dog)

(d) Narcotics Detective 0-3 years

(e) Police Probation Team Officer 0-3 years

(f) School Resource Officer 0-3 years

(g) Training Officer/Corporal 0-3 years

(h) Traffic Officer 0-5 years

(i) Traffic Sergeant 0-5 years

(j) PSU Sergeant 0-5 years

If the performance of an individual is deemed to be unacceptable after appropriate training and reasonable remediation opportunity, the person can be removed from the assignment. If an individual discovers that the conditions or expectations of an assignment are unacceptable, he/she may request a transfer from the assignment and a transfer will be arranged as soon as it is practical. No property right is attached to any special assignment; therefore, an employee may be removed by the Chief of Police at any time.

If the performance of an individual is exceptional, there is a special need of expertise or training, a lack of interested or qualified candidates, or there is some other reason why an exception should be made, extensions can be considered on a year-by-year basis for two years, or at the discretion of the Chief of Police.

While it is not generally desired for an individual to go from one special assignment to another, it is not prohibited. However, the fact that a person applying for a special assignment has recently come from another special assignment will be considered as he/she is evaluated for a position. A person who has just concluded a special assignment will not be allowed to reapply for the same position for at least one year, unless there is some unusual circumstance that mandates an exception, as determined by the Commander's group.

1004.4.2 SELECTION OF SPECIAL ASSIGNMENTS - PROCEDURE

Recruitment of police officers for special assignments within the police department shall be conducted as follows:

(a) Any supervisor of a division within the department with an open position for special assignment shall cause a Memorandum of Notice to be placed on department bulletin

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

boards, including Patrol Briefing Room, break room, etc. The memo shall describe the duties of the special assignment, necessary experience or requirements, and invite candidates to submit a Memorandum of Interest. The memo shall provide a minimum of two weeks for response and indicate a specific cutoff date for submission. The memo shall be approved by the Chief of Police prior to posting.

(b) Any person having interest in (and qualifying for) the special assignment described shall submit a Memorandum of Interest to the supervisor who posted the Memorandum of Notice. Interested officers shall also obtain a memo from an immediate supervisor supporting his/her request for consideration. The supervisor's memo shall include reasons why he/she believes the officer is a good candidate for the special assignment.

(c) After the cutoff date, the Special Assignment Supervisor will compile a list of the names of candidates from the Memoranda of Interest received. The Special Assignment Supervisor will circulate the list of potential candidates to all supervisors inviting comments to be provided. The Special Assignment Supervisor shall then conduct panel interviews with all candidates.

Officers presently or recently having a special department assignment are not eliminated from consideration for any posted new assignment; however, the panel shall take into consideration present and previous assignments.

When candidates have comparable qualifications, consideration shall be given to those who have not recently had a special assignment. Upon completion of interviews, the Special Assignment Supervisor shall submit a recommendation for placement to the Chief of Police.

After reviewing the Special Assignment Supervisor's recommendation, the Chief of Police shall make a final determination and issue a memorandum announcing the appointment selection.

1004.5 PROMOTIONAL SPECIFICATIONS

Specifications for promotional opportunities are on file with the City of City of Fairfield Human Resources Office.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Relocation Expenses

1005.1 PROCEDURE

When an officer receives a credible threat that a life threatening action may be taken against the officer or their immediate family as a result of employment, the officer shall immediately notify his/her supervisor. The supervisor shall submit a written memorandum to the Training. If the threat is a result of a specific crime report, the supervisor shall document the threat in a supplement to the crime report and send a copy to the Training. The written report shall document the factual circumstances surrounding the threat.

Without delay, the Training shall contact the officer and develop a relocation plan. After careful evaluation, the Training will recommend either permanent or temporary relocation. Temporary relocation housing may be provided for no longer than 60 days. If permanent relocation housing is determined to be the best course of action, the officer and the Training will submit a permanent relocation plan to the Support Services Division Captain for approval.

Only those actual and necessary relocation expenses approved by the Support Services Division Captain shall be reimbursed. The officer shall submit receipts for their relocation expenses and the Support Services Division Captain shall cause the Finance Department to generate a reimbursement check to the officer. The Department is not obligated to reimburse relocation expenses incurred 120 days after the original notification of a credible threat, if the officer has failed to relocate.

"**Credible threat**" means a verbal or written statement or a threat implied by a pattern of conduct or a combination of verbal or written statements and conduct made with the intent and the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her immediate family.

"**Immediate family**" refers to the spouse, parents, siblings, and children residing with the officer.

The Department shall not be liable for any loss in value to a residence or for the decrease in value due to a forced sale. The officer shall not be considered to be on-duty while moving unless approved by the Support Services Division Captain and the Training.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Anti-Retaliation

1008.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices. Including violations that may pose a threat to the health, safety, or well-being of members.

This policy does not prohibit actions taken for non-discriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or memorandum of understanding.

1008.2 POLICY

The Fairfield Police Department has zero tolerance for retaliation, and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1008.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1008.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police, or the Human Resources Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1008.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

(b) Receiving all complaints in a fair and impartial manner.

(c) Documenting the complaint and any steps taken to resolve the problem.

(d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command, and explaining to the member how the complaint will be handled.

(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

(h) Not interfering with or denying the right of a member to make any complaint.

(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation, if it would likely mitigate the potential for further violations of this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1008.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.

(b) The timely review of complaint investigations.

(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.

(d) The timely communication of the outcome to the complainant.

1008.7 WHISTLE-BLOWING

California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

(a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member's supervisor or any other member with the authority to investigate the reported violation.

(b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.

(c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.

(d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.

(e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Unit for investigation pursuant to the Personnel Complaints Policy.

1008.7.1 DISPLAY OF WHISTLE-BLOWER LAWS

The Department shall display a notice to members regarding their rights and responsibilities under the whistle-blower laws, including the whistle-blower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

1008.8 RECORDS RETENTION AND RELEASE

The Dispatch and Records Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1008.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hepatitis and HIV Testing for Assault on Officer Suspects

1009.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a process for the testing of suspects who have interfered with the official duties of a peace officer, firefighter, or emergency medical personnel (victim) by biting, scratching, spitting, transferring blood, or other bodily fluids upon or through the skin or membranes of the victim. The victim may petition the court for an order requiring the suspect to undergo a blood test as provided in Health & Safety Code § 121060, et seq..

1009.2 PROCEDURE FOR TESTING

(a) A crime report shall be prepared charging the suspect with the appropriate violation(s).

(b) The supervisor reviewing the crime report shall complete the Workers' Compensation forms and forward them, along with a copy of the crime report, to the Personnel and Training Supervisor and notify the on-duty Watch Commander. The Personnel and Training Supervisor shall determine if testing of the suspect for Hepatitis and/or HIV is necessary.

(c) If testing is necessary, the Personnel and Training Supervisor shall coordinate with the Investigation Supervisor and cause an affidavit to be prepared and forward it to the Deputy District Attorney handling the suspect's arraignment.

(d) The Judge will hold a hearing to determine if testing of the suspect (defendant) is warranted.

(e) If an order for testing is issued by the Judge, the order shall be forwarded to the Correctional Medical Servives at the Solano County Sheriff's Office for the collection of the samples (two blood vials).

(f) The Personnel and Training Supervisor shall obtain the samples and provide it to NorthBay Health at Work Laboratory for testing. NorthBay Health at Work will notify the Personnel and Training Supervisor of the results.

(g) The Personnel and Training Supervisor shall provide a copy of the results to the victim officer and shall notifty his/her commander of the results.

1009.3 OFFICERS RESPONSIBILITY

The victim officer who sufferred the possible exchange of fluids, as defined in this procedure, shall coordinate with the Personnel and Training Supervisor to have their blood tested at the time of the incident or as soon as practical. Follow up blood testing will occur six months and twelve months after the date of the possible exposure.

1009.4 CONFIDENTIALITY

Health and Safety Code Section 121065(e) provides that anyone, other than the test subject, who receives tests results are required to maintain the confidentiality of personal identifying data

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

relating to said test results except for disclosure that may be necessary to obtain medical or psychological care or advice.

A copy of the test results will be placed in the victim officer's personnel file.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Reporting of Employee Convictions

1010.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1010.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS, AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1010.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty, or nolo contendre plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee's ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member's ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1010.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1010.5 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the employee's own resources and on the employee's own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1010.5.1 NOTIFICATION REQUIREMENTS

The Administrative Services Uint Supervisor shall submit within 30 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Administrative Services Uint Supervisor shall submit within 30 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this department (11 CCR 1003).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Drug- and Alcohol-Free Workplace

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1012.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1012.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1012.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

1012.3.2 USE OF MARIJUANA

Possession of marijuana, including medical marijuana, or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1012.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1012.5 EMPLOYEE ASSISTANCE PROGRAM

There may be a voluntary employee assistance program available to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Personnel Department, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1012.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1012.7 REQUESTING SCREENING TESTS

The supervisor may request an employee to submit to a screening test under the following circumstances:

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

(b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.

(c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.

1012.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The result of the test is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1012.7.2 SCREENING TEST REFUSAL
An employee may be subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

(c) Violates any provisions of this policy.

1012.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than thirty (30) days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1012.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Sick Leave

1014.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) and the California Family Rights Act, and leave related to domestic violence, sexual assault, stalking or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1014.2 POLICY

It is the policy of the Fairfield Police Department to provide eligible employees with a sick leave benefit.

1014.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1014.3.1 NOTIFICATION

All members should notify the Watch Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence (Labor Code § 246).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1014.4 EXTENDED ABSENCE

Members absent from duty for three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days after the first three days of paid sick leave are used in a 12-month period.

1014.5 REQUIRED NOTICES

The Department shall ensure:

(a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.

(b) A poster is displayed in a conspicuous place for employees to review that contains information on paid sick leave as provided in Labor Code § 247.

1014.6 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

(a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.

(b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Personnel Department as appropriate.

(c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:

1. Negatively affected the member's performance or ability to complete assigned duties.
2. Negatively affected department operations.

(d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.

(e) Referring eligible members to an available employee assistance program when appropriate.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Vacation/Shift Selection Policy

1015.1 PURPOSE AND SCOPE

It is critical that a balance is reached between employee's abililty to take vacation time off and the Department's responsibility to the community to adequately staff the Police Department. Therefore, vacation time off shall be granted and scheduled in such a manner to ensure that a minimum deployment of personnel will be available to achieve department objectives.

1015.2 SELECTION PROCESS

1015.2.1 APPROVAL PROCESS

When approving vacation requests, supervisors should give more preference to those requests of a week or more over those for a shorter period of time.Factors supervisors should consider in approval or denial of requests of vacation for a workweek or more:

- Availability of a vacation slot
- Available staffing
- Time of requests (first requests to have a preference over later requests)
- Exigency or significance of the reasons for the request

Factors supervisors should consider in approval or denial of requests for less than a workweek of vacation time:

- Available staffing
- Exigency or significance of the reason for the request
- Length of time since the employee has taken a work week or more vacation
- Vacation leave should not be granted for periods less than two hours duration

1015.2.2 CANCELLATION OF APPROVED VACATION

It may become necessary at times to cancel vacation requests that have been through the approval process. The reasons for cancellation include, but are not limited to the following:

(a) By request of the employee, where the cancellation request is received 30 days prior to the start of the vacation period, where exigent circumstances exist, or with supervisory approval.

(b) By mutual consent.

(c) Emergency circumstances. Vacations of one workweek or more shall only be canceled for emergency circumstances after regular off-duty personnel have been called back.

(d) Vacation time of less than a workweek may be canceled to accommodate approval of vacation requests for a workweek or more.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1015.3 SHIFT CHANGE AND TIME OFF SELECTION AT SHIFT CHANGE

Officers requesting extended vacations must submit the request to their Watch Commander, on the department approved form, prior to the next shift change. These forms will be accepted by the Watch Commanders who will place their initials, employee identification number, and the date they received the form on the lower right corner of the form. The form will be copied and the copy given to the employee requesting vacation. The form will then be given to the Watch Commander responsible for scheduling the upcoming shift rotation.

Prior to the next rotation, the scheduling Watch Commander will facilitate shift selections by the patrol officers.After all patrol officers have chosen, or been assigned to a shift, the Patrol Bureaus office specialist will create the patrol schedules with the officers placed on their respective shifts. The Watch Commanders will then approve or deny the requests for extended vacations.

Should the extended vacation request cause the daily staffing to drop below the minimum staffing guidelines, the Watch Commander may deny that request. The vacation requests will be approved by the Watch Commanders with priority given to those with the earlier submittal date based on the Watch Commanders written date. The Watch Commander will write the approved vacations on the draft schedule.

After the extended vacation selections, the order of time off will be as follows:

(a) Selection of Float Days by Seniority (Based on any restrictions placed by the Watch Commander and no time off days)

(b) K9 Float Days

(c) Additional vacation or CTO days off based on Policy Manual § 1055.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Communicable Diseases

1016.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1016.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Fairfield Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1016.2 POLICY

The Fairfield Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1016.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

(a) Exposure-prevention and decontamination procedures.

(b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.

(c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g.; gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.

(d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).

(e) Compliance with all relevant laws or regulations related to communicable diseases, including:

1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

2. Bloodborne pathogen mandates including (8 CCR 5193):

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Sharps injury log.

(b) Needleless systems and sharps injury protection.

3. Airborne transmissible disease mandates including (8 CCR 5199):

(a) Engineering and work practice controls related to airborne transmissible diseases.

(b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.

4. Promptly notifying the County Health Officer regarding member exposures (Penal Code § 7510).

5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.

6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).

(f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when not available. The designated officer shall ensure that the name, title and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

1016.4 EXPOSURE PREVENTION AND MITIGATION

1016.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or department vehicles, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.

1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

(h) Handling all sharps and items that could cut or puncture (e.g.; needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1016.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

1016.5 POST EXPOSURE

1016.5.1 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

(a) Name and Social Security number of the member exposed

(b) Date and time of the incident

(c) Location of the incident

(d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)

(e) Work being done during exposure

(f) How the incident occurred or was caused

(g) PPE in use at the time of the incident

(h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1016.5.2 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

(a) Whether the member has been informed of the results of the evaluation.

(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1016.5.3 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1016.5.4 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.

(b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.

(c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).

(d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).

(e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1016.5.5 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:

(a) Begin decontamination procedures immediately (e.g.; wash hands and any other skin with soap and water, flush mucous membranes with water).

(b) Obtain medical attention as appropriate.

(c) Notify a supervisor as soon as practicable.

1016.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1016.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

(c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Smoking and Tobacco Use

1018.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Fairfield Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1018.2 POLICY

The Fairfield Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

1018.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Fairfield Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1018.4 ADDITIONAL PROHIBITIONS

No person shall use tobacco products within 20 feet of a main entrance, exit, or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University, and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).

1018.4.1 NOTICE

The Chief of Police or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Personnel Complaints

1020.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Fairfield Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1020.2 POLICY

The Fairfield Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1020.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the response to specific incidents by the Department. Minor violations of policies or procedures, or cases where the reporting party is agreeable to the supervisor handling the complaint by means of a conversation with the employee may also be handled informally.

1020.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the supervisor or manager of rank greater than the accused member is satisfied that the appropriate action has been taken to remedy the complaint.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor or manager of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.

Matters in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation may be further investigated depending on the seriousness of the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

complaint and the availability of sufficient information. Such investigations may be formal or informal depending on the nature of the complaint. Supervisors and managers will work with their chain of command to determine the appropriate level of investigation in instances where the reporting party ceases to cooperate with the investigation.

1020.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate an inquiry into a possible investigation based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

1020.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1020.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in the sergeant's office and the front counter, and will be accessible through the Department's website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1020.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the on-duty supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to the on-duty supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate. A memo or email to the supervisor's direct manager in lieu of a complaint form will also suffice. If the complaint is regarding an employee not assigned to the supervisor who takes the complaint, that supervisor will notify his/her Bureau Commander who will coordinate notification to the employee's proper chain of command.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

A complainant shall be provided with a copy of his/her statement at the time it is filed with the Department (Penal Code § 832.7).

1020.4.3 AVAILABILITY OF WRITTEN PROCEDURES
The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5). This procedure is detailed on the back of the Citizen Complaint Form and is also written in a "Citizen Complaint Procedure" brochure, available on the Department's website.

1020.5 DOCUMENTATION

Supervisors shall ensure that any citizen wishing to make a formal complaint against a department member is offered a complaint form. If a citizen wishes to make a formal complaint, but does not want to fill out a complaint form, and the nature of the complaint, if true, would amount to a violation of Department policy, the supervisor shall get as much information as possible from the reporting party and notify his/her manager via email as soon as practicable. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible. The Bureau Commander will follow up with their Division Captain and forward the complaint to the Administrative Services Lieutenant to initiate a formal investigation.

Informal complaints that are handled at the unit level to the satisfaction of the Bureau Commander are not tracked, however supervisors should be aware of employees receiving multiple informal complaints for the same type of behavior. Such a pattern may constitute the need for a formal investigation, remedial training, and/or discipline.

1020.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1020.6.1 SUPERVISOR RESPONSIBILITIES
In general, the initial responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is offered to the complainant.

    1. The original complaint form will be directed to the Bureau Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the Bureau Commander, who will consult with the Division Captain to initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.

1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.

2. If the complaint is informal and the matter is resolved, no further action is required.

3. All formal complaints will be routed to the Professional Standards Unit via the chain of command, or by directing the complainant to submit the complaint form via mail or online. All formal complaints will be entered into the IA Pro software system.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Bureau Commander and the Division Captain are notified via the chain of command as soon as practicable.

(e) Promptly contacting the Division Captain through the chain of command for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination. The Division Captain will ensure that the City's Human Resources Director is advised of the allegation.

(f) Forwarding unresolved personnel complaints to the Bureau Commander, who will determine whether to contact the complainant or forward the complaint for investigation.

(g) Informing the complainant of the Professional Standards Unit Sergeant's name and advising that he/she will contact the complainant once they have reviewed the allegations..

(h) Investigating a complaint as follows:

(a) Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

(b) When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).

(j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1020.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Professional Standards Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

(a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated in accordance with the Memorandum of Understanding between the City and the employee's bargaining unit.

(b) Unless waived by the member, interviews of an accused member shall be at the Fairfield Police Department or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused member.

(d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.

(e) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.

(f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

(g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.

(i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual’s statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(j) All members shall provide complete and truthful responses to questions posed during interviews.

(k) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any officer solely because the officer has been placed on a prosecutor's *Brady* list or the name of the officer may otherwise be subject to disclosure pursuant to *Brady v. Maryland*. However, an investigation may be based on the underlying acts or omissions for which the officer has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (Government Code § 3305.5).

The Chief of Police may decide, based on the complexity and/or sensitivity of the investigation, to contract with an consulting firm specializing in law enforcement personnel investigations. In those cases, the Administrative Services Lieutenant will work with the consultant to ensure these policies are adhered to throughout the investigation.

1020.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete, and essentially follow this format:

Complaint Summary - Include the identity of the members, the identity of the assigned investigators, the initial date, and source of the complaint. This section will also include a brief summary of the facts giving rise to the investigation, and the specific violations of policy that are alleged.

Investigation Summary - Detail the investigative steps taken to fully investigate the case, including any evidence and summaries of victim, witness and subject employee interviews.

Analysis - Each allegation should be set forth with the details of the evidence applicable to each allegation provided. Other evidence related to each allegation should also be detailed in this section. The investigator should discuss the merits of each allegation based on the evidence gathered during the investigation.

Conclusion - A recommendation regarding the disposition of each alleged policy violation should be provided.

When a citizen requests a formal investigation, and the Professional Standards Unit Supervisor finds the allegation to be frivolous, unfounded, or exonerated based on available evidence, this format need not be followed. The Professional Standards Unit Supervisor will draft a No Action Notification to the involved officer(s), and the Support Services Captain explaining why the complaint is frivolous, unfounded, or exonerated, and complete a "No Action Letter" to be mailed to the complainant. The Administrative Services Lieutenant will forward the memos to the Support Services Captain for review. Upon review and approval, the Support Services Captain will forward

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the memos to the Police Department Assistant and the Professional Standards Unit Supervisor for issuance of a File Number, entry into IAPro, and disbursement of the memos.

1020.6.4 DISPOSITIONS
Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of an officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1020.6.5 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1020.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with notification of the receipt of any formal complaint and the disposition of the investigation. Notice will generally be made by certified letter to the complainant and/or the attorney of record.

1020.7 ADMINISTRATIVE SEARCHES
Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

Department issued electronics including cell phones, tablets, computers, mobile data computers (MDC's), thumb drives, etc. may also be administratively searched upon reasonable suspicion of misconduct.

1020.7.1 DISCLOSURE OF FINANCIAL INFORMATION
An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

(a) Pursuant to a state law or proper legal process

(b) Information exists that tends to indicate a conflict of interest with official duties

(c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1020.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1020.9 AUDIT COMMITTEE

An audit committee appointed and maintained by the City Manager, and consisting of a senior police manager, City Risk Manager, a representative from City Manager's Office, and two citizens appointed by the City Manager, shall periodically:

Review all citizens' complaints filed during the audit period to insure that the investigations are substantially complete.

The audit committee will confirm that the findings are supported by the facts as determined during the investigation.

Submit a report of their findings to the City Council, the City Manager and the Police Chief to include:

(a) The number of complaints filed during the reporting period.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) The number of complaints pending from the previous audit period.

(c) The number of investigations completed during the audit period.

(d) The disposition of completed complaints.

(e) The number of complaints still pending at the end of the audit period.

(f) Whether the investigations reviewed by the committee are substantially complete. If not, explain.

(g) Whether the findings are supported by the evidence. If not, explain.

(h) Evaluate data and conduct analysis to identify trends, i.e.; Are numbers of complaints increasing or decreasing? Are certain categories of complaints increasing or decreasing?

(i) Recommendations (if appropriate).

The Professional Standards Unit will insure that the appropriate case files are brought to the committee for review, and forms are provided for the committee members to sign. The form will have space for each committee member to indicate if they concur with the findings or not, the reason if they do not concur, and the member's signature. If the committee concurs with the findings, the form will be included with the case file in the IA Pro database. If the committee does not concur with the findings, the form will be forwarded to the Chief of Police through the chain of command, and will also be added to the case file in the IA Pro database.

The audit committee shall maintain confidentiality of information contained in the investigative files of citizen complaints against peace officers as required by law.

1020.10 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The Fairfield Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1020.11 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, The Professional Standards Unit Supervisor will submit the report to the Administrative Services Lieutenant, who will review the report for completion.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Support Services Division Captain will then review the report and forward it to the Operations Division Captain.

1020.11.1 OPERATIONS DIVISION CAPTAIN RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Operations Division Captain shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Captain may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Captain may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Captain shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

While the recommendation will normally be written by the Operations Division Captain, the Chief of Police in his/her discretion, may assign it to the Support Services Division Captain.

1020.11.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with written notice that the complaint against the member may be sustained or partially sustained. Memebers of the Fairfield Police Officer's Association (FPOA) and the Fairfield Police Manager's Association (FPMA) may elect to have an Internal Affairs Panel convened as described in each bargaining unit's respective Memorandums of Understanding with the City. Once the IA Panel process is completed, the Chief of Police shall provide the member with a pre-disciplinary procedural due process hearing (*Skelly*) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief of Police shall also provide the member with:

(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Chief of Police within fourteen days of receiving the notice. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

(c) If the member elects to respond orally, the "Skelly" hearing may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The pre-discipline "Skelly" process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials, and prior to the imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.

(d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1020.11.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

1020.11.4 NOTICE REQUIREMENTS

The disposition of any civilian’s complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

1020.12 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer additional information or mitigating factors for the Chief of Police to consider.

(d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1020.13 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1020.14 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that an officer has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

1020.15 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the Chief of Police or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief of Police shall be final.

1020.16 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Internal Department Audits

1021.1 PURPOSE AND SCOPE

The operation and management of a modern law enforcement agency, such as the City of Fairfield Police Department, is similar to that of any effective and successful business. As such, it is essential that the department conduct audits frequently to ensure that we are operating per mandates, procedures, and best practices. These audits will occur often, without notification, and at the direction of the Office of the Chief of Police. These audits are intended to check the business practices of the department and ensure we are following our own procedures; they are not intended to catch employees doing anything wrong.

1021.1.1 EXTERNAL PROPERTY AUDITS

In addition to the above audits, the department will contract with a reputable, certified, outside consultant to conduct an audit of the Property Room every two years. The results of the audit will be returned to the Office of the Chief of Police. The Chief of Police, or his/her designee, will task the Support Services Captain with taking reasonable steps to address any actions recommended by the outside auditor.

1021.2 INTERNAL AUDITS

The Professional Standards Unit will conduct internal audits per procedure and at the direction of the Office of the Chief of Police. These audits are intended to gather and review information pertaining to areas of high liability and risk during department operations. This information will be reviewed by the Office of the Chief of Police and all affected police managers and supervisors to address potential liability concerns and training needs.

This process will ensure that the department provides quality service to the community. This documentation will provide police managers and supervisors with an early warning system to assist their divisions or units in corrective action such as training.

The PSU Sergeant shall receive copies of all "use of force" police reports, department-involved police pursuit reports, police-involved traffic collisions, and arrests for Penal Code §§ 148 and 243 arrests. The PSU Sergeant will review these reports to determine if actions taken were within the law and department policies/procedures. The PSU Sergeant will also review the reports to ensure they are complete and thorough.

At the direction of the Chief of Police, the PSU Sergeant will be responsible for quarterly audits of records, reports, and evidence of high liability or risk, such as, but not limited to:

- Booking of evidence
- Narcotics
- Weapons
- Currency
- Evidence storage

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Chain of custody
- Quality Assurance Survey (per policy)
- Narcotics "Buy Money"
- Mandated reporting compliance
  - Child abuse
  - Sexual assault
  - Spousal abuse
  - Weapons entry
  - Missing person
  - Towed/recovered vehicles
  - Hate crimes
- Report writing documentation/proper referral
- Police officer's complaint summary

A memorandum indicating any audit findings will be sent to the Office of the Chief of Police and the reporting officer's Division Commander and immediate supervisor(s). The memorandum will include recommended corrective actions. If training deficiencies are noted, the PSU Sergeant will recommend necessary training. This training will be coordinated with the Training Unit.

The Support Services Division Captain will be responsible for ensuring the recommendation process is followed through to completion. Within 15 days of the audit, the PSU Sergeant will forward the audit findings to the Support Services Division Captain for review and recommendations. The Support Services Division Captain will then forward the recommendations to the affected division or unit managers for adherence to the recommendations within 30 days. Within 30 days, a memorandum will be sent to the Support Services Division Captain advising that the recommended corrections, commendations, or training has been completed.

The Chief of Police will be notified of all audit results and any recommendations that arise from them.

1021.3 PROCEDURE

All copies of the use of force police reports, department-involved police vehicle pursuits, officer-involved traffic collisions, and audit findings shall be maintained in the PSU Office for a period of two years. On an annual basis, the PSU Sergeant will produce a report for the Office of the Chief of Police outlining information contained within the following reports:

1021.3.1 USE OF FORCE

(a) Names of involved officers

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(b) Dates of incidents

(c) Number of incidents

(d) Case numbers

(e) Nature of calls

(f) Violations

(g) Injuries

(h) Technique and/or type of police tool used

(i) Determination, if department procedures were followed

1021.3.2 POLICE VEHICLE PURSUITS

(a) Names of involved officers

(b) Case numbers

(c) Dates of incidents

(d) Original violation

(e) Violations charged

(f) Number of police vehicles involved

(g) How pursuit was terminated

(h) Injuries

(i) Determination, if department procedures were followed

1021.3.3 AUDIT FINDINGS

(a) Division or unit names

(b) Officers' names

(c) Case numbers, if applicable

(d) Dates of incidents

(e) Policy/procedure violations

(f) Corrective actions taken

1021.4 DISTRIBUTION

The annual PSU report shall be distributed to the Office of the Chief of Police and the Support Services Division Captain. The original report shall be maintained in the PSU office for a period of two years.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Seat Belts

1022.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1022.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1022.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1022.4 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated, or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the expressed authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1022.5 POLICY

It is the policy of the Fairfield Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1022.6 TRANSPORTING CHILDREN

Children under the age of 8 shall be transported in compliance with California's child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).

1022.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1022.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Body Armor

1024.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1024.2 POLICY

It is the policy of the Fairfield Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1024.3 ISSUANCE OF BODY ARMOR

The Training Sergeant shall ensure that body armor is issued to all officers when the officer begins service at the Fairfield Police Department.And that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Training Sergeant shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule, or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1024.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required, subject to the following:

(a) Officers shall only wear agency-approved body armor.

(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity, and could not reasonably be expected to take enforcement action.

(d) Body armor shall be worn when an officer is conducting enforcement duties in uniform outside the police building.

(e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1024.3.2 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g.; temperature, light, humidity) are not reasonably controlled (e.g.; normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1024.4 TRAINING SERGEANT RESPONSIBILITIES

The Training Sergeant should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

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

(c) Provide training that educates officers about the safety benefits of wearing body armor.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Personnel Records

1026.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1026.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of California (Penal Code § 832.7).

1026.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person’s employment/appointment with this department. The department file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits, maintained by the Human Resources Department.

(c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently maintained.

(e) Discipline records, including copies of sustained personnel complaints.

1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least two years (Government Code § 26202; Government Code § 34090).

2. Disciplinary action resulting from a sustained civilian's complaint shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5).

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Government Code § 3305).

1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).

2. Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).

3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment and the member should sign or initial the noted refusal. Such a refusal, however, shall

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1026.4 SHIFT FILE

Shift files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Shift file may contain supervisor comments, notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code § 3305 and Government Code § 3306.

1026.5 TRAINING FILE

An individual training file shall be maintained by the Training Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g.; Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member’s training file.

1026.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Professional Standards Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Professional Standards Unit supervisor. Internal affairs files will be housed electronically in the IAPro Software.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's file, but will be maintained in the internal affairs file:

(a) Not sustained

(b) Unfounded

(c) Exonerated

Investigation files arising out of citizen's complaints shall be maintained pursuant to the established records retention schedule and for a period of at least five years. Investigations that resulted

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

in other than a sustained finding may not be used by the Department to adversely affect an employee's career (Penal Code § 832.5).

Investigation files arising out of internally generated complaints shall be maintained for five years (Government Code § 26202; Government Code § 34090).

1026.7 MEDICAL FILE

A medical file shall be maintained by Human Resources, separate from all other personnel records, and shall contain all documents relating to the member's medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).

(b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

(d) Medical release forms, doctor's slips, and attendance records that reveal a member's medical condition.

(e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1026.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy, or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney, or other attorneys or representatives of the City in connection with official business.

1026.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1026.8.2 RELEASE OF PERSONNEL INFORMATION
Personnel records shall not be disclosed except as allowed by law (Penal Code § 832.7; Evidence Code § 1043) (See also Records Maintenance and Release Policy).

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

The Department may release any factual information concerning a disciplinary investigation if, the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7).

1026.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record (Government Code § 3306.5).

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Department for staff management planning; including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments, or other comments or ratings used for department planning purposes.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(g) Information of a personal nature about a person other than the member, if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1026.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

(a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.

(c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

1026.11 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS

Personnel records and records related to certain incidents, complaints, and investigations of officers shall be released pursuant to a proper request under the Public Records Act, and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what records may qualify for disclosure when a request for records is received, and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(2)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident. Or whether the officer's action was consistent with law and

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.

- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(7) or other law, the following records shall be made available for public inspection upon request (Penal Code § 832.7):

(a) Records relating to the report, investigation, or findings of:

1. The discharge of a firearm at another person by an officer.
2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by an officer.

(b) Records relating to an incident where a sustained finding (see the Personnel Complaints Policy) was made by the department or oversight agency regarding:

1. An officer engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
2. Dishonesty of an officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another officer, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(3)).

When an investigation involves multiple officers, the Department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of an officer unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(4) against the officer. However, factual information about the action of the officer during an incident or the statements of an officer shall be released if the statements are relevant to a sustained finding of the qualified allegation against another officer that is subject to release (Penal Code § 832.7(b)(4)).

1026.11.1 REDACTION

The Custodian of Records, in consultation with the Chief of Police or authorized designee, shall redact the following portions of records made available for release (Penal Code § 832.7(b)(5)):

(a) Personal data or information (e.g.; home address, telephone number, identities of family members) other than the names and work-related information of officers.

(b) Information that would compromise the anonymity of complainants and witnesses.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force.

(d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the officer or another person.

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(6)).

1026.11.2 DELAY OF RELEASE

Unless otherwise directed by the Chief of Police, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury due to any of the following conditions (Penal Code § 832.7):

(a) Active criminal investigations

1. Disclosure may be delayed 60 days from the date the use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.

2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against an officer or against someone other than an officer who used the force.

(b) Filed criminal charges

1. When charges are filed related to an incident where force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.

(c) Administrative investigations

1. Disclosure may be delayed until whichever occurs later:

(a) There is a determination from the investigation whether the use of force violated law or department policy, but no longer than 180 days after the date of the department's discovery of the use of force or allegation of use of force.

(b) Thirty (30) days after the close of any criminal investigation related to the officer's use of force.

1026.11.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury during an active criminal investigation,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the Custodian of Records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

(a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.

(b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.

1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:

(a) When the criminal proceeding is against someone other than an officer and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Department must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about use of serious force by officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 6258, the Department may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(7)).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Request for Special Assignment

1028.1 PURPOSE AND SCOPE

It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

1028.2 REQUEST FOR CHANGE OF ASSIGNMENT

Fairfield Police personnel wishing a change of assignment are to complete a memo of interest when a special assignment request is posted. Additionally, personnel are to obtain a supervisory endorsement for the position request. The supervisor should complete a separate memo documenting the endorsement with justification. The memos should then be forwarded through the chain of command to their Division Captain.

1028.2.1 PURPOSE OF THE MEMO

The employee should list their qualifications for specific assignments. All relevant experience, education, and training should be included when completing the memo.

1028.3 SUPERVISOR'S COMMENTARY

The officer's immediate supervisor shall make appropriate comments on the memo before forwarding it to the Division Captain of the employee involved. In the case of patrol officers, the Watch Commander must comment on the request with his/her recommendation before forwarding the request to the Division Commander. If the Watch Commander does not receive the Change of Assignment Request Form, the Division Captain will initial the form and return to the employee without consideration.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Honor Guard

1029.1 PURPOSE AND SCOPE

The purpose of this policy is to define the organizational structure, requirements for appointment and retention, and training of personnel serving on the Departmental Honor Guard.

1029.2 POLICY

Members of the Honor Guard will perform ceremonial functions and serve as official representatives of the Department at specified occasions.

1029.3 ORGANIZATIONAL STRUCTURE

The Departmental Honor Guard shall be structured as follows:

(a) The Honor Guard shall be comprised of members who voluntarily seek assignment to the unit.

(b) The Honor Guard will be comprised of sworn officers who have successfully completed probation.

(c) Participation in the Honor Guard by Department members will be at the discretion of the Chief of Police.

(d) Honor Guard Sergeants and Lieutenant will be selected by the Chief of Police or his/her designee.

(e) The Honor Guard Lieutenant will be responsible for the operational and logistical concerns of the Honor Guard. He/she will coordinate the Honor Guard's activities with the Chief of Police or his/her designee.

1029.4 MEMBER SELECTION

The Honor Guard is a special assignment. Selection for the Honor Guard will made as follows:

(a) Members will be appointed by the Chief of Police from a list of interested officers.

(b) Members selected must exemplify an above average appearance in uniform.

(c) Interested officers must consider the time investment necessary for participation in the unit and must be willing to commit to at least a three (3) year term, prior to application. A yearly review of the Honor Guard personnel will be completed by the Honor Guard Lieutenant.

(d) Members appointed to the Honor Guard shall maintain at least a "satisfactory" rating on their annual Employee Evaluation. Failure to do so may result in the member being removed from the Honor Guard.

(e) Members wishing to resign from their position on the Honor Guard shall do so in writing to the Honor Guard Lieutenant.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1029.5 TRAINING

In order for the Honor Guard to achieve and maintain a high degree of synchronization, training drills will be conducted on a regular basis as established by the Honor Guard Lieutenant. Members of the Honor Guard are required to attend each training session, unless they receive prior approval from the Honor Guard Sergeant or Lieutenant.

Members with two (2) unexcused absences from training per calendar year may be asked to resign from their position on the Honor Guard. An unexcused absence is any absence not approved by the Honor Guard Sergeant or Lieutenant prior to the training.

1029.6 CEREMONIAL DETAILS

Participation by the Honor Guard at ceremonial details will be at the direction of the Chief of Police. The duties of the Honor Guard for each detail will be determined by the Honor Guard Lieutenant or Sergeant.

(a) The Honor Guard will follow a military protocol for all assigned details.

(b) Whenever possible, shift adjustments should be made for members of the unit to attend details.

(c) Any overtime for Honor Guard details will require prior approval by the Honor Guard Sergeant or Lieutenant.

(d) Honor Guard members may be required to travel on short notice.

1029.7 UNIFORM AND EQUIPMENT

All required Honor Guard ceremonial uniforms and equipment will be purchased by the Department and maintained by the Honor Guard. Individual equipment shall be purchased by the member.

The standard Honor Guard uniform will consist of the following:

(a) High collar coat/ MC style trim

(b) Matching trousers

(c) Campaign style felt cover

(d) High gloss shoes

(e) High gloss Sam Browne belt

(f) High gloss holster

(g) White gloves

(h) Shoulder cord

The alternative Honor Guard Uniform will consist of the following:

(a) Class "A" jacket

(b) Matching trousers

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Campaign style felt cover

(d) High gloss shoes or boots

(e) Class "A" gun belt

(f) White gloves

(g) White ascot

The Travel Uniform for Honor Guard detail while in a Department Vehicle will consist of the following:

(a) Honor Guard polo shirt (blue)

(b) Honor Guard tan pants

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Commendations and Awards

1030.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Fairfield Police Department and individuals from the community.

1030.2 POLICY

It is the policy of the Fairfield Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1030.2.1 SUPERVISOR COMMENT

The "Supervisor Comment" in Blue Team should be used in instances where an employee engaged in action or performance that merits recognition, but does not rise to the level of a formal commendation. The "Supervisor Comment" shall be placed into the employee's "evaluation file" to be included in the employee's annual performance evaluation.

1030.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1030.3.1 COMMENDATION PROCEDURE

The Chief of Police shall establish and appoint police department employees to serve as members of anAwards Committee. The Awards Committee shall review all requests for the awarding of Medals and Citations to department employees. The Awards Committee shall recommend to the Chief of Police the appropriate level of recognition to be awarded. The Chief of Police will consider this recommendation and decide which Employee Service Award shall be awarded.

1030.3.2 TYPES OF EMPLOYEE SERVICE AWARDS

1. Medal of Valor
2. Lifesaving Medal
3. Distinguished Service Medal
4. Purple Heart
5. Exceptional Performance Citation
6. Employee of the Year
7. Citizen Commendation

1030.3.3 MEDAL OF VALOR

Awarded to an employee who displays great personal courage in the performance of their duties while he/she is placing himself/herself in imminent period of loss of life or great bodily injury. It

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

consists of a medal (gold Entenmann-Rovin with red, white and blue ribbon #1502), red, white and blue shirt bar (Entenmann-Rovin, #VB-1) and certificate.

1030.3.4 LIFESAVING MEDAL
Awarded to an employee who saves a life by direct action. Recommendations for this award should be accompanied by medical or eyewitness testimony. It consists of a medal (silver Entenmann-Rovin with red and white ribbon, #1501), red and white shirt bar (Entenmann-Rovin #VB-1) and certificate.

1030.3.5 DISTINGUISHED SERVICE MEDAL
Awarded to an employee for outstanding or unusual performance of duty that is significantly beyond that normally expected. May be based on a single act or on exemplary work over an extended period of time. It consists of a medal (gold and silver Entenmann-Rovin with blue and white ribbon, #1501), a blue and white shirt bar (Entenmann-Rovin #VB-1) and certificate.

1030.3.6 PURPLE HEART
Awarded to an employee by the Chief of Police for serious or traumatic injury suffered in the performance of official duties. Employees must have sustained the injury while actively engaged in a police activity, and as a direct or indirect result of actions the employee deemed necessary to prevent the loss of life or serious injury to civilians or other officers. The injury must be of sufficient gravity to require professional medical treatment. This award is intended to recognize employees who are injured as a result of felonious assaults or injuries resulting from shootings, fires, explosion, etc., and should not be awarded for accidents, training injuries, or questionable situations that might dilute the award's importance. The Purple Heart may be awarded to the next of kin in the name of an officer killed in the line of duty or who dies of wounds received in the line of duty. This award consists of a medal (carltone Entenmann-Rovin with purple ribbon #1500) and purple shirt bar (Entenmann-Rovin) and certificate.

1030.3.7 EXCEPTIONAL PERFORMANCE CITATION
Awarded to an employee for performance that is above average and demonstrated either courage, devotion to duty, alertness, or other aptitude for public service. This award should be initiated and presented at any time that exceptional performance is demonstrated. This award consists of a commendation cited in the department commendation format. A department supervisor presents it after review by the Chief of Police.

1030.3.8 EMPLOYEE OF THE YEAR
The department will recognize Employee of the Year in General Employee, Police Officer, Manager, Dispatcher (Top Mic), Volunteer, and Explorer categories. Any employee of the department may submit a nomination regarding another employee. Nomination notice and publicity for date of completion is issued by the the Administrative Services Lieutenant. Nominations will be reviewed by the Awards Committee, which will make recommendations to the command staff. The Chief of Police makes final decision for award recipients.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The Special Events Committee will obtain perpetual and individual plaques. The Special Events Committee, upon notification by the Chief, shall arrange for refreshments, photography, publicity, and additional gifts for recipients based on previously established committee guidelines.

1030.3.9 CITIZEN COMMENDATION PROCESS

1030.3.10 POLICY
A citizen commendation rewards acts of non-departmental civilians that may include heroic acts of life saving service or be a major accomplishment which directly makes a very substantial contribution to more effective law enforcement or law enforcement, wherein a service is rendered that assists either another citizen or the Police Department. Any employee may nominate a citizen for a commendation. The commendation should be forwarded to the Administrative Services Lieutenant, and then given to the Awards Committee.

1030.3.11 REVIEW BY THE AWARDS COMMITTEE
The Awards Committee shall review all requests for the awarding of Citizen Commendations. The Awards Committee shall recommend to the Chief of Police the appropriate level of recognition to be awarded. The Chief of Police will consider this recommendation and decide if the Citizen Commendation is appropriate and warranted.

The Chief will initiate awards immediately following approval. The Certificate of Commendation is a certificate with the department emblem, signed by the Chief, and presented in a certificate folder.

The Chief's Administrative Assistant will facilitate the award process for this commendation. The recipient shall be contacted to arrange a suitable time for presentation:

- Invite the recipient to a presentation, or arrange for a presentation at the recipient's office.
- If the recipient is a member of a local business or civic club, arrange to make the presentation at a meeting of the club.
- If the recipient is in local government, the presentation may be in the mayor's office or City Council Chambers.

If a number of certificates are to be given to employees, an open house or Employee Appreciation Day to present the awards may be appropriate.

Once the presentation time and date have been confirmed, all involved parties should be informed, as well as family members.

Publicity and press releases are normally made prior to the presentation.

1030.4 CRITERIA
A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Any action or performance that is above and beyond typical duties.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Fitness for Duty

1032.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

1032.2 EMPLOYEE RESPONSIBILITIES

(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.

(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1032.3 SUPERVISOR RESPONSIBILITIES

(a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.

(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem, and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.

(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

(d) In conjunction with the Watch Commander or employee's available Division Commander, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.

(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1032.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

1032.5 WORK RELATED CONDITIONS

Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Watch Commander or unit supervisor and concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following may be completed:

(a) A preliminary determination that the employee's conduct appears to be in compliance with policy and, if appropriate.

(b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1032.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with thePersonnel Department to determine the level of the employee’s fitness for duty.The order shall indicate the date, time, and place for the examination.

(b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action/ grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)).

(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/ or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee’s confidential personnel file.

(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

1032.7 LIMITATION ON HOURS WORKED

Absent emergency operations members should not work more than:

- 16 hours in one day (24 hour period) or
- 30 hours in any 2 day (48 hour) period or
- 84 hours in any 7 day (168 hour) period

Except in very limited circumstances members should have a minimum of 7 consecutive hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, court, holdover, training, general overtime and any other work assignments.

1032.8 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty examination shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Meal Periods and Breaks

1034.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as possible shall conform to City of Fairfield Administrative Policy and the Memorandum of Understanding governing the respective employees.

1034.1.1 MEAL PERIODS AND BREAKS

Sworn employees, CSO's, and dispatchers shall remain on-duty subject to call during meal periods. All other employees are not on-call during meal periods unless directed otherwise by a supervisor. According to City of Fairfield Administrative Policy, every employee is allowed one 15 minute break for each four hours worked. Employee breaks are paid breaks and taken at a time approved by the supervisor. Additionally, every employee is allowed a 30 minute meal period for every five hours worked. If the total work period per day of the employee is no more than six hours, the meal period may be waived by mutual consent of the employer and employee. If employees are not relieved of all duty, meal periods shall be paid time (i.e.; sworn employees, CSO's, and dispatchers). Below are general guidelines for Department employees:

<u>Sworn Personnel:</u>

8 hour shift - (1) 30 minute meal period and (2) - 15 minute breaks,

10 hour shift - (1) 30 minute meal period and (3) - 15 minute breaks,

12 hour shift - (1) 45 minute meal period and (3) - 15 minute breaks.

Sworn personnel working a fixed schedule on a 12 hour shift may combine any 2 break periods once during each shift.

<u>Non-Sworn Personnel:</u>

8 or 9 hour shift - (1) 30 minute meal period and (2) - 15 minute breaks

10 hour shift - (1) 60 minute meal period and (2) - 15 minute breaks

12 hour shift - (1) 60 minute meal period and (3) - 15 minute breaks.

Non-sworn personnel who are off-duty and unpaid during meal periods may be assigned to a 60 minute meal period by mutual consent of the employer and employee.

Uniformed patrol, traffic officers, and CSO's shall request and obtain clearance from the Dispatch Center prior to taking a meal period in order to ensure that enough units are available at all times. Dispatchers will not approve a number of units to go out of service so great as to leave too few units available to respond to an emergency call.

Should circumstances require it, dispatchers may divert field units from meal periods, breaks, follow-ups, or non-emergency calls in order to respond to a call of higher priority. Uniformed officers shall take their meal periods and breaks within the City limits unless on assignment outside

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

of the City. The time spent for meal periods and breaks shall not exceed the authorized time allowed.

1034.1.2 15 MINUTE BREAKS

Each employee is entitled to a 15 minute break, near the mid point, for each four (4) hour work period. Only one 15 minute break shall be taken during each four (4) hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

In an effort to reduce negative public perception, no more than three uniformed employees or two marked police vehicles (patrol cars, marked pick-up trucks, and/or motorcycles) may be parked at a coffee shop, restaurant, etc. for a break or lunch. Exceptions may be considered on a case-by-case basis, but must be approved by the employees' supervisor(s).

Field officers are subject to call and shall monitor their radios when on breaks. When field officers take their breaks away from their vehicles, they shall do so only with the knowledgement and clearance of the Dispatch Center.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Lactation Break Policy

1035.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child (Labor Code § 1034).

1035.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant child (29 USC § 207; Labor Code § 1030).

1035.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify the Dispatch Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1035.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207 and Labor Code § 1031).

Upon returning from maternity leave, the employee will be given access to a key in the KeyWatcher system for the Nursing Mother's Lounge from the Personnel & Training Unit Sergeant.Once the need for expressing breast milk has ceased, the employee will return the key to KeyWatcher.

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

This room is NOT a break room, and is ONLY for use by employees with a need for appropriate accommodations to express breast milk.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

1035.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.

1035.5.1 STATE REQUIREMENTS

Employees have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Employees who believe that their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code § 1033).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Payroll Records

1036.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1036.2 POLICY

The Fairfield Police Department maintains timely and accurate payroll records.

1036.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

1036.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administrative Services Uint as established by the City payroll procedures.

1036.5 RECORDS

The Administrative Services Uint Division Commander shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Overtime Compensation Requests

1038.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU), or by the allowance of accrual of compensatory time off. In order to qualify for either, the employee must complete and submit a User Overtime Request in Schedule Express as soon as practical after overtime is worked.

1038.1.1 DEPARTMENT POLICY

Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

The individual employee may request compensatory time in lieu of receiving overtime payment, however, the employee may not exceed the number of hours of compensatory time prescribed in their respective MOUs.

1038.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests in Schedule Express as soon as practicable for verification and processing.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

1038.2.1 EMPLOYEES RESPONSIBILITY

Employees shall submit overtime compensation requests immediately after working the overtime. Employees submitting overtime compensation requests for on-call pay when off-duty shall submit requests the first day after returning for work.

1038.2.2 SUPERVISORS RESPONSIBILITY

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

1038.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the Memorandum of Understanding provides that a minimum number of hours will be paid, (e.g., two hours for Court, four hours for outside overtime).

1038.3.1 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case, or court trial, and the amount of time for which payment is requested varies from that reported by the other officer,

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

the Watch Commander or other approving supervisor may require each employee to include the reason for the variation in the "Notes" section of the User Overtime Request in Schedule Express.

1038.4 UNSCHEDULED OVERTIME

In meeting its service obligation to the community, the Police Department has a responsibility to provide a sufficient number of on-duty personnel to process calls for service; employees are scheduled so that this obligation can be fulfilled.

Unexpected employee absences or unusual situations can sometimes create a temporary but immediate personnel shortage. Supervisors may find it necessary to assign additional work shifts, to call off-duty employees back to work, or direct on-duty employees to remain at work beyond the time when their daily tour of duty might normally expire.

Supervisors have such authority, coupled with the responsibility to ensure affected employees are appropriately compensated when overtime results.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Outside Employment

1040.1 PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1040.1.1 DEFINITIONS

Outside Employment - Any member of this department who receives wages, compensation, or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s), or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s), or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1040.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year in which the permit is approved. Any employee seeking to renew a permit shall submit a new Outside Employment Application in a timely manner.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

1040.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

If the employee's appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current Memorandum of Understanding (MOU).

1040.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.

(d) When an employee is unable to perform at full-duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full-duty status.

1040.3 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

(a) Involves the employee's use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.

(b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.

(c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other employee of this department.

(d) Involves time demands that would render performance of the employee's duties for this department less efficient.

1040.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT
Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity, or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.

(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

(c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:

1. The officer(s) shall wear the departmental uniform/identification.
2. The officer(s) shall be subject to the rules and regulations of this department.
3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
5. Outside security services shall not be subject to the collective bargaining process.
6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1040.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1040.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

1040.4 DEPARTMENT RESOURCES

Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee’s position with this department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1040.4.1 REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

1040.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through the appropriate channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1040.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on disability leave or modified/light-duty, shall inform their immediate supervisor in writing within five (5) days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor’s orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Fairfield Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Occupational Disease and Work-Related Injury Reporting

1042.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

1042.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease, or mental health issue arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

1042.2 POLICY

The Fairfield Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

1042.3 INJURY NOT REQUIRING MEDICAL ATTENTION

Those injuries and illnesses not requiring medical attention shall be recorded on the Injury Log-No Medical Treatment Form, located in the Sergeant's office.

This form shall be completed by a supervisor, indicating that the employee desires no medical attention at the time of the report. By completing this form, the employee will not preclude his/her ability to seek medical attention later.

1042.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

1042.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related City-wide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply, and take additional action as required.

1042.3.3 DIVISION CAPTAIN RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

report shall then be forwarded to the Chief of Police, the City's Risk Management entity, and the Support Services Division Captain to ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.

1042.3.4 CHIEF OF POLICE RESPONSIBILITIES
The Chief of Police shall review and forward copies of the report to the Personnel Department. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1042.4 OTHER DISEASE OR INJURY

Diseases and injuries caused, or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command, and a copy sent to the Support Services Division Captain.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1042.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1042.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL
No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Personal Appearance Standards

1044.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this Department and for their assignment.

1044.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1044.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid, or ponytail.

1044.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1044.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1044.2.4 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or his or her designee.

1044.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1044.2.6 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Necklaces shall not be visible above the shirt collar.

(b) Earrings shall be small and worn only in or on the earlobe.

(c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.

(d) A bracelet identifying a medical condition, may be worn on one arm.

(e) Wristwatches shall be conservative and present a professional image.

(f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1044.3 TATTOOS

While on-duty or representing the Department in any official capacity, employees may have visible tattoos. Visible tattoos are not permitted on an employee's head, face (including inside mouth, eyelids, or ears), neck, or hands. Tattoos on a finger intended to look like a replica ring, (e.g., a wedding band) are permitted.At no time, while on-duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang related, or obscene language.

Members appearing in court in their official capacity must conceal tattoos or other body art. Uniformed members may cover tattoos or other body art with a long sleeve uniform shirt or a plain "tattoo sleeve" (black for sworn officers, gray for non-sworn employees).

The Chief of Police, or his/her designee, retains the right to have employees cover all tattoos or body art when doing so, in his/her opinion, furthers the particular mission or assignment.

1044.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features, and which is not medically required is prohibited. The only exception would be piercing to the lobes of the ears of female employees. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.

(b) The complete or transdermal implantation of any material other than hair replacement.

(c) Abnormal shaping of the ears, eyes, nose, or teeth

(d) Branding or scarification.

1044.5 EXEMPTIONS

Members who seek cultural (e.g.; culturally protected hairstyles) or other exemptions to this policy that are protected by law should generally be accommodated (Government Code § 12926). A member with an exemption may be ineligible for an assignment if the individual accommodation

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

presents a security or safety risk. The Chief of Police should be advised any time a request for such an accommodation is denied or when a member with a cultural or other exemption is denied an assignment based on a safety or security risk.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Uniform Regulations

1046.1 PURPOSE AND SCOPE

The uniform policy of the Fairfield Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated policies:

- Department Owned and Personal Property
- Body Armor
- Personal Appearance Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The Fairfield Police Department will provide uniforms for all employees required to wear them in the manner, quantity, and frequency agreed upon in the respective employee group's collective bargaining agreement.

1046.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All peace officers of this Department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) The uniform is to be worn in compliance with the specifications set forth in the Department's uniform specifications that are maintained separately from this policy.

(e) All supervisors will perform periodic inspections of their personnel to ensure compliance with these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(g) Uniforms are only to be worn while on-duty, while in transit to or from work, for court, or at other official Department functions or events.

(h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform, including the uniform pants.

(j) Mirrored sunglasses will not be worn with any Department uniform.

(k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or the authorized designee.

1. Wrist watch
2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand
3. Medical alert bracelet

1046.3 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Fairfield Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch, or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Fairfield Police Department to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company, or other commercial entity.

(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Police Explorers

1048.1 PURPOSE AND SCOPE

Under direct supervision, Explorers perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1048.1.1 RANK STRUCTURE

The rank structure within the Explorer program shall include; the Explorer Captain, Explorer Lieutenant, Explorer Sergeant, Explorer Corporal, and the Explorer. The selection to these positions shall be made at the discretion of the Program Coordinators and the Program Advisor.

1048.2 EDUCATION REQUIREMENTS

Explorers are required to maintain a minimum grade point average of 2.0 ("C" grade) for all courses taken. Explorers shall either be fulltime high school students or complete at least six semester units of college course work per semester.

1048.3 PROGRAM COORDINATOR

A police officer, designated by the Youth Services Sergeant, will serve as the Program Coordinator. This officer will be responsible for tracking the educational and job performance of explorers, as well as making their individual assignments throughout the Department. He/she will also monitor the training provided for all explorers and review all decisions affecting job assignments, school attendance, and performance evaluations. The program coordinator shall obtain a copy of the explorers report cards every semester.

The Program Coordinator shall serve as an advisor for the Explorer Program. The Program Coordinator will serve as a mentor for each explorer. Explorers will bring special requests, concerns, and suggestions to the Program Coordinator for advice or direction. The Program Coordinator reports directly to the Youth Services Sergeant.

1048.3.1 PROGRAM ADVISORS

The Program Coordinator may select individual officers to serve as advisors for the Explorer Program. These officers will serve as mentors for each explorer. Explorers will bring special requests, concerns, and suggestions to their program advisor for advice or direction before contacting the Program Coordinator. One advisor may be designated as the Coordinator's assistant to lead scheduled meetings and training sessions involving the explorers. Multiple explorers may be assigned to each program advisor. Program advisors are not intended to circumvent the established chain of command. Any issues that may be a concern of the individual's supervisor should be referred back to the Program Coordinator.

1048.4 ORIENTATION AND TRAINING

Newly appointed explorers will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted in compliance with the

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Explorer Training Manual. Training sessions will be scheduled as needed to train explorers for as many assignments as possible.

1048.5 EXPLORER UNIFORMS

Each explorer will be provided uniforms in accordance with the specifications described in the Uniform Manual for civilian employees.

1048.6 RIDE-ALONG PROCEDURES

All explorers are authorized to participate in the Ride-Along Program on their own time, and as approved by the Explorer Program Coordinator and the appropriate Watch Commander. Applicable waivers must be signed in advance of the ride-along. Explorers shall wear their uniform while participating in a ride-along.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Nepotism and Conflicting Relationships

1050.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination, actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline, and workplace safety and security.

1050.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion, or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, step-parent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling, or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1050.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940):

(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, FTO's and other trainers will not be assigned to train relatives. FTO's and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed, and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses, or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive, registered sex offender, or who engages in serious violations of state or federal laws.

1050.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows, or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

1050.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Department Badges

1052.1 PURPOSE AND SCOPE

The City of Fairfield Police Department badge, uniform patch, and identification card as well as the likeness of these items and the name of the City of Fairfield Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1052.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried, or worn by members while on-duty or otherwise acting in an official or authorized capacity. All department employees will be issued an identification card and door proximity card that identifies them as employees of the City of Fairfield and designates the position they hold with the police department.

1052.2.1 FLAT BADGE

Sworn officers, with the written approval of the Chief of Police may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) An officer may sell, exchange, or transfer the flat badge he/she purchased to another officer within the Fairfield Police Department with the written approval of the Chief of Police.

(b) Should the flat badge become lost, damaged, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Department Owned and Personal Property Policy.

(c) An honorably retired officer may keep his/her flat badge upon retirement.

(d) The purchase, carrying, or display of a flat badge is not authorized for non-sworn personnel.

1052.2.2 CIVILIAN PERSONNEL

Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

(a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on-duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1052.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1052.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The department badge, shoulder patch, or the likeness thereof, or the department's name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch, and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1052.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police, and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Fairfield Police Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.
2. The badge number portion displays the acronym of the employee association.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Proficiency Incentive Program

1053.1 PURPOSE AND SCOPE

The Department has a proficiency incentive program for police officers and dispatchers who wish to participate. A proficiency incentive of five (5) percent is intended to reward those employees who have shown above standard proficiency in their job classification, and have successfully completed the testing process.

Employees who are at top step in their pay scale may participate in the testing process. Those proficient dispatchers who wish to test for re-certification may do so up to nine months prior to their current certification expiration date.

1053.2 TESTING

Each phase of the testing process is pass-fail. Each phase must be passed for the participant to receive certification. Proficiency tests will be held twice annually for each classification.

(a) Each classification of employee will be given a written examination. The candidate must obtain a score of at least 80 percent on the examination to continue to the next phase.

(b) Each classification of employee must pass a series of manipulative skill test associated with their job classification to continue to the next phase.

(c) Each classification of employee must pass a physical fitness performance test to continue to the next phase.

(d) Each classification of employee must pass a Supervisory Appraisal Interview.

1053.3 TEST DATE ANNOUNCEMENT

The Training and Personnel Unit will announce the upcoming test dates at least thirty (30) days prior to the test. The announcement will include the test and eligibility dates, the period of certification, and areas to be tested on the written exam.

1053.4 CERTIFICATION PERIODS

Certification Period varies depending on the employee's classification.

(a) Dispatchers who are successful in the Proficiency Test process for the first time will be certified for a period of three (3) years commencing on the first day of the month following the test.

(b) Police Officers who are successful in the Proficiency Testing process will receive lifetime certification. However, the Chief of Police may require re-certification in the event an officer's overall performance is not rated standard or better.

1053.5 PAYMENT

- Police Officers who become certified as "Proficient" will be moved to step ten (10) of their pay grade, and will receive their proficiency pay bi-weekly.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Dispatchers who become certified as "Proficient" will accrue their proficiency pay monthly and will be paid a lump sum on the first pay day in December.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Temporary Light-Duty Assignments

1054.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary light-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1054.2 POLICY

Subject to operational considerations, the Fairfield Police Department may identify temporary light-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1054.3 GENERAL CONSIDERATIONS

Priority consideration for temporary light -duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Fairfield Police Department shall be created or maintained as a temporary light-duty assignment.

Temporary light-duty assignments are a management prerogative and not an employee right. The availability of temporary light-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary light-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a light-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary light-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary light-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1054.4 PROCEDURE

Employees may request a temporary light-duty assignment for short-term injuries or illnesses.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.

(b) The nature and scope of limitations and/or work restrictions.

(c) A statement regarding any required workplace accommodations, mobility aids, or medical devices.

The Personnel Sergeant will make a recommendation to the Division Captain regarding temporary light-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Division Captain or the authorized designee shall confer with the Personnel Department or the City Attorney as appropriate.

Requests for a temporary light-duty assignment of 20 hours or less per week may be approved and facilitated by the Personnel Sergeant with notice to the Division Captain.

The Personnel Sergeant or designee shall meet with employees requesting a temporary light-duty assignment and complete the City of Fairfield Non-Worker's Compensation Interactive Process form. The form shall be signed by the Personnel Sergeant or designee and the employee after a review of the employee's medical restrictions as outlined by the employee's health care provider. The interactive process form shall be forwarded to Human Resources with an indication of whether or not the Department is able to accommodate the employee's medical restrictions.

1054.4.1 MODIFIED-DUTY SCHEDULES

The schedules of employees assigned to light-duty may be adjusted to suit medical appointments or Department needs at the discretion of the Personnel Sergeant.

The employee and his/her supervisors should be informed in writing of the schedule, assignment, limitations, and restrictions as determined by the employee's health care provider.

1054.4.2 ACCOUNTABILITY

The Personnel Sergeant shall coordinate efforts to ensure proper time accountability and shall cause a Personnel Action Form to be completed.

(a) Employees on light-duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee's sick leave.

(b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change in restrictions or limitations as determined by their health care provider.

(c) Supervisors shall keep the Support Services Division Captain apprised of the employee's status and ability to perform the modified-duty assignment.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) When it is determined that an employee on light-duty will return to regular duty, the supervisor shall notify the Support Services Division Captain and cause a Personnel Action Form to be completed. All training and certification necessary for return to duty shall be reviewed and updated as necessary.

1054.4.3 MEDICAL EXAMINATIONS

The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a light-duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

1054.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary light-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Division Captain.

1054.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary light-duty shall include, but not be limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary light-duty.

(d) Submitting a written status report to the Division Captain that contains a status update and anticipated date of return to full-duty when a temporary light-duty assignment extends beyond 60 days.

1054.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary light-duty.

The responsibilities of supervisors shall include, but not be limited to:

(a) Periodically apprising the Division Captain of the status and performance of employees assigned to temporary light-duty.

(b) Notifying the Division Captain and ensuring that the required documentation facilitating a return to full-duty is received from the employee.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(c) Ensuring that employees returning to full-duty have completed any required training and certification.

1054.5.3 WORK EXPECTATIONS

The following shall serve as a general guideline of day-to-day operational expectations for personnel assigned to temporary light-duty:

(a) Check in with the Personnel Sergeant and/or other direct supervisor (Patrol Sergeant, Watch Commander or other Special Assignment Supervisor) at the beginning of each shift.

(b) Notify Dispatch of on-duty status, lunch break, and any medical appointments.

(c) If assigned to the front desk, handle calls for service as assigned by Dispatch. Complete as much follow-up as possible on each case and route the investigation to Patrol for any required in-field follow-up.

(d) Personnel should not have in-person contact with suspects or investigative leads.

(e) Personnel should not process arson, sex or gang registrants.

(f) Personnel should avoid enforcement action unless there is an immediate threat of great bodily injury or death to personnel or others.

(g) Personnel shall attend all scheduled court appearances. Personnel may request a cover unit it needed. This should be done with advance notice to the Personnel Sergeant.

1054.5.4 DRESS CODE

Light-duty personnel shall wear appropriate work attire as described below. Exceptions may be made by the Personnel Sergeant in order to accommodate an employee's medical restrictions as described by the employee's health care provider.

(a) Approved uniform from assignment prior to being assigned to light-duty. Patrol uniforms may be worn without a duty belt.

(b) Business attire: long sleeve shirt and tie, slacks and dress shoes for males, or a blouse, slacks, and dress shoes for females.

(c) Fairfield Police Department black polo shirt with embroidered badge and last name, slacks, and dress shoes.

(d) Light-duty personnel should wear a cover shirt or jacket to cover their badge and firearm while in public.

1054.5.5 FIREARMS

Personnel assigned to temporary light-duty may be armed with their Department-issued firearm or department approved off-duty/back-up firearm if permissible under doctor's restrictions. Personnel shall remain current with their required firearms training in order to be armed at work.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1054.5.6 TRAINING
Personnel assigned to temporary light-duty will remain current on required training unless medical restrictions dictate otherwise. This includes Advanced Officer training, quarterly range training, defensive tactics (mat room) training, and force options simulator. Personnel may continue to attend other department-authorized training they are assigned if such training falls within the employee's medical restrictions.

1054.5.7 VEHICLES
Personnel assigned to temporary light-duty may continue to operate their assigned vehicle to and from work so long as the employee's medical restrictions allow them to be armed and they are current on firearms training.

1054.5.8 OVERTIME
Personnel assigned to temporary light-duty may work pre-existing collateral duty overtime assignments so long as the work performed falls within the employee's medical restrictions. Employees should balance their 28-day work schedule when on temporary light-duty. In order to mitigate placing employees at unnecessary risk, personnel assigned to temporary light-duty should avoid working any overtime assignment that places them in the general public. Such assignments shall be discussed with the Personnel Sergeant in advance.

1054.6 MEDICAL EXAMINATIONS
Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1054.7 PREGNANCY
If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee’s right to a temporary modified-duty assignment if required under Government Code § 12945.

1054.7.1 NOTIFICATION
Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City’s personnel rules and regulations regarding family and medical care leave.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1054.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary light-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary light-duty.

1054.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary light-duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary light-duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Employee Absences

1055.1 PURPOSE AND SCOPE

While it is recognized that employees will have a need to take time off work for a variety of reasons, it must also be recognized that ensuring sufficient staffing to accomplish the mission of the police department is critical. This has necessitated that parameters be put in place so the balance between employee's time off and departmental needs can be achieved.

Employees must provide a reasonable amount of advanced notice when requesting time off (vacation, CTO, etc.) to allow supervisors time to evaluate and approve or deny the request. It is generally accepted that seven (7) days notice in advance of the anticipated day(s) off is a reasonable period of time. Personnel requesting time off or a shift exchange must receive approval from every supervisor affected by such request. It shall be the responsibililty of the employee requesting the time off to secure the approval of all shifts affected.

1055.2 ABSENCE PROCEDURES

The following procedures are intended to be guidelines for personnel when considering time off for vacations, compensatory time off, shift exchanges, sick leave, or leave without pay.

(a) **Vacation:** Vacation requests will be approved or denied based upon staffing needs, current MOU's, and department procedures. Extended vacations covering a shift change will be handled pursuant to Policy § 1015.

(b) **Compensatory Time Off:** Employees accrue CTO based upon their MOU. Employees may request to use their CTO time, and the department will approve or deny the time based upon staffing needs, Fair Labor & Standards Act (FLSA) rules, and current MOU and department procedures. The Department will not unreasonably deny requests for time off by employees.

(c) **Sick Leave:** Absences for sickness or injury will generally be deducted from the employees' accumulated sick leave. Under extenuating circumstances, vacation or CTO deductions may be made in lieu of sick leave, provided approval has been granted by the employee's supervisor.

(d) **Shift Trade:** Employees requesting a shift trade must complete a memorandum that includes the dates and times (original and payback) to be worked by each affected employee. All affected employees must sign the memorandum acknowledging their acceptance of the dates/times listed. The requesting employee must then garner the written approval of all involved supervisors. The completed memorandum will be forwarded to the affected Watch Commanders. If the shift trade is for a special overtime assignment, the completed memorandum will be forwarded to the Captain of the Support Services Division.

(e) **Leave Without Pay:** Leave without pay may be administered for those absences that have not been approved or authorized. Such absences of three or more consecutive workdays will generally be considered as a resignation. Leave without pay may be authorized for other approved absences.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(f) **Employee Absence Reports:** Employees unable to report for duty because of illness or any other reason shall report this immediately to their supervisor or on duty manager, giving the nature of their illness and any other pertinent facts requested.

The supervisor or manager on-duty will complete an employee absence report in every case and may visit the employee to make a written report of the case. An employee signature is not required on the absence report when the absence is for sick leave or industrial injury. Vacation leave or compensatory time off reports may be initiated by the employee or the supervisor. Each of these guidelines should be viewed as a standard to be achieved, however, should not be construed as preventing exceptions when circumstances justify an alternate course of action. Ref: 4850 Labor Code 299.D and Policy Manual.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Departure from Employment

1057.1 PURPOSE AND SCOPE

To provide guidelines for the recognition of members and volunteers who have honorably ended their service with the Fairfield Police Department.

1057.2 DEFINITIONS

Sworn Personnel - All personnel who act in the capacity of peace officers including reserve officers.

Civilian Personnel - All other personnel employed with the Fairfield Police Department.

Volunteers **-** All non-compensated personnel associated with the Fairfield Police Department.

Retirement Badge **-** A flat replica of the Fairfield Police Department badge with the words "HONORABLY RETIRED" used in lieu of a number. Badges will be revoked in the event of misuse or abuse pursuant to Penal Code 538(d).

Department Plaque **-** A suitable plaque commemorating the years of service of an employee of the Fairfield Police Department, which has attached a duplicate of the City of Fairfield Police Department patch emblem.

Service Badges **-** Service badge(s) enclosed in Lucite or a shadow box commemorating years of services as an employee of The City of Fairfield Police Department. This item is only for badged positions whether sworn or civilian (i.e.; CSO, Dispatch, Code Enforcement, etc.). Limited to:

- Fairfield Police Department service badges (and pins and patches for the shadow boxes); and
- No more than one badge per rank served at Fairfield Police Department.

Recognition Documents - A request for formal recognition of performance or service to a governmental body will include the following:

- City of Fairfield Plaque & Mayor's Letter (15+ years of service with the City of Fairfield)
- Assembly Resolution (20+ years of service)
- Congressional Letter (20+ years of service)
- Flag (flown over D.C. Capitol) (20+ years of service - SWORN only)
- Congressional Record (25+ years of service)

Retired Identification Card Eligibility Requirements - Retired identification cards may be issued to sworn retirees, based on the following criteria:

- Retired with CCW Endorsement (Complies with 18 USC 926C)

This ID card may be issued to sworn retirees unless one of the following exclusions applies:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Employee retired with less than 15 years of service, unless it was a disability retirement;

(b) Employee received a psychological retirement;

(c) Employee retired in lieu of termination;

(d) Employee did not complete probationary period.

- Retired with CCW Endorsement (NO HR 218 language)
- Retired with NO CCW Endorsement - This ID card may be issued to sworn retirees who have been excluded from the above types of retirement ID card endorsements.

ID cards will clearly state that the person has honorably retired from the City of Fairfield Police Department. The Chief of Police reserves the right to deny the issuance of an ID card based on suitability and/or any of the exclusions listed above.

1057.3 GUIDELINES FOR ELIGIBILITY - PERS RETIREMENT

Years of public service under retirement eligibility (PERS and/or in addition to other public service retirement(s).

A. All of the above classifications of personnel may be eligible for recognition from the Department for their years of service and upon their honorable discharge from duties.

B. All sworn retirees with five (5) or more years of service will leave at date of retirement, or as soon as possible thereafter with the following

- **Retiree ID Card (see CCW language requirements)**
- **Retiree Flat Badge**

C. Sworn and civilian personnel who retire after **five (5)** or more years of service may be eligible to receive:

- **Badge(s) encased in Lucite or a shadow box**(as described in Definitions Item #F) or a department plaque (as described in Definitions Item #E)

D. Sworn and civilian personnel who retire after **ten (10)** or more years of service may be eligible to receive:

- **Badge(s) encased in Lucite or a shadow box**(as described in Definitions Item #F) or a department plaque (as described in Definitions Items #E)
- **City of Fairfield plaque and Mayor's Letter**

E. Sworn and civilian personnel who retire after **twenty (20)** or more years of service may be eligible to receive:

- **Badge(s) encased in Lucite or a shadow box** (as described in Definitions Item #F**)** oe a department plague (as described in Definitions Item #E)
- **City of Fairfield plaque and Mayor's letter**
- **Assembly Resolution**

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- **Congressional Letter**
- **Flag (SWORN only)**

F. Sworn and civilian personnel who retire after **twenty-five (25)** or more years of service, may be eligible to receive:

- **Badge(s) encased in Lucite or a shadow box** (as described in Definitions Item #F) or a department plaque (as described in Definitions #E)
- **City of Fairfield plaque and Mayor's letter**
- **Assembly Resolution**
- **Flag (SWORN only)**
- **Congressional Record (instead of letter)**

G. Personnel who do not meet the above requirements, or who retire as the result of a medical disability, may be eligible to receive the appropriate item(s) or recognition, depending on the circumstances that led to the end of their service. The Chief of Police or his designee will decide such special cases on an individual basis.

H. Recognition event for retirements/presentation of recognition items:

The Administrative Support Supervisor shall obtain the applicable recognition items and schedule the presentation of such items during business hours on or about the employee's last day of employment. Any recognition items that require extensive preparation and are not available for the presentation event shall be delivered to the employee when available (i.e.; Badge encasements and shadow boxes)

If the employee wishes to have an additional celebration event (i.e.; formal luncheon or dinner event outside business hours), the employee's unit or division is responsible for planning, organizing, and executing the entire event. The Special Events Committee can assist the employee's unit or division as needed according to Special Event's guidelines.

1057.4 GUIDELINES FOR ELIGIBILITY - PUBLIC SERVICE RESIGNATION (NOT RELATED TO A RETIREMENT)

Years of public service include all government service years.

A. All of the above classifications of personnel may be eligible for recognition from the Department for their years of service and upon their honorable discharge from duties.

B. Sworn and civilian personnel who resign after **five (5)** or more years of service may be eligible to receive a **department plaque** (as described in Definitions Item #E).

C. Sworn and civilian personnel who resign after **ten (10)** or more years of service may be eligible to receive:

- **A department plaque** (as described in Definitions Item #E)

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

D. Sworn and civilian personnel who resign after **fifteen (15) or more years of service** may be eligible to receive:

- **A department plaque** (as described in Definitions Item #E)
- **City of Fairfield plaque and Mayor's Letter**

E. The Chief of Police or his designee will decide if "special circumstances" occur on an individual basis which would make the employee ineligible to receive the appropriate item(s) of recognition.

The Administrative Support Supervisor shall obtain the applicable recognition items and schedule the presentation of such items during business hours on or about the employee's last day of employment. Any recognition items that are not available for the presentation event shall be delivered to the employee when available.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Employee Speech, Expression, and Social Networking

1058.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites, and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including; acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1058.1.1 APPLICABILITY

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

1058.2 POLICY

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

1058.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of the Fairfield Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family, or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1058.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless, the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Fairfield Police Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Fairfield Police Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Fairfield Police Department or its employees. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitution.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transports are made, could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Fairfield Police Department.

(f) Use or disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

(g) Posting, transmitting, or disseminating any photographs, video, or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Fairfield Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g.; inform family of extended hours).
2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g.; social or personal website).

1058.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Fairfield Police Department or identify themselves in any way that could be reasonably perceived as representing the Fairfield Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g.; bargaining group or officer associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Fairfield Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.

However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1058.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts, or anything published or maintained through file-sharing software or any internet site (e.g.; Facebook) that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department shall not require an employee to disclose a personal user name or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

1058.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1058.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Line-of-Duty Deaths

1059.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Fairfield Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1059.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1059.2 POLICY

It is the policy of the Fairfield Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this Department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1059.3 INITIAL ACTIONS BY COMMAND STAFF

(a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Watch Commander and the Dispatch Center.

  (a) Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).

(b) The Watch Commander should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

(c) If the member has been transported to the hospital, the Watch Commander or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1059.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Watch Commander or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.

(b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).

(c) Plan for concerns such as known health concerns of survivors or language barriers.

(d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in Department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.

(e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.

(h) Assist the survivors with meeting childcare or other immediate needs.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

(j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.

(k) Provide their contact information to the survivors before departing.

(l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.

(m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Fairfield Police Department members may be apprised that survivor notifications are complete.

1059.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

(a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the Department member that the survivors can call for more information following the notification by the assisting agency.

(b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1059.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying Department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1059.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

(a) Department Liaison.

(b) Hospital Liaison.

(c) Survivor Support Liaison.

(d) Critical Incident Stress Management (CISM) coordinator.

(e) Funeral Liaison.

(f) Mutual aid coordinator.

(g) Benefits Liaison.

(h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available Department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1059.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Division Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

(a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).

(b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.

(c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

(d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.

(e) Coordinating all official law enforcement notifications and arrangements.

(f) Making necessary contacts for authorization to display flags at half-mast.

(g) Ensuring that Department members are reminded of appropriate information–sharing restrictions regarding the release of information that could undermine future legal proceedings.

(h) Coordinating security checks of the member's residence as necessary and reasonable.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1059.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

(a) Arrange for appropriate and separate waiting areas for:

1. The survivors and others whose presence is requested by the survivors.
2. Department members and friends of the deceased member.
3. Media personnel.

(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Fairfield Police Department members (except for members who may be guarding the suspect).

(c) Ensure that survivors receive timely updates regarding the member before information is released to others.

(d) Arrange for survivors to have private time with the member, if requested.

1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
2. The Hospital Liaison should accompany the survivors into the room, if requested.

(e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(f) If applicable, explain to the survivors why an autopsy may be needed.

(g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1059.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Division Commander. The following should be considered when selecting the Survivor Support Liaison:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.

(b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.

(c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

(d) Providing assistance with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:

1. Items should not be delivered to the survivors until they are ready to receive the items.
2. Items not retained as evidence should be delivered in a clean, unmarked box.
3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

(g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.

(h) Coordinating with the Department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

(k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.

(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1059.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

(a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:

1. Members involved in the incident.
2. Members who witnessed the incident.
3. Members who worked closely with the deceased member but were not involved in the incident.

(b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.

(c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

(d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

1059.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

(a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.

(b) Completing funeral notification to other law enforcement agencies.

(c) Coordinating the funeral activities of the Department, including, but not limited to the following:

  (a) Honor Guard

    1. Casket watch

    2. Color guard

    3. Pallbearers

    4. Bell/rifle salute

  (b) Bagpipers/bugler

  (c) Uniform for burial

  (d) Flag presentation

  (e) Last radio call

(d) Briefing the Chief of Police and command staff concerning funeral arrangements.

(e) Assigning an officer to remain at the family home during the viewing and funeral.

(f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1059.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member's funeral.

(b) Area coverage so that as many Fairfield Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Mutual Aid and Outside Agency Assistance Policy.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1059.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

(a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).

(b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:

1. Public Safety Officers' Benefits (PSOB) Programs.
2. Public Safety Officers' Educational Assistance (PSOEA) Program.
3. Social Security Administration.
4. Department of Veterans Affairs.

(c) Researching and assisting survivors with application for state and local government survivor benefits.

(a) Education benefits (Education Code § 68120)

(b) Health benefits (Labor Code § 4856)

(c) Worker's compensation death benefit (Labor Code § 4702)

(d) Researching and assisting survivors with application for other survivor benefits such as:

1. Private foundation survivor benefits programs.
2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by police associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.

1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

(g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1059.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

(a) Establishing methods for purchasing and monitoring costs related to the incident.

(b) Providing information on finance-related issues, such as:

1. Paying survivors' travel costs if authorized.
2. Transportation costs for the deceased.
3. Funeral and memorial costs.
4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.

(d) Providing accounting and cost information as needed.

1059.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that department members are instructed to direct any media inquiries to the PIO.

(c) Prepare necessary press releases.

1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.

(d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member's survivors with media inquiries.

1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

(g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.

(h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

1059.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1059.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1059.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1059.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Attachments

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Hate Crime Checklist.pdf

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

HATE CRIME CHECKLIST

VICTIM

Victim Type:

☐ **Individual**
Legal name (Last, First): _____
Other Names used (AKA): _____

☐ **School, business or organization**
Name: _____
Type: _____
(e.g., non-profit, private, public school)
Address: _____

☐ **Faith-based organization**
Name: _____
Faith: _____
Address: _____

Target of Crime (Check all that apply):

☐ Person ☐ Private property ☐ Public property

☐ Other _____

Nature of Crime (Check all that apply):

☐ Bodily injury ☐ Threat of violence

☐ Property damage

☐ Other crime: _____

Property damage - estimated value _____

BIAS

Type of Bias
(Check all characteristics that apply):

☐ Disability
☐ Gender
☐ Gender identity/expression
☐ Sexual orientation
☐ Race
☐ Ethnicity
☐ Nationality
☐ Religion
☐ Significant day of offense
(e.g., 9/11, holy days)
☐ Other: _____

Specify disability (be specific):

_____

_____

Actual or Perceived Bias – Victim's Statement:

☐ Actual bias [Victim actually has the indicated characteristic(s)].

☐ Perceived bias [Suspect believed victim had the indicated characteristic(s)].

If perceived, explain the circumstances in narrative portion of Report.

Reason for Bias:

Do you feel you were targeted based on one of these characteristics?
☐ Yes ☐ No *Explain in narrative portion of Report.*

Do you know what motivated the suspect to commit this crime?
☐ Yes ☐ No *Explain in narrative portion of Report.*

Do you feel you were targeted because you associated yourself with an individual or a group?
☐ Yes ☐ No *Explain in narrative portion of Report.*

Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)?
☐ Yes ☐ No *Describe in narrative portion of Report.*

Are there Indicators the suspect is affiliated with a criminal street gang?
☐ Yes ☐ No *Describe in narrative portion of Report.*

Bias Indicators (Check all that apply):

☐ Hate speech ☐ Acts/gestures ☐ Property damage ☐ Symbol used
☐ Written/electronic communication ☐ Graffiti/spray paint ☐ Other: _____

Describe with exact detail in narrative portion of Report.

HISTORY

Relationship Between Suspect & Victim:

Suspect known to victim? ☐ Yes ☐ No
Nature of relationship: _____
Length of relationship: _____
If Yes, describe in narrative portion of Report

☐ Prior reported incidents with suspect? Total # _____
☐ Prior unreported incidents with suspect? Total # _____
Restraining orders? ☐ Yes ☐ No
If Yes, describe in narrative portion of Report
Type of order: _____ Order/Case# _____

WEAPONS

Weapon(s) used during incident? ☐ Yes ☐ No Type: _____
Weapon(s) booked as evidence? ☐ Yes ☐ No
Automated Firearms System (AFS) Inquiry attached to Report? ☐ Yes ☐ No

HATE CRIME CHECKLIST

EVIDENCE

Witnesses present during incident? ☐ Yes ☐ No Statements taken? ☐ Yes ☐ No

Evidence collected? ☐ Yes ☐ No

Photos taken? ☐ Yes ☐ No

Total # of photos: _____ D#: _____

Taken by: _____ Serial #: _____

Recordings: ☐ Video ☐ Audio ☐ Booked

Suspect identified: ☐ Field ID ☐ By photo ☐ Known to victim

OBSERVATIONS

VICTIM	SUSPECT
☐ Tattoos	☐ Tattoos
☐ Shaking	☐ Shaking
☐ Unresponsive	☐ Unresponsive
☐ Crying	☐ Crying
☐ Scared	☐ Scared
☐ Angry	☐ Angry
☐ Fearful	☐ Fearful
☐ Calm	☐ Calm
☐ Agitated	☐ Agitated
☐ Nervous	☐ Nervous
☐ Threatening	☐ Threatening
☐ Apologetic	☐ Apologetic
☐ Other observations: _____	☐ Other observations: _____

ADDITIONAL QUESTIONS (Explain all boxes marked "Yes" in narrative portion of report):

Has suspect ever threatened you? ☐ Yes ☐ No

Has suspect ever harmed you? ☐ Yes ☐ No

Does suspect possess or have access to a firearm? ☐ Yes ☐ No

Are you afraid for your safety? ☐ Yes ☐ No

Do you have any other information that may be helpful? ☐ Yes ☐ No

Resources offered at scene: ☐ Yes ☐ No Type: _____

MEDICAL

Victim	Suspect	
☐	☐	Declined medical treatment
☐	☐	Will seek own medical treatment
☐	☐	Received medical treatment

Authorization to Release Medical Information, Form 05.03.00, signed? ☐ Yes ☐ No

Paramedics at scene? ☐ Yes ☐ No Unit # _____

Name(s)/ID #: _____

Hospital: _____

Jail Dispensary: _____

Physician/Doctor: _____

Patient #: _____

Officer (Name/Rank)	Date
Officer (Name/Rank)	Date
Supervisor Approving (Name/Rank)	Date

Statutes and Legal Requirements.pdf

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Statutes and Legal Requirements

Items listed in this section include sections from the California Penal Code (CPC), Welfare and Institutions Code (WI) and Government Code (GC).

Definitions

CPC 422.55 - Provides general definition of hate crimes in California.

CPC 422.56- Provides definitions of terms included in hate crimes statutes.

GC 12926- Disability-related definitions applicable to some hate crime statutes.

Felonies

Hate Crimes

CPC 422.7 - Commission of a crime for the purpose of interfering with another's exercise of civil rights.

Related Crimes

CPC 190.2(a)(16) - Homicide penalties related to certain hate crime related acts.

CPC 190.03(a) - Homicide penalties related to certain hate crime related acts.

CPC 288(b)(2) - Sexual assault of dependent person by caretaker

CPC 368(b) - Dependent adult abuse generally - may apply as disability-related hate crime.

CPC 594.3 - Vandalism of places of worship.

CPC 11412 - Causing or attempting to cause other to refrain from exercising religion by threat.

CPC 11413 - Arson or destructive device at place of worship.

Misdemeanors

Hate Crimes

CPC 422.6 - Use of force, threats, or destruction of property to interfere with another's exercise of civil rights.

CPC 422.77 - Violation of civil order (Bane Act) protecting the exercise of civil rights

Related Crimes

CPC 302 - Disorderly conduct during an assemblage of people gathered for religious worship at a tax-exempt place of worship.

CPC 538(c) - Unauthorized insertion of advertisements in newspapers and redistribution to the public.

CPC 640.2 - Placing handbill, notice of advertisement on a consumer product or product packaged without authorization.

CPC 11411 - Terrorism of owner or occupant of real property. Placement or display of sign, symbol, or other physical impression without authorization, engagement in pattern of conduct, or burning or desecration of religious symbols.

Enhancements

CPC 190.2(a)(16) - Special circumstances imposing the Death Penalty or Life Without Possibility of Parole, if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 190.3 - Special circumstances imposing LWOP if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 422.75 - Penalty for felony committed because of victim's race, color, religion, nationality, country or origin, ancestry, disability, or sexual orientation shall be enhanced one, two, or three years in prison, if the person acts alone; and two, three, or four years if the person commits the act with another.

CPC 1170.8 - Enhancement for robbery or assault at a place of worship.

CPC 1170.85(b) - Felony assault or battery enhancement due to age or disability.

Reporting

CPC 13023- Requirement for law enforcement agencies to report hate crime data to DOJ.

WI 15630 – Elder and Dependent Adult Abuse Mandated Reporting (may apply in disability-related hate crimes).

Training and Policy Requirements

CPC 422.87 - Hate crimes policy adoption and update requirements (AB 1985, Effective January 1, 2019).

CPC 13519.6 - Defines hate crime training requirements for peace officers.

CPC 13519.41 - Training requirements on sexual orientation and gender identity-related hate crimes for peace officers and dispatchers (AB 2504, Effective January 1, 2019).

Miscellaneous Provisions

CPC 422.78 - Responsibility for prosecution of stay away order violations.

CPC 422.86 - Public policy regarding hate crimes.

CPC 422.89 - Legislative intent regarding violations of civil rights and hate crimes

CPC 422.92 - Hate crimes victims brochure requirement for law enforcement agencies.

CPC 422.93 - Protection of victims and witnesses from being reported to immigration authorities.

GC 6254 - Victim confidentiality.

INDEX / TOPICS

. 87

A

ABBREVIATIONS 27
ACCOUNTABILITY TO SUPERVISOR . . 31
ACKNOWLEDGEMENTS
Policy manual. 28
Policy revisions. 29
ADMINISTRATIVE INVESTIGATION . . . 92
ADMINISTRATIVE INVESTIGATIONS
OIS 92, 92, 92
OIS 92, 92
Recorded media files. 427
Vehicle damage. 600
ADULT ABUSE 159
Investigations. 535
AIRCRAFT 403
Accidents. 403
Ambulance. 464
ALCOHOL
Vehicle use. 599
ALCOHOL 757
ALCOHOL AND DRUG 98
ALCOHOL USE 757
AMMUNITIO 98
AMMUNITION
Gun violence restraining order surrenders. 309
ANIMALS
Line-of-duty deaths. 862
ANIMALS
Euthanize. 102
Injured. 102
ANTI-REPRODUCTIVE RIGHTS CRIMES . 254
APPOINTMENTS
Chaplain coordinator. 278
Communications supervisor. 624
Coordinator - portable audio/video recorders 428
Forfeiture reviewer. 548
Line-of-duty death liaisons and coordinators 855
PIO. 225
Reserve coordinator. 233
UAS Coordinator. 580
ARRESTS
First amendment assemblies 459, 461
Log. 227
Seat belts. 786
ASSET FORFEITURE 545
AUDIO/VIDEO RECORDING
Body-worn cameras. 423
Custodial interrogation. 533
OIS. 94
AUDITS
Informant funds. 556
AUTHORITY
Canine handler. 125
Policy manual. 27
AUTHORIZED WEAPONS 96
AUTOMATED EXTERNAL DEFIBRILLATORS (AED) 465

B

BADGE 832
BATON 83
BETTING 209
BIOLOGICAL SAMPLES
Hazards. 404
BIOLOGICAL SAMPLES 274
BODY ARMOR 788
BODY-WORN CAMERAS 423
BOMBS
Aircraft accidents. 404
Chaplains. 280
Explosive training aids. 130
Portable audio/video recorders. 425
BRADY MATERIAL 564
BREATH TEST 497
BRIBE 209
BUCCAL SWABS 274

C

CANINES
Pursuits. 437
CASH
Audit. 556
CHANGE OF ASSIGNMENT 798
CHAPLAINS 277
Line-of-duty deaths. 862
CHIEF EXECUTIVE 24
CHILD ABUSE 174
CHILDREN
Transporting. 787
CITATIONS 479
CIVIL
Liability response. 94
Subpoenas. 230
CIVIL DISPUTES 455
CIVILIAN/NON-SWORN 27
CIVILIAN/NONSWORN
Crisis intervention incidents. 475
CODE-3 120
COMMAND PROTOCOL 31
COMMAND STAFF

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Line-of-duty deaths. 852
Policy review. 29
COMMENDATIONS AND AWARDS . . . 802
COMMUNICABLE DISEASE
Health orders. 323
COMMUNICATIONS CENTER
Foot pursuits. 440
Mandatory sharing. 239
COMMUNICATIONS CENTER
Crisis intervention incidents. 474
COMMUNICATIONS WITH HEARING IMPAIRED OR DISABLED 264
COMPUTERS
Digital evidence. 535
CONCEALED WEAPONS PERMITS
Out of State. 104
CONDUCT
OIS. 88
CONDUCT UNBECOMING 209
CONFIDENTIAL INFORMATION 211
CONFIDENTIALITY
Chaplains. 281
Communications center. 628
Radio broadcasts. 421
Surreptitious recording. 425
CONTACTS AND TEMPORARY DETENTIONS
Warrant service. 573
CONTROL DEVICES
First amendment assemblies. 460
Training. 391
CONTROL DEVICES 82
CONTROL DEVICES 82
CORRESPONDENCE 44
COURT APPEARANCES 229
COURT ORDERS
Canine controlled substance. 129
Gun violence restraining order surrenders. 309
Subpoenas. 229
Surreptitious recording. 425
COURT ORDERS, CIVIL DISPUTES . . . 456
CRIME ANALYSIS 611
CRIME SCENE AND DISASTER INTEGRITY 322
CRIMINAL ACTIVITIES 209
CRISIS INTERVENTION INCIDENTS . . 472
CRISIS NEGOTIATION TEAM 324
CRISIS RESPONSE UNIT 324
CUSTODIAL INTERROGATIONS 533
CUSTODIAL SEARCHES 728
CUSTODIAN OF RECORDS 663

D

DAMAGE BY CITY PERSONNEL 219
DEATH
Chaplains. 280
DEATH INVESTIGATION 248
DEATH NOTIFICATION 249
DEBRIEFING
OIS. 94
Tactical. 94
Warrant service. 573
DECONFLICTION 577
DEFINITIONS 27
DEPARTMENT OWNED PROPERTY . . . 584
DEPARTMENT PROPERTY
Loss Or Damage. 585
DESTRUCTION OF ANIMALS 102
DISABLED
Motorist. 505
DISASTER PLAN 34
DISCLAIMER 26
DISCLOSING INFORMATION 849
DISCRIMINATION 208
DISGRACEFUL CONDUCT 209
DISHONESTY 209
DISOBEDIENCE 209
DISPARAGING REMARKS 209
DIVISION 31
DNA SAMPLES 274
DOMESTIC VIOLENCE
Reporting of Employee Convictions. . . 755
DRIVER'S LICENSE 209
DRUG USE 757
DUI ENFORCEMENT 496
DUTY WEAPONS 96

E

ELECTRICAL LINES 396
ELECTRONIC CIGARETTES 769
ELECTRONIC MAIL 42
EMERGENCY MANAGEMENT PLAN . . . 34
EMERGENCY UTILITY 396
EPINEPHRINE AUTO-INJECTORS 467
EVALUATION 739
EVIDENCE
Digital. 535
Public Safety Video Surveillance. . . . 285
Seizing recordings. 470
EVIDENCE, BOMBS 368
EXCESSIVE FORCE 209
EXPLOSIONS 367
EXPOSURE(S) 349
EYEWITNESS IDENTIFICATION 559

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

F

FAILURE TO TAKE ACTION 209
FALSE STATEMENTS 209
FALSIFICATION OF RECORDS 209
FIELD SOBRIETY TESTS 496
FIGHTING 208
FIREARM SERIAL NUMBERS 648
FIREARMS
Removal for vehicle maintenance. . . . 591
Retiree. 53
FIREARMS 100
Flying Armed. 103
Qualifications. 100
Storage of. 100
FITNESS FOR DUTY 806
FORMS
Eyewitness identification. 559

G

GAMBLING 209
GRATUITY 209
GRIEVANCES
Supervisor authority. 27
GROOMING STANDARDS 823

H

HAZARDOUS MATERIAL 349
HAZARDOUS MATERIAL (HAZMAT) RESPONSE
Aircraft accidents. 404
HEARING IMPAIRED 264
HELICOPTER ASSISTANCE 410
HIGH-VISIBILITY VESTS 480
HOMELESS 449
HORSEPLAY 208

I

IDENTITY THEFT 251
INFORMATION TECHNOLOGY USE
TECHNOLOGY USE 216
INSPECTIONS
Vehicles. 597
INSUBORDINATION 209
INTERIM DIRECTIVE 33
INTERNAL AFFAIRS
Personnel records. 791
INTERNET ACTIVITY 849
INTOXICANTS 208
INVESTIGATION AND PROSECUTION . 531

J

JURISDICTION
Aircraft accidents. 404
OIS. 87
JURISDICTIONS
Vehicle pursuits. 114
JUVENILES
Citations. 380

K

KEYS
Vehicle. 598
KINETIC PROJECTILES 84

L

LIMITED ENGLISH PROFICIENCY
Communications center. 626
Eyewitness identification. 559
LIMITED ENGLISH PROFICIENCY . . . 256
LINE-OF-DUTY DEATHS 852

M

MANUALS 34
MDT/MDC
Use. 598
Vehicles. 598
MEAL PERIODS AND BREAKS 809
MEDIA
Aircraft accidents. 405
Line-of-duty deaths. 861
OIS. 95
Operations plans. 579
Warrant service. 574
MEDIA REQUEST 225
MEDICAL
Adult involuntary detention. 163
Aircraft accidents. 403
Examinations – Adult abuse. 164
For canines. 128
Leave act (FMLA). 760
Personnel records. 792
Releases. 464
MEMORANDUMS 44
MENTAL ILLNESS
Restraints. 369
MISAPPROPRIATION OF PROPERTY . . 209
MISUSE OF PUBLIC FUNDS 209
MOBILE AUDIO/VIDEO (MAV)
OIS. 94
MOBILE DIGITAL TERMINAL USE . . . 420
MODIFIED-DUTY ASSIGNMENTS . . . 836
MUTUAL AID
First amendment assemblies. 460
Warrant service. 573

N

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

NONSWORN
Vehicles. 599
NOTIFICATIONS
Aircraft accidents. 404
Impaired driving. 498
Line-of-duty deaths. 853
Sick leave. 760

O

OATH OF OFFICE 25
OC SPRAY 83
OFFICER SAFETY
Communications center 626, 627
Crime scene and disaster integrity. . . . 322
Foot pursuits. 437
LEOSA. 53
Seat belts. 786
Warrant service. 571
OPERATIONS PLANNING AND DECONFLICTION 575
ORGANIZATIONAL STRUCTURE 31
OUTSIDE AGENCY ASSISTANCE 238
OUTSIDE EMPLOYMENT 816
Change in Status. 819
Obtaining Approval. 816
Prohibited Outside Employment. . . . 817
Security Employment. 817
OVERTIME
Court. 231
OVERTIME PAYMENT 814

P

PARKING 599
PATROL FUNCTION 316
PEPPER PROJECTILES 84
PEPPER SPRAY 83
PERFORMANCE 209
PERFORMANCE EVALUATIONS
Sick leave. 761
PERSONAL APPEARANCE 823
PERSONAL PROPERTY 584
Loss Or Damage. 585
PERSONAL PROTECTIVE EQUIPMENT . 605
PERSONNEL COMPLAINTS
Portable audio/video review. 427
PHOTOGRAPHS
Aircraft accidents. 405
First amendment assemblies. 458
Photo lineups. 561
PHYSICAL CONDITION 211
PIO 225
POLICE CADETS 828
POLICY MANUAL 26
POLITICAL ACTIVITIES 209
POLITICAL ACTIVITY 850
POLITICAL ENDORSEMENTS 850
PRESS INFORMATION OFFICER 225
PRIVACY EXPECTATIONS
Audio/video recordings. 423
Unmanned aerial system. 580
Vehicles. 597
PRIVATE PERSONS ARRESTS 252
PROHIBITED SPEECH 849
PROMOTIONAL PROCESS 744
PROTECTED INFORMATION
Communications center. 628
PROTECTIVE CUSTODY
Dependent adults. 163
PUBLIC RECORDING OF LAW ENFORCEMENT ACTIVITY 469
PUBLIC SAFETY VIDEO SURVEILLANCE 283
PURSUIT INTERVENTION 116
PURSUIT UNITS 110
PURSUITS
Foot. 437

R

RANGEMASTER 102
RAPID RESPONSE AND DEPLOYMENT . 389
RECORDS BUREAU
Administrative hearings. 500
Impaired driving. 500
RECORDS RELEASE
Audio/video recordings. 429
Child deaths. 181
Public safety video surveillance. 285
RECORDS RETENTION
Audio/video recordings. 428
Personal protective equipment. 608
REFLECTORIZED VESTS 480
REPORT CORRECTIONS 220
REPORT PREPARATION 217
REPORTING OF EMPLOYEE CONVICTIONS 755
RESERVE OFFICERS
Firearms Requirements. 236
Training. 234
RESERVE OFFICERS/DEPUTIES 232
RESPIRATORY PROTECTION 606
RESPONSE TO CALLS 120
RESTRAINTS 369
REVIEWS
Complaints of racial- or bias-based profiling 320
Crisis intervention incidents. 476

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department

Eyewitness identification process - annual. 559
Policy manual. 29
Portable audio/video. 427
Public records on social media. 314
UAS. 580
RIDE-ALONG
Eligibility. 339
RISK ASSESSMENT 575
ROLL CALL TRAINING 321

S

SAFETY
Canine. 598
Communications center. 614
First responder. 322
Media. 226
Personal protective equipment. 605
SAFETY CONSIDERATION 99
SAFETY EQUIPMENT
First amendment assemblies. 459
Seat belts. 786
SCHOOL EMPLOYEE REPORTING . . . 272
SEARCH & SEIZURE 140
SEARCH WARRANTS 571
SEARCHES
Crime scene. 323
Custodial. 728
Gun violence restraining orders. 309
Police vehicle inspections. 597
SEAT BELTS 786
SECURITY EMPLOYMENT 817
SICK LEAVE 760
SKELLY PROCEDURE 214
SMOKING AND TOBACCO USE 769
SOCIAL MEDIA 312
Backgrounds. 736
SOCIAL NETWORKING 848
STAFF 26
STANDARDS OF CONDUCT 207
SUBPOENAS 229
SUBPOENAS AND COURT APPEARANCES 229
SUCCESSION OF COMMAND 31

T

TATTOOS 824
TEAR GAS 83
TERMINATE A PURSUIT 109
TOLL ROADS 600
TRAFFIC FUNCTION AND RESPONSIBILITY
. 478
TRAFFIC OFFICER/DEPUTY 478
TRAFFIC SIGNAL 396
TRAINING
AED. 466
Canine. 128
Chaplains. 281
Custodial searches. 731
Dispatcher. 628
Epinephrine auto-injector. 467
First amendment assemblies. 462
Impaired driving. 500
Opioid medication. 466
Personal protective equipment. 609
Public safety video surveillance. 286
Rapid response and deployment. 391
Shared equipment and supplies. 239
Social media. 314
UAS. 581
TRAINING
SWAT. 326
TRAINING PLAN 37
TRAINING POLICY 37
TRANSFER PROCESS 744

U

UNIFORM REGULATIONS 826
UNIFORMS
Chaplains. 278
Courtroom attire. 231
UNITY OF COMMAND 31
UNLAWFUL ASSEMBLY 460
UNMANNED AERIAL SYSTEM 580
URINE TESTS 498
USE OF FORCE
First amendment assemblies. 460
USE OF SOCIAL MEDIA 312
UTILITY SERVICE 396

V

VEHICLE MAINTENANCE 590
VEHICLE PURSUITS 108
VEHICLES
Impound hearings. 494
VIDEO RECORDINGS
First amendment assemblies. 458

W

WARNING SHOTS 101
WARNINGS
Canine. 126
WARRANT SERVICE 571
WASHING OF VEHICLES 592
WATCH COMMANDERS 419
WATER LINES 396

Copyright Lexipol, LLC 2020/08/07, All Rights Reserved.
Published with permission by Fairfield Police Department