CHIEF’S PREFACE

Courage • Commitment • Honor • Integrity • Respect

Policing involves a special trust given to us by the public to uphold and enforce the laws. "Police and Community Together” is more than just a slogan; it represents the very embodiment of the special relationship that our police department has fostered with the citizens who live, work and visit within the City of Beverly Hills. The police are responsible for the protection of lives, property and the rights of all persons. Employees must be mindful to deliver services in a manner that is professional, fair and impartial. The policies set forth in this manual reflect our organizational core values of Courage, Commitment, Honor, Integrity and Respect.

As a member of the Beverly Hills Police Department, these policies will provide the guidance and framework for the delivery of services and conduct for all members of the Department. They reflect current case decisions, best practices consistent with the industry standard and a high professional standard which is influenced by subject matter experts. This policy manual is a working tool, an ongoing "living document” and will be ever-changing with current laws and best practices. As such, it will be updated regularly to incorporate the most contemporary laws and standards applicable to our profession.

Law Enforcement is an honorable, complex and demanding profession that is continually changing. The Policy Manual is a vital tool for every member of the police department to utilize. Although it is not possible to anticipate every situation employees will face, there may be times when you use your best judgment consistent with the Law Enforcement Code of Ethics and the core values of the Beverly Hills Police Department. This manual will assist you in making proper, ethical and responsible decisions and enable the department to function in the most effective manner. Perhaps, even more importantly, it will provide the citizens of Beverly Hills with the highest quality of police services and assist us in reaching our goal to be the safest City in America.

Stay Safe!

Mark Stainbrook
Chief of Police
DEPARTMENT MISSION, VISION AND VALUES:

Mission Statement
Provide professional and proactive services in partnership with our community.

Vision Statement
Dedicated to establishing the safest community through exceptional policing.

Core Values
Courage • Commitment • Honor • Integrity • Respect
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Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Beverly Hills Police Department to perform their functions based on established legal authority.

100.2 POLICY
It is the policy of the Beverly Hills 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.

100.3 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.).

100.3.1 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE BEVERLY HILLS POLICE DEPARTMENT
The arrest authority outside the jurisdiction of the Beverly Hills 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.
Law Enforcement Authority

100.3.2 ARREST AUTHORITY INSIDE THE JURISDICTION OF THE BEVERLY HILLS POLICE DEPARTMENT
The arrest authority within the jurisdiction of the Beverly Hills 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.

(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.

100.3.3 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.

100.4 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).

100.4 CONSTITUTIONAL REQUIREMENTS
All members shall observe and comply with every person’s clearly established rights under the United States and California Constitutions.
Chief Executive Officer

101.1 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.

101.1.1 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).
Oath of Office

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

102.2 POLICY
It is the policy of the Beverly Hills 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.

102.3 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:

“[employee name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear 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.”

102.4 MAINTENANCE OF RECORDS
The oath of office shall be filed as prescribed by law (Government Code § 3105).
Policy Manual

103.1 PURPOSE AND SCOPE
The manual of the Beverly Hills 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.

Policies are a public document and will be available on the Police Department's website.

103.2 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.

103.2.1 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 Beverly Hills 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 form the basis for department administrative action, training or discipline.

103.3 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 Special Orders, which shall modify those provisions of the manual to which they pertain. Special Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 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.
Beverly Hills Police Department

BHPD Policy Manual

Policy Manual


City - The City of Beverly Hills.

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

Department/BHPD - The Beverly Hills Police Department.

DMV - The Department of Motor Vehicles.

Employee - Any person employed by the Department.

Juvenile - Any person under the age of 18 years.


May - Indicates a permissive, discretionary or conditional action.

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

- Full- and part-time employees
- Sworn peace officers
- Reserve officers
- Non-sworn employees
- Volunteers.

Officer - Those employees, regardless of rank, who are sworn peace officers of the Beverly Hills 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.

USC - United States Code.
103.5 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.

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

103.6 PERIODIC REVIEW OF THE POLICY MANUAL
The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES
All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. 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.
Law Enforcement Code of Ethics

104.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that all peace officers are aware of their individual responsibilities to maintain their integrity and that of their department at all times.

104.2 POLICY
The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Basic Academy course and to all other persons at the time of appointment (11 CCR 1013).

104.3 LAW ENFORCEMENT CODE OF ETHICS
AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against abuse 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; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my 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, 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 the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

104.3.1 OBJECTION TO RELIGIOUS AFFIRMATION
Reference to religious affirmation in the Law Enforcement Code of Ethics may be omitted where objected to by the officer.
Chapter 2 - Organization and Administration
Special Orders

201.1 PURPOSE AND SCOPE
Special Orders 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. Special Orders will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 SPECIAL ORDER PROTOCOL
Special Orders will be incorporated into the manual as required upon approval of Staff. Special Orders will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

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

Any Special Orders 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, 18-01 signifies the first Special Order for the year 2018.

201.2 ACCEPTANCE OF SPECIAL ORDERS
All employees are required to read and obtain any necessary clarification of all Special Orders. All employees are required to acknowledge in writing the receipt and review of any new Special Order. Signed acknowledgement forms and/or e-mail receipts showing an employee’s acknowledgement will be maintained in an electronic database.
Emergency Operations Plan

202.1 PURPOSE AND SCOPE
The City has prepared an Emergency Operations 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).

202.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Operations Plan can be activated on the order of the official designated by local ordinance.

202.2.1 RECALL OF PERSONNEL
In the event that the Emergency Operations Plan is activated, all employees of the Beverly Hills 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.

202.3 LOCATION OF THE PLAN
The Emergency Operations Plan is available at the following locations:

- Office of the Chief of Police.
- Office of the Assistant Chief of Police.
- All Division Commander's Offices.
- Emergency Operations Center (EOC).
- On-line on the City's webpage.

All supervisors should familiarize themselves with the Emergency Operations Plan. The Administrative Services supervisor should ensure that department personnel are familiar with the roles police personnel will play when the plan is implemented.

For a view of the front of the manual click - Emergency Operations Procedures_Checklist.jpg

202.4 UPDATING OF MANUALS
The Chief of Police or designee shall review the Emergency Operations Plan Manual at least once every five 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 needed revisions. The manual may also be updated more often as needed (e.g., position assignment, contact information changes).
Training

203.1 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 possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 POLICY
The Department shall administer a training program that will meet the standards of federal, state, local, and Peace Officer Standards and Training (POST) training requirements. It is a priority of this Department to provide continuing education and training for the professional growth and development of its members.

203.3 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 POST.

203.4 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.
(d) Ensure compliance with POST rules and regulations concerning law enforcement training.

203.5 TRAINING PLAN
A training plan will be developed and maintained by the Training Coordinator, the Sergeant assigned to training within Personnel and Training. It is the responsibility of the Personnel and Training Sergeant to maintain, review, and update the training plan on an annual basis. The plan will address the following areas:

1. State mandated training
2. Critical issues training
3. Perishable skills training
4. Legal and legislative changes training
5. Core training classes based on rank, position and duties
Training

203.6 TRAINING NEEDS ASSESSMENT
The Personnel and Training Bureau will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by Personnel and Training. Upon approval by the staff, the needs assessment will form the basis for the training plan for the next fiscal year.

203.7 TRAINING REQUESTS
Employees are encouraged to attend training courses in order to enhance their current abilities and to develop additional expertise for future contributions to the Department. A listing of POST certified courses is available in the Personnel and Training office as well as on the POST website.

Any employee interested in attending a training course is required to submit a Training Request Form to their supervisor. Supervisors will review all training requests and forward them via their chain of command.

After a training request has been approved, all reservations and preparations for attendance will be coordinated by the Personnel and Training Bureau. Employees will be provided with all the necessary information prior to their attendance to the course.

Training that does not go through the approval process will be attended on the employee's own time and at the employee's expense.

203.7.1 CERTIFICATION
All employees are required to submit certification of completed training to the Personnel and Training Bureau to update the employee's training record.

203.7.2 TRAINING ATTENDANCE
Employee's should make every effort to attend training during their normally scheduled work hours. Attendance on overtime requires supervisor approval.

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

1. Court appearances
2. Scheduled vacation
3. Sick Leave
4. Physical limitations preventing the employee's participation
5. Emergency situations

When an employee is unable to attend training, the employee shall:

1. Notify their supervisor as soon as employee becomes aware that they are unable to attend
2. Document their absence via an email to their direct supervisor and Personnel and Training
3. Make arrangements to attend the training on an alternate date
Training

Failure to attend training without proper notification may result in disciplinary action

203.8 OFFICER TRAINING
All sworn members shall complete training in areas required by POST to maintain peace officer certification or as assigned by the Chief of Police.

203.8.1 SPECIALIZED TRAINING
Specialized training may be required in a variety of assignments. Specialized training is needed to:

- Develop and/or enhance the skills, knowledge, and abilities particular to the assignment
- Obtain necessary certification

Supervisors of specialized units shall ensure that any employee requiring specialized training receives the required training for proficiency or certification. Specialized training will be provided for the below listed assignments or for any assignment deemed necessary by the respective Division Commander:

(a) Field Training Officer
(b) Supervisor
   1. All newly promoted personnel shall receive leadership/management development and other job-related training within one year following the promotion.
(c) Investigator (includes detective, traffic investigator, and background investigator)
(d) Breathalyzer Operator
(e) Firearms Instructor
(f) Canine Handler
(g) SWAT Team Member
(h) Crisis Negotiator
(i) Bicycle Officer
(j) Drone Pilot
(k) Mobile Command Vehicle Operator
(l) Commercial Enforcement

The supervisors of specialized units shall also ensure any training update requirements are completed.

203.8.2 REMEDIAL TRAINING
Remedial training is personalized training to correct a specific deficiency identified by testing or through an evaluation process. If an employee fails to pass a required training course due to a deficiency that can be corrected with remedial training, the employee shall be given the
Training

opportunity to complete the remedial training and retest. The Training Coordinator will determine what remedial training will be given.

Failure to complete remedial training or to meet minimum requirements may result in disciplinary action, separation from the Department or other administrative action.

203.9 RECRUIT TRAINING
Police recruit trainees are required to attend a POST certified basic academy. Police recruit trainees will not be assigned general law enforcement duties until completion of academy training. During the academy training, police recruits will be supervised by the academy staff and the Personnel and Training Bureau.

Following the completion of academy training, police officer trainees will be assigned to the Personnel and Training Bureau for Department specific training prior to the beginning of their field training assignment.

203.10 RECRUIT FIELD TRAINING PROGRAM
All sworn probationary officers must complete a Field Training Program on tasks most frequently performed and evaluated to measure competency in the required skills, knowledge and abilities.

The Field Training Program consists of training with different Field Training Officers and a final evaluation period. The Field Training Officer will document daily observations to include field activities encountered and topics covered.

The Field Training Officer Coordinator (Sergeant) and Field Services Bureau Commander (Lieutenant) are responsible for monitoring training progress and ensuring all required training is being received and documented.

For further information regarding recruit field training refer to Lexipol Policy 417- Field Training Officer Program.

203.11 TRAINING FOR CIVILIAN PERSONNEL
All civilian employees will receive training specific to their duties.

All civilian employees will receive additional or annual training as directed by legal mandates or by Department policy. Civilian positions that should receive on-going training include:

(a) Communications Supervisors and Dispatchers
(b) Forensic Specialists
(c) Management Personnel
(d) Property and Evidence Personnel
(e) Records Bureau Personnel

203.12 TRAINING BULLETINS
The Department may issue training bulletins, legal updates or other important information using the Department's Document Management System.
Training

Employees should review and acknowledge training bulletins in a timely manner, not allowing Training Bulletins to unnecessarily accumulate over time. Employees are required to review training bulletins as part of their on-duty assignment, unless directed by a supervisor. Employees returning from an extended absence are required to complete any missed items upon returning to duty.

The Personnel and Training, Policy and Compliance Sergeant will be responsible for monitoring the progress of personnel to ensure compliance with this policy.

203.13 ROLL CALL TRAINING
Roll call training topics should include all legal updates, policies, procedures, incident debriefs, and techniques used by the Department and any other information that enhances the Department's operations.

Roll call training will be conducted by qualified personnel and documented for training records.

203.14 PERSONNEL AND TRAINING SERGEANT
The Chief of Police shall designate a Personnel and Training Sergeant as the Training Coordinator, who is responsible for developing, reviewing, updating, and maintaining the Department training plan so that required training is completed. The Personnel and Training Sergeant should review the training plan annually.

The Training Coordinator is responsible for ensuring all instructors develop lesson plans for job-related training courses that include at least the following elements:

(a) A clear statement of the course goals and objectives.
(b) The content of the training and specification of the appropriate instructional techniques.
(c) If applicable, a basis for the evaluation of participant performance.
(d) A list of resources used in the development of the curriculum and required for the delivery of the program.

When the Department provides a training course for its employees, the curriculum shall be approved by the Training Coordinator, the Personnel and Training Lieutenant, and when appropriate, the Chief of Police or designee.

203.14.1 INSTRUCTOR TRAINING
The Training Coordinator shall ensure that personnel assigned as instructors shall be trained in the following areas:

(a) Lesson plan development
(b) Performance objective development
(c) Instructional techniques
(d) Testing and evaluation techniques
(e) Resource availability and use
Training

203.14.2  TRAINING RESTRICTION
The Professional Standards Sergeant is responsible for establishing a process to identify officers who are restricted from training other officers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

203.14.3  TRAINING RECORDS
The Training Coordinator is responsible for maintaining and updating the training records for each employee. These records are maintained in the Department’s Training Management System.

203.15  ENCOURAGEMENT TO FURTHER EDUCATION
The Beverly Hills Police Department strives to provide members with opportunities for individual growth and professional development. The Department encourages all employees to continue their formal education to the highest level possible.
Electronic Mail

204.1 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.

The use of email shall also be in compliance with City Administrative Regulations (AR).

204.2 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.

204.3 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 are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Division Commander. 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.

204.4 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.
Electronic Mail

The Information Technology Director or the authorized designee is responsible to ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.
Administrative Communications

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

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

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

205.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police or a Division Commander.
Patrol Staffing and Supervision

206.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

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 manages each watch.

206.2 POLICY
Law enforcement is one of the most expensive and complex services provided by the City. The quality and extent of service provided is necessarily limited by available resources, which are to a large extent dependent upon the revenue sources of the City. To ensure that the highest level of service is obtained from the resources at its disposal, the Department must make use of the most efficient management and budgeting techniques available.

206.3 DESIGNATION AS ACTING WATCH COMMANDER
When a Lieutenant is unavailable for duty as Watch Commander, in most instances the senior sergeant shall be designated as acting Watch Commander.

206.4 MINIMUM STAFFING LEVELS
Minimum staffing levels should result in the scheduling of at least two regular supervisors on duty whenever possible. Watch Commanders will ensure that at least one field supervisor is deployed during each watch, in addition to the Watch Commander.

206.5 DAILY PERSONNEL STATUS NOTIFICATION
All sworn personnel are required to notify the Watch Commander and dispatch when attending court or department sponsored training within the City, or when working special duty assignments or overtime. This will ensure that their duty status is reflected on the status board in the Watch Commander's Office as well as in the unit status within the Computer Aided Dispatch system.
License to Carry a Firearm

207.1 POLICY
The Beverly Hills Police Department will fairly and impartially consider all applications to carry firearms in accordance with applicable law and this procedure.

The processes contained in this document shall be followed upon direction of the Chief of Police or the authorized designee for department personnel to process applications.

207.2 PURPOSE AND SCOPE
The purpose of this policy is to provide a written process for the application, issuance, denial, appeal, and revocation of a license to carry a firearm (Penal Code § 26150; Penal Code § 26155).

207.2.1 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).

207.3 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 Beverly Hills (Penal Code § 26150; Penal Code § 26155) or have a principal place of employment or business in the City of Beverly Hills and spend a substantial amount of time in that place of employment or business.

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

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

(h) Complete required training (Penal Code § 26165).
License to Carry a Firearm

207.4 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.

207.4.1 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 statement 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 the 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 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.)

(b) The applicant will be required to pay any applicable fees to the City of Beverly Hills. The Beverly Hills Police Department may charge an application processing fee per Penal Code § 26190. Fees are subject to change and can be located on the City of Beverly Hills website (https://www.beverlyhills.org/departments/finance/taxesfeescharges/).

1. Payment of related fees may be waived by the Chief of Police (Penal Code § 26170(b)).

2. 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 California DOJ requires licensing authorities to use the "Live Scan" fingerprinting method. The California DOJ will require a fee to process the applicant's fingerprints as part of a criminal background investigation. The applicant may also be subject to a fee by the fingerprinting facility. These non-refundable fees are to be paid by the applicant.

(d) Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for Department use.

(e) 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
License to Carry a Firearm

Institutions Code § 8103 will be 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).

Once the Chief of Police or the 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 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).

207.4.2 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 the authorized designee. During this stage, there will be further discussion of any potential restrictions or conditions that might be placed on the license.

(b) The Chief of Police may, based upon criteria established by the Chief of Police, require the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing 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 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 agency, which complies with Penal Code § 26165.

(d) The applicant shall submit any firearm to be considered for a license to the Rangemaster or other departmentally 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 is unsafe (Penal Code § 31910).

(e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed and provide proof of successful completion of 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.
License to Carry a Firearm

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).

207.5 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED FIREARM

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 Chief of Police 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 Beverly Hills (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).

207.6 ISSUED FIREARMS PERMITS

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

(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 will adhere to the California Department of Justice license format.

1. 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 to Carry a Firearm

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.
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.
9. Possessing high capacity magazines.

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

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.

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.
License to Carry a Firearm

(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 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.

207.6.3 REVOCATIONS 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.

(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).

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).

207.6.4 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.

(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 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.
License to Carry a Firearm

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).

207.7 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.

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

Any information in an application or license which tends to indicate 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)).

207.9 WRITTEN NOTICE FOR DENIAL OF LICENSE
The Chief of Police or the authorized designee shall give written notice to the applicant for a new license that the license is approved or denied within 120 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 (Penal Code § 26205).

Written notice to an applicant for a renewal license that is approved or denied shall be given within 120 days of receiving the completed application (Penal Code § 26205).

Additionally, regardless of the type of license, if the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

207.9.1 ADDITIONAL REQUIREMENTS
If an application for a new license, renewal of a license, or revocation is denied based on a determination that the person is a disqualified person as provided by Penal Code § 26202, the Chief of Police or the authorized designee shall provide the person with the notice of determination as provided by Penal Code § 26202(d), Penal Code § 26205, or Penal Code § 26195(b)(3). The notice shall state the reason why the determination was made and inform the applicant they may
request a hearing from a court. The Department shall also provide the most recent California DOJ hearing request form to the applicant (Penal Code § 26206).

If an application for a new license, renewal of a license, or revocation is denied for any other reason as described in Penal Code § 26206(i), the Chief of Police or the authorized designee shall provide the person with the notice required under Penal Code § 26205 or Penal Code § 26195(b)(3), as applicable, and inform the applicant they may apply to the county Superior Court for a writ of mandate pursuant to Code of Civil Procedure § 1085 (Penal Code § 26206).

207.10 POLICY AVAILABILITY

This policy shall be made accessible to the public as provided by Penal Code § 26160.
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208.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Beverly Hills Police Department identification cards under the Law Enforcement Officers’ Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

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

208.3 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.

208.3.1 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 Beverly Hills 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.

208.3.2 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 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.
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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.

208.4 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 (Penal Code § 16690).

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

208.4.1 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.”

208.4.2 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).
208.5 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.

208.5.1 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.

208.5.2 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 once every three years 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.

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

208.7 DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD
A CCW endorsement under Penal Code § 25470 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.

(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).

(a) The retiree shall have 15 days from the date of service to file a written request for a hearing.

(b) The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).

(c) 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).

(a) The decision of such hearing board shall be binding on the Department and the retiree.

(b) 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.

(a) 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).

(b) 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.

(c) 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.
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(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.

(d) 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.

208.8 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.

208.9 CARRYING FIREARMS OUT OF STATE
Subject to 18 USC § 926C and the Firearms Policy, qualified retired officers of this department may be authorized to carry a concealed weapon in other states. Retired officers are responsible for ensuring their compliance with individual states' laws regarding the carrying of firearms. Qualified retired officers must complete a CCW Waiver and release form.

Waiver and Release Form.pdf
Chapter 3 - General Operations
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 Weapons policies.

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

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 bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ. (Government Code §12525.2).

**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.
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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.

300.2.1 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.

300.2.2 DUTY TO INTERCEDE
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 (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing 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)).

300.2.3 DUTY TO REPORT EXCESSIVE 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 immediately report these observations to a supervisor (Government Code § 7286(b)).

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.2.4 FAILURE TO INTERCEDE
An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law, may be disciplined in the same manner as the officer who used force beyond that which is necessary (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
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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 or authorized 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.

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) (Commonly referred to as the Graham Factors).
(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.
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(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 (Commonly referred to as the Graham Factors).
(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 (Commonly referred to as the Graham Factors).
(o) The risk and reasonably foreseeable consequences of escape (Commonly referred to as the Graham Factors).
(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 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD
Officers are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person’s neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

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
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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 Beverly Hills 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 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)). Such alternatives may include but are not limited to:

(a) Attempts to de-escalate a situation.

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

300.3.7 ADDITIONAL RESTRICTIONS
Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence or pre-existing medical conditions. While it is impractical to restrict an officer's use of reasonable control methods when attempting to restrain a combative individual, officers are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once the individual is safely secured, officers should promptly check and continuously monitor the individual's condition for signs of medical distress (Government Code § 7286.5).

300.4 DEADLY FORCE APPLICATIONS
Where feasible, the officer should, 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).
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If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should 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)).

The use of deadly force is only justified when the officer reasonably believes 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 should 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)).

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

300.4.2 DISPLAYING OF FIREARMS (SHOW OF FORCE)
Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):
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(a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual. These circumstances do not equate to a show of force.

(b) If the officer reasonably believes that a 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 threat until the officer no longer perceives such threat. These circumstances are considered a show of force.

Once it is reasonably safe to do so, officers should carefully secure all firearms. The Show of Force shall be documented in the Department’s use of force reporting system.

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 CATEGORIZING FORCE USED

Show of Force - The act of pointing a firearm at an individual. Uses of force that fall under this category are reported as a Show of Force in the Department’s use of force reporting system.

Category 1 Force - The act of overcoming resistance through physical contact. This includes any of the following:

- Resistive handcuffing
- Firm grip to overcome resistance
- Control holds/Pressure points
- Leg restraints/WRAP without force or injury
- Any incident in which an individual complains of pain resulting from the application of force without visible injury
- Any other force used to overcome resistance that does not rise to a Category 2 or Category 3 force

Category 1 Force does not include any of the following:

- Non-resisted handcuffing or restraint that does not result in a visible or physical injury
- A firm grip while performing routine functions such as searching, handcuffing, or escorting
- Reasonable intervention necessitated by the subject’s physical incapacity (e.g., lifting an intoxicated or disabled person)
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Category 2 Force - Any use of force causing visible or physical injury. This includes any of the following:

- Takedowns - dynamic with forceful impact
- Personal body weapons
- The application of a control device or conducted energy weapon, including but not limited to a TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs), other CEW's, chemical spray, baton, or kinetic energy projectiles
- The application of leg restraints or WRAP resulting in injury
- K9 directed bite
- Improvised force outside of Department training
- Unusual circumstances at the discretion of a Supervisor

Category 3 Force - Any use of force resulting in serious bodily injury. This includes any of the following:

- Any force classified as deadly force
- Any intentional firearm discharge at a person
- Any force resulting in death, serious bodily injury or admittance to a hospital as a result of PD interaction
- In-custody death as result of a use of force

See 300.1.1 for the definition of serious bodily injury.

300.5.2 NOTIFICATION TO SUPERVISORS

Any use of force by an officer shall be reported immediately to a supervisor, including but not limited to the following circumstances (Penal Code § 832.13):

(a) The application of any force listed in Categories 1, 2, or 3.
(b) The application caused a visible injury or complaint of pain.
(c) The individual indicates intent to pursue litigation
(d) Any application of a conducted energy device or control device.
(e) Any application of a restraint device other than handcuffs, shackles or belly chains.
(f) The individual subjected to the force was rendered unconscious.
(g) An individual was struck or kicked.
(h) An individual alleges unreasonable force was used or that any of the above has occurred.

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.
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300.5.3 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.

300.5.4 REPORT RESTRICTIONS
Officers shall not use the term "excited delirium" to describe an individual in an incident report. Officers may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical and mental condition at issue as "excited delirium" (Health and Safety Code § 24402).

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.

See the Medical Aid and Response Policy for additional guidelines.
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300.7 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 and interview any witnesses not already included in related reports.

(f) Review and approve all related reports and video.

(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 request an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

(i) Collect evidence.

(j) Complete a use of force report.

(k) If a Category 3 use of force occurs, notification to the division commander shall be made without delay.

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

Subject to available resources, the Personnel and 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.

300.9 USE OF FORCE ANALYSIS
At least annually, the defensive tactics manager 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.

300.10 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)).

300.11 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)).

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

300.13 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 and Records Maintenance and Release policies (Government Code § 7286(b)).
Handcuffing and Restraints

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

302.2 POLICY
The Beverly Hills 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. Restraints should be utilized only when it appears less restrictive alternatives would be ineffective. Restraints will be applied for only the amount of time reasonably necessary.

302.3 USE OF RESTRAINTS
Only members who have successfully completed Beverly Hills 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 or detention.
- The demeanor and behavior of the arrested or detained 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.

302.3.1 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.

302.3.2 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.
Handcuffing and Restraints

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

302.3.3 RERAINT 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.

302.3.4 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.

302.4 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.

302.5 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.
Handcuffing and Restraints

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 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.

302.6 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.

302.7 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).

302.7.1 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.
Handcuffing and Restraints

(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.

(c) Once secured, Officers should immediately search the waistband area and then place the person in a seated or upright position or on his or her left side (left lateral recumbent position). If the left lateral recumbent position is not possible, due to medical or tactical issues, an acceptable substitute is to place the restrained person on his or her right side. The restrained person shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe. The leg restraint device shall not be used to bind the restrained person's hands and feet together in any manner.

(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. If the restrained person is showing any sign of medical distress, such as unconsciousness or difficulty breathing, the officer shall immediately call paramedics and take appropriate steps to relieve and/or minimize any obvious factors contributing to this condition.

(f) If there is no injury requiring immediate medical attention, officers can transport the restrained person in a police vehicle with the leg restraint device in place. The leg restraint device is designed to allow the restrained person to be transported in an upright and seated position.

(g) Officers shall request an ambulance/paramedic unit to transport a violent restrained person if:
   1. The person is injured or physically ill and in need of immediate medical attention; or
   2. The person would likely sustain a serious injury or cause vehicle damage if transported in a police vehicle and requires restraint to the extent that the person must be transported in the recumbent position.

(h) If the restrained person is transported by ambulance, an officer shall accompany the person in the ambulance. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would have potential safety or medical risks to the person (e.g. prolonged struggle, extreme agitation, impaired respiration).

302.8 APPLICATION OF WRAP RESTRAINT SYSTEMS

The WRAP can be used to restrain a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. The WRAP is used to help de-escalate an incident and not to be utilized as a punitive measure. Only personnel who have successfully completed training on the WRAP should use this restraining device.

In determining whether to use the WRAP, officers should consider:

(a) When conventional methods of restraint are not effective/possible.
Handcuffing and Restraints

(b) To immobilize a violent/combative subject.

(c) To limit violent/combative subjects from causing injury to themselves or others.

(d) To prevent violent/combative subjects from causing property damage.

(e) To restrain subjects after a chemical spray or stunning device is used.

(f) In transportation of violent/combative subjects.

(g) To assist with cell extraction of violent/combative subjects.

302.8.1 GUIDELINES FOR USE OF THE WRAP RESTRAINT

When applying the WRAP, the following guidelines should be followed:

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

(b) The WRAP can be applied by one person if the subject is passive, but for violent/combative subjects, two to four officers should be used. Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety.

(c) Once the subject is properly restrained in the WRAP, they should be placed on their side or in a seated position.

(d) Officers shall provide the restrained person with constant monitoring and supervision until the restraint is removed. Officers should monitor for signs of distressed respiratory function, poor or insufficient circulation or other life threatening conditions. Should the subject demonstrate or complain of any serious medical concern, officers shall seek immediate medical attention.

(e) Two people are required to lift the subject. Each officer should hold from under the subject's arms and utilize the WRAP's grip handles. The Cart is also available to relocate the subject to a vehicle or staging area.

(f) Officers should apply the soft helmet stored with the WRAP device, to the subject prior to transport.

(g) The WRAP should be cleaned with soap and water and left to air dry after every use. It should then be examined for serviceability and returned to its designated bag.

302.8.2 REQUIRED DOCUMENTATION

The following information should be documented in a case report after the deployment of the WRAP:

(a) Justification for the application of the WRAP.

(b) A check for proper application was performed.

(c) Any signs of distress resulting in actions.

(d) Amount of time the WRAP was applied.

(e) Officers involved, including the on scene supervisor(s).
Handcuffing and Restraints

(f) Injuries obtained and/or medical attention provided.
(g) Photos.

302.9 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 on a Field Identification Report or Case Report.

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.

302.10 TRAINING
Subject to available resources, the Personnel and Training Sergeant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

(a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
(b) Response to complaints of pain by restrained persons.
(c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
(d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
Control Devices and Techniques

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

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

303.3 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.

Police officers and authorized Traffic Control 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.

303.4 RESPONSIBILITIES

303.4.1 SUPERVISOR RESPONSIBILITIES
Supervisors may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 PERSONNEL AND TRAINING BUREAU RESPONSIBILITIES
The Personnel and Training Sergeant or the authorized designee 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 Personnel and Training Sergeant or the authorized designee for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.
Control Devices and Techniques

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Personnel and Training Bureau for disposition. When appropriate, or at the direction of the Personnel and Training Sergeant, a report should be completed explaining the cause of damage.

303.5 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.

303.6 CHEMICAL AGENT GUIDELINES
Chemical Agents may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or SWAT Commander may authorize the delivery and use of chemical agents, by appropriately trained personnel, 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 chemical agents to control any fires and to assist in providing medical aid or gas evacuation if needed.

If practicable, a verbal warning should be issued prior to the use of chemical agents.

303.7 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.

303.7.1 OC SPRAY
Uniformed personnel shall carry OC spray while working a uniformed field assignment. The OC spray shall be carried in its holster on the equipment belt or in an outer vest pouch. 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.

303.7.2 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
Control Devices and Techniques

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 appropriately. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional 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.

303.7.3 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.

303.7.4 OFF-DUTY USE OF OC
The Department-issued OC dispenser is intended for on-duty use only. Officers who have been trained in the use of OC may purchase a second dispenser for off-duty use. The standards for the use of OC apply equally to both on- and off-duty incidents. Off-duty uses of OC must be reported in accordance with the Use of Force policy.

303.7.5 TRAFFIC CONTROL OFFICER OC USE GUIDELINES
When practicable, Traffic Control Officers shall use their best efforts to utilize non-physical tactics such as retreating and/or requesting police assistance via radio to resolve volatile situations before using OC.

- OC should only be utilized when a physical confrontation is unavoidable.
- Any field deployment of the OC spray (including the un-holstering or brandishing only, of the OC canister) shall require notification of a sworn field supervisor.
- Authorized Traffic Control Officers may carry OC spray while on-duty.
- Only department-authorized and issued OC spray shall be carried.
- No Traffic Control Officer shall carry department-issued OC while off-duty.

303.8 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.
**Control Devices and Techniques**

Information regarding the method of notice and the individuals notified should be included in related reports.

**303.9 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.

**303.9.1 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.

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.

**303.9.2 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.
Control Devices and Techniques

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, neck, chest 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.

303.9.3 SAFETY PROCEDURES
Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the shotgun will be unloaded and properly secured in a department-approved manner. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

303.10 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL
Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

(a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.

(b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.

(c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.

(d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.

(e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
Control Devices and Techniques

(f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.

(g) An objectively reasonable effort has been made to extract individuals in distress.

(h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.

(i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.

(j) Kinetic energy projectiles or chemical agents shall not be used solely due to any of the following:
   1. A violation of an imposed curfew.
   2. A verbal threat.
   3. Noncompliance with a law enforcement directive.

(k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

303.11 TRAINING FOR CONTROL DEVICES
The Personnel and 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.

303.12 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device or technique listed in this policy shall be documented in the appropriate report and reported pursuant to the Use of Force Policy.
Conducted Energy Weapons (CEW)

304.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of CEWs.

304.2 POLICY
The Conducted Energy Weapon is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEWS
Only members who have successfully completed department-approved training may be issued and carry the CEW.

The Range master should keep a log of issued CEW devices and the serial numbers of cartridges/magazines issued to members.

CEWs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the CEW and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacture's expiration date.

Uniformed officers who have been issued the CEW shall carry the device while working a uniformed field assignment and the CEW shall be carried in an approved holster on their person.

Members carrying the CEW should perform a function test (TASER 10™) or spark check/test (other device models) on the unit prior to every shift.

Whether carried on an exterior vest or on the duty belt, officers in uniform shall carry the CEW in a support-side holster on the side opposite the duty weapon (Penal Code § 13660). A CEW should be drawn with the support-side hand if the user has not been trained to cross-draw the CEW.

(a) All CEWs shall be clearly and distinguishable to differentiate them from the duty weapon and any other device.

(b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CEW.

(c) Officers should not hold a firearm and the CEW at the same time.

304.3.1 USER RESPONSIBILITIES
Officers shall be responsible for ensuring that the issued CEW is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEWs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating
Conducted Energy Weapons (CEW)

the reason for the return and how the CEW or cartridge/magazine was damaged or became inoperative, if known.

304.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the CEW 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 CEW may be deployed.

If, after a verbal warning, an individual fails 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, activate any warning on the device, which may include display of the electrical arc (provided that a cartridge has not been loaded into the device), an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CEW. The aiming laser should not be intentionally directed into anyone’s eyes.

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 CEW in the related report.

304.5 USE OF THE CEW
The CEW has limitations and restrictions requiring consideration before its use. The CEW should only be used when its operator can safely deploy the device within its operational range. Although the CEW 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.

304.5.1 APPLICATION OF THE CEW
The CEW may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

(a) Is violent, assaultive or is physically resisting which may reasonably create a danger to officers and others.

(b) The subject has demonstrated, by words or action, an intention to be violent, assaultive or to physically resist which may reasonably create a danger to officers or others. Additionally, the subject reasonably appears to present the potential to harm officers, themself or others.

(c) The CEW shall never be used indiscriminately nor shall it be used in anticipation against the mere threat of violence. Mere passive resistance is not a good cause for the use of the CEW to apprehend an individual. Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CEW to apprehend an individual.
Conducted Energy Weapons (CEW)

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS
The use of the CEW on certain 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 potential 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 known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
(f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CEW capable of being applied in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, this technique is generally discouraged. The "drive-stun" should not be confused with a single dart hit which may require a "drive-stun follow-up" in order to achieve Neuromuscular Incapacitation (NMI).

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

304.5.3 TARGETING CONSIDERATIONS
Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CEW
Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

(a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
(b) Whether the probes are making proper contact.
(c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
(d) Whether verbal commands or other options or tactics may be more effective.
Conducted Energy Weapons (CEW)

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuromuscular incapacitation.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS
Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CEW. As soon as practicable, officers shall notify a supervisor any time the CEW has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS
The CEW may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

304.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department CEWs while off-duty.

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

304.6 DOCUMENTATION
Officers shall document all CEW discharges in the related arrest/crime reports and the CEW report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CEW report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the appropriate report or supervisor report. Data downloads from the CEW after use on a subject should be done as soon as practicable using a Department-approved process to preserve the data.

304.6.1 CEW REPORTS
As applicable based on the device type, items that shall be included in the CEW report are:

- (a) The brand, model, and serial number of the CEW and any cartridge/magazine.
- (b) Date, time, and location of the incident.
- (c) Whether any warning display, laser or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CEW activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CEW was used.
- (f) The type of mode used (e.g., probe deployment, drive-stun).
Conducted Energy Weapons (CEW)

(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 CEW Supervisor should periodically analyze the reports to identify trends, including deterrence and effectiveness. The CEW Supervisor should also conduct audits of data downloads and reconcile CEW reports with recorded activations. CEW information and statistics, with identifying information removed, should periodically be made available to the public.

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

(a) Identification of all personnel firing CEWs
(b) Identification of all witnesses
(c) Medical care provided to the subject
(d) Observations of the subject's physical and physiological actions
(e) Any known or suspected drug use, intoxication, or other medical problems

304.7 MEDICAL TREATMENT
All persons who have been struck by CEW probes shall, as soon as practicable, be examined by paramedics. If the probes are located in a non-sensitive zone, and it is feasible, appropriate medical personnel (i.e. VITAL Medical Personnel) may remove the probes from the person’s body without transporting to a medical facility such as a hospital. Absent extenuating circumstances, only a physician or appropriate medical personnel at a hospital shall remove CEW probes from a person’s body if the probes struck/entered a "sensitive" part of the body (i.e. groin, female breast, head, face neck).

Used CEW probes shall be treated as sharps biohazard, similar to a used hypodermic needle, and handled appropriately.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CEW and if any of the following apply:

(a) The person is exhibiting signs of distress or who was exposed to multiple or prolonged applications (e.g., more than 15 seconds).
(b) The person is suspected of being under the influence of controlled substances and/or alcohol.
(c) The person may be pregnant.
(d) The person reasonably appears to be in need of medical attention.
Conducted Energy Weapons (CEW)

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

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 a audio/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 CEW.

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CEW may be used. A supervisor should respond to all incidents where the CEW was activated.

A supervisor shall review each incident where a person has been exposed to an activation of the CEW. The device should be taken out of service and the onboard memory should be downloaded through the data port by an authorized CEW instructor or supervisor. Photographs of probe sites should be taken and witnesses interviewed.

304.9 TRAINING

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

Proficiency training for personnel who have been issued CEWs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time if deemed appropriate by any supervisor or CEW instructor. All training and proficiency for CEWs will be documented in the officer's training files.

Command staff, supervisors and investigators should receive CEW training as appropriate for the investigations they conduct and review.

Officers who do not carry CEWs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The CEW Supervisor is responsible for ensuring that all members who carry CEWs have received initial and annual proficiency training every year. Periodic audits should be used for verification.

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

The CEW Supervisor should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.
Conducted Energy Weapons (CEW)

(c) Performing weak-hand 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 to the head, neck, area of the heart, and groin.

(e) Handcuffing a subject during the application of the CED and transitioning to other force options.

(f) De-escalation techniques.

(g) Restraint techniques that do not impair respiration following the application of the CED.
Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE
The purpose of this policy is to establish policy and procedures for the investigation of officer involved shootings at a person and incidents in which a person dies as the result of any other action of an officer.

305.2 POLICY
The policy of the Beverly Hills Police Department is to ensure officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 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.

305.4 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.

305.4.1 CRIMINAL INVESTIGATION OF OFFICER AND 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 Beverly Hills Police Department would control the investigation if the suspect's crime occurred in Beverly Hills.

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 agencies.

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 sections 305.4.3 - 305.4.5.
Officer-Involved Shootings and Deaths

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.

305.4.2 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.

305.4.3 BEVERLY HILLS POLICE OFFICER WITHIN THE CITY LIMITS
The Los Angeles County Sheriff's Department shall be responsible for the investigation of officer-involved shootings occurring in the City of Beverly Hills, when a person is struck by the officer's gunfire. All other officer-involved shootings within the City of Beverly Hills will be investigated by the Beverly Hills Police Department's Detective Bureau. The criminal investigation of the officer-involved shooting will be conducted concurrently with the Los Angeles County District Attorney's Office Justice System Integrity Division. The Office of the Chief of Police, Professional Standards Unit will be responsible for conducting an administrative investigation to determine whether the officer's actions were in accordance with Department policy.

305.4.4 OUTSIDE AGENCY OFFICER WITHIN THE BEVERLY HILLS CITY LIMITS
The Beverly Hills Police Department's Detective Bureau shall be responsible the investigation of officer-involved shootings occurring in the City of Beverly Hills involving an outside agency. With the approval of the Chief of Police or Division Commander, the investigation may be relinquished to the involved agency. A criminal investigation will also be conducted concurrently by the District Attorney's Office, Justice System Integrity Division. The officer(s) employing agency will be responsible for any civil and/or administrative investigation(s).

305.4.5 BEVERLY HILLS POLICE OFFICER OUTSIDE BEVERLY HILLS CITY LIMITS
The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the officer-involved shooting. The Office of the Chief of Police, Professional Standards Unit will be responsible for conducting an administrative investigation to ensure the officer's actions were in accordance with Department policy.

305.5 INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES
Upon arrival at the scene of an officer-involved shooting, the first uninvolved BHPD 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 resolve 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.
**Officer-Involved Shootings and Deaths**

(d) Coordinate a perimeter or pursuit of suspects.

(e) Check for injured persons and evacuate as needed.

(f) Brief the supervisor upon arrival.

### 305.5.2SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved BHPD 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.
   
   (a) In the event 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 BHPD 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 Communications Bureau. If feasible, sensitive information should be communicated over secure networks.

(d) Take command of and secure the incident scene with additional BHPD 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.
   
   (a) Each involved BHPD officer should be given an administrative order not to discuss the incident with other involved officers or BHPD members pending further direction from a supervisor.

   (b) When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure they are provided with a comparable replacement weapon or transported by other officers.

### 305.5.3WATCH 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 they are relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Watch Commander, pending the arrival of the PIO.
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305.5.4 NOTIFICATIONS
The following person(s) shall be notified as soon as practicable:

- Chief of Police
- Field Services Division Commander
- Detective Bureau Division Commander
- Los Angeles County Sheriff's Department Officer-Involved Shooting (OIS) rollout team if the response criteria is met
- Outside agency (if appropriate)
- Professional Standards Unit supervisor
- Psychological/peer support personnel and/or Chaplain
- Coroner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer
- Los Angeles County District Attorney's Office Justice System Integrity Division
- California Department of Justice (if applicable - see 305.5.6)

305.5.5 INVOLVED OFFICERS
The following shall be considered for the involved officer:

(a) Any request for legal or union representation will be accommodated.
   1. Involved BHPD 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-BHPD 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 BHPD officer. A licensed psychotherapist may also be provided to any other affected BHPD members, upon request.
   (a) Interviews with a licensed psychotherapist will be considered privileged.
   (b) 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.
   (c) A separate fitness-for-duty exam may also be required prior to returning to work.
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(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 BHPD 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.

305.5.6 NOTIFICATION TO DEPARTMENT OF JUSTICE
The California Department of Justice (DOJ) is required to investigate an officer-involved shooting resulting in the death of an unarmed civilian. The Watch Commander should promptly notify the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian, including where it is undetermined if the civilian was unarmed.

For purposes of notification, “unarmed civilian” means anyone who is not in possession of a deadly weapon (Government Code § 12525.3).

305.6 CRIMINAL INVESTIGATION
The investigating law enforcement agency and District Attorney's Office are responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

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.

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) In cases where the Los Angeles County Sheriff's Department is the lead investigating law enforcement agency, BHPD supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of BHPD 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 the officer's choosing or an attorney prior to speaking with criminal investigators. 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.
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(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.

305.6.1 REPORTS BY INVOLVED BHPD OFFICERS

In the event suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved BHPD 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 BHPD 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 BHPD 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.

305.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

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 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.
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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.

305.6.2 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Detective Bureau 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 Detective Bureau supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the Professional Standards Unit supervisor.

305.7 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 BHPD 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).

   (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 the 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 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.
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1. Although this interview should not be unreasonably delayed, care should be taken to ensure 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, they should be given their Lybarger or Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed the interview will be for administrative purposes only and the statements 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.

305.8 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.

305.9 AUDIO AND VIDEO RECORDINGS
Any officer involved in a shooting or death shall make an initial statement to investigators prior to being permitted to review available Mobile Audio/Video (MAV), body-worn video, or other perspective video or audio recordings. Following the initial statement and after reviewing/signing the below Department admonishment, officers may be allowed to review any video or audio recordings, from their own recording device(s), and make a second, amended statement.

- A written copy should be provided to the officer to read and sign that they acknowledge/understand the content.
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- "In this case, there is video and/or audio evidence that you will have the opportunity to view and hear after you have given your initial statement. Remember, your initial statement is intended to explain your state of mind at the time of the incident. Upon review of any audio or video evidence you will be allowed to make an amended statement. Video evidence has limitations and may depict the events differently than you recall, and may not depict all of the events as seen or heard by you. Video has a limited field of view and may not capture events seen by the human eye. The "frame rate" of the video may limit the camera's ability to capture movements normally seen by the human eye. Videos are a two-dimensional medium and may not capture depth, distance or positional orientation as well as the human eye. Remember, the video and audio evidence are intended to assist your memory of the event(s) that occurred." (See the Officer-Involved Shootings and Deaths Procedure)

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, or as otherwise required by law.

305.10 DEBRIEFING
Following an officer-involved shooting or death, the Beverly Hills Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

305.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING
A critical incident/stress debriefing should occur as soon as practicable. The Field Services Division Commander 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 non-sworn personnel). Family or other support personnel may attend with the concurrence of those involved in the incident. 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.

305.10.2 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
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should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.11 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, Investigative Services Division Commander, and the Executive Officer in the event of inquiries from the media.

The Department shall not subject any involved BHPD officer to visits by the media (Government Code § 3303(e)). No involved BHPD officer shall make any comment to the media unless they are 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.

305.12 REPORTING
If the death of an individual occurs in the Beverly Hills Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Investigative Services Division Commander will ensure the Records and Jail Manager is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).
# Firearms

## 306.1 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.

## 306.2 DEFINITIONS

**Rangemaster** - Police Department employee assigned to the range full time.

**Range Manager** - Personnel and Training Sergeant assigned to oversee the range.

**Range Instructor** - Police Department employee who completed training and is certified to instruct department personnel in firearms courses. Range Instructor is a collateral duty held by department members.

**Negligent Discharge** - Willfully discharging a firearm, in a grossly negligent manner, that could result in someone's injury or death. It is an unintentional firing due to a violation of the Safety Rules set forth by the Beverly Hills Police Department.

**Accidental Discharge** - The unintentional firing of a shot not due to improper gun handling and through no fault of the person handling the gun. A vast majority of accidental discharges are due to a mechanical failure or equipment malfunction.

## 306.3 POLICY
The Beverly Hills Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

## 306.4 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS
Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Range Master. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including but not limited to edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Division Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.
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306.4.1 HANDGUNS
The authorized department-issued handgun is the FN 509.

A list of additional department authorized handguns can be found under Alternative Primary Duty Weapons.

306.4.2 SHOTGUNS
The authorized department-issued shotgun is the Benelli M2.

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack, or appropriate locking container, in the department vehicle.

306.4.3 PATROL RIFLES
The authorized department-issued patrol rifle is the Colt Commando AR-15, 5.56.

Members may deploy the patrol rifle in any circumstance where the member 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 member reasonably anticipates an armed encounter.
(b) When a member is faced with a situation that may require accurate and effective fire at long range.
(c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
(d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
(e) When a member 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.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.4.4 PERSONALLY OWNED FIREARMS
Members desiring to carry an authorized but personally owned duty firearm, must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

(a) The firearm shall be in good working order.
(b) The participating officer is responsible for the purchase of the handgun, magazines, leather gear and any other associated equipment at their own expense. This includes maintenance and repair costs.
(c) The firearm shall be inspected by the Range Master prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
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(d) Prior to carrying the firearm, members shall qualify under supervision of the Range Master and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.

(e) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Range Master, who will maintain a list of the information.

(f) The participating officer must attend and pass a department approved transition course which will include items such as weapons inspection, manipulations, cleaning, tactical/combat considerations, low-light/flashlight techniques as well as a marksmanship qualification. This is a pass/fail course.

Refer to the attached memo for a list of the approved alternative primary duty weapon systems and manufacturers.

Approved Alternative Primary Duty Weapons.pdf

306.4.5 AUTHORIZED BACK-UP HANDGUN
Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

(a) The handgun shall be in good working order.

(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 member unless the handgun and ammunition are provided by the Department.

(d) The handgun shall be carried in a suitable holster approved by the Range Master.

(e) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(f) The handgun shall be inspected by the Range Master prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(g) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Range Master shall approve the ammunition.

(h) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

(i) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Range Master, who will maintain a list of the information.

(j) This handgun shall be a .380 caliber or greater.

306.4.6 AUTHORIZED OFF-DUTY FIREARMS
The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to
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carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

(a) The member may use his/her duty firearm or may use a personally owned firearm that is carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy. A member carrying his/her duty firearm will be deemed to have complied with (c), (d) and (e) of this section.

1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.

(b) The firearm shall be carried concealed at all times and in such a manner as to prevent accidental unintentional cocking, discharge or loss of physical control.

(c) It will be the responsibility of the member to submit the firearm to the Range Master for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Range Master.

(d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Range Master that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.

(e) The member will successfully qualify with the firearm prior to it being carried.

(f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Range Master, who will maintain a list of the information.

(g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.

(h) Members shall only carry department-authorized ammunition.

(i) When armed, officers should carry their Beverly Hills Police Department identification cards.

(j) The firearm shall be carried in a suitable holster.

(k) This firearm shall be a .380 caliber or greater.

306.4.7 AMMUNITION
Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms as determined by the Rangemaster. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Range Master when needed, in accordance with established policy.

Members carrying personally owned authorized firearms 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.

306.5 EQUIPMENT
Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.
306.5.1 REPAIRS OR MODIFICATIONS
Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Range Master.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Modification(s) must be authorized in advance by the Range Master and Range Manager.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Range Master.

306.5.2 HOLSTERS
Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

Holsters shall have one level of retention and be basket weave for uniform details.

306.5.3 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 Range Master. 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.

306.5.4 OPTICS OR ALTERNATE SIGHTS
Optics or alternate sights may only be installed on a firearm carried on-duty or off-duty after they have been examined and approved by the Range Master. 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.

Pistol mounted optics have been approved after successful completion of a sixteen hour transition course. Refer to the attached approved pistol mounted optics memo for details about the course and a listed of approved pistol mounted optics.

Approved Pistol Mounted Optics.pdf

306.6 SAFE HANDLING, INSPECTION AND STORAGE
Members shall maintain the highest level of safety when handling firearms and shall consider the following:

(a) Members shall not unnecessarily display or handle any firearm.

(b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Range Master. Members shall not dry fire or practice quick draws except as instructed by the Range Master or other firearms training staff.
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(c) Members shall not load or unload a firearm anywhere in the Department, except where clearing barrels are present or on the range.

(d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded outside of the vehicle, using clearing barrels or on the range.

(e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.

(f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

(g) Any firearm authorized by the Department to be carried on-duty or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Range Master for inspection and/or repair. Any firearm deemed in need of repair or service by the Range Master will be immediately removed from service. If the firearm is the member’s primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.6.1 INSPECTION AND STORAGE
Handguns shall be inspected regularly by the member to whom the weapon is issued. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

All handguns may be safely stored in lockers at the end of the shift. Department-owned shotguns and rifles shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster/case. Shotguns and rifles shall be unloaded in a safe manner and then stored in the appropriate equipment storage room.

306.6.2 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. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

306.6.3 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).
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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).

306.4 ALCOHOL AND DRUGS
Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member’s senses or judgment.

306.7 FIREARMS TRAINING AND QUALIFICATIONS
All members who carry a firearm while on-duty are required to successfully complete bi-monthly or quarterly training in accordance with established Department procedures.

QUALIFICATION PROTOCOL

306.7.1 NON-CERTIFICATION OR NON-QUALIFICATION
If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall notify his/her immediate supervisor and the range master prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

(a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.

(b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

(c) No range credit will be given for the following:
   (a) Unauthorized range make-up
   (b) Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

Any of the following exemptions from reporting for scheduled training or qualification shall be approved by the concerned division commander or Range Manager:

(a) Vacation, sick, IOD or Administrative Leave status for six weeks or more during a two-month cycle.

(b) Approved light duty status with firearm restrictions or physical restrictions prohibiting firearms qualifications.
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(c) Training or special assignment away from the City for six weeks or more during a two-month cycle.

(d) Special circumstances approved by the Chief of Police.

Members must meet qualification standards upon return to duty.

306.8 FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on-duty 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 Shootings 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 file a written report with 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 shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.8.1 DESTRUCTION OF ANIMALS
Members 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 where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Device, oleoresin capsicum (OC) spray,

Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.8.2 INJURED ANIMALS
With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

Stray or abandoned injured animals that may be moved or taken to an available veterinarian should not be euthanized. With supervisor approval, abandoned injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made. 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 (Penal Code § 597.1).
306.8.3 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 member reasonably believes that they appear necessary, effective and reasonably safe.

306.8 RANGE MASTER DUTIES
The range will be under the exclusive control of the Range Manager. All members attending will follow the directions of the Range Master. The Range Master will maintain a roster of all members attending the range and will submit the roster to the Personnel and Training Sergeant after each range date. Failure of any member to sign in and out with the Range Master may result in non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Range Master has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Range Master has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected by the Range Master.

The Range Master has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Range Master shall complete and submit to the Personnel and Training Sergeant documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Range Master should keep accurate records of all firearm training, qualifications, repairs, maintenance or other records as directed by the Personnel and Training Sergeant.

306.10 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 officers 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, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

(b) Officers must carry their Beverly Hills Police Department identification card, bearing the officer’s name, a full-face photograph, identification number, the officer’s signature and 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
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carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Beverly Hills Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer’s travel. If approved, TSA will send the Beverly Hills Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

(e) It is the officer’s responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier’s check-in counter.

(f) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(g) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer 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 try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative 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.

All requests to fly armed shall be approved by the Chief of Police.

306.11 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The officer shall carry his/her Beverly Hills Police Department identification card whenever carrying such firearm.

(b) The officer is not the subject of any current disciplinary action.

(c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) 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, 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.
Firearms

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.
Vehicle Pursuits

307.1 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.

307.1.1 DEFINITIONS

**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.

**Vehicle pursuit** - 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.
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**Failure to yield** - refers to the actions of a vehicle operator who fails to stop or respond to the emergency lights and siren of a law enforcement vehicle. Generally, the vehicle operator continues to travel forward without stopping or yielding to the police vehicle within a reasonable time or distance.

**StarChase** - An air pressure system attached to the front of a police vehicle that contains a GPS tag/dart. When activated, the tag is released from the police vehicle, affixes to the suspect vehicle, and reports GPS data of the suspect vehicle.

### 307.2 OFFICER RESPONSIBILITIES

It shall be the policy of this Department that a vehicle pursuit shall be conducted 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.

#### 307.2.1 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.

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.
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(i) Vehicle speeds.

307.2.2 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.

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.

307.2.3 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 should 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 should 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.
307.3 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 a K-9 Unit and/or 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.

The primary unit or the supervisor may request additional units to join the pursuit if it appears that the officers in the vehicles involved would not be sufficient to safely effect the arrest of the suspect(s). The following factors should be considered with requesting additional units:

- The nature of the crime.
- The number of suspects.
- Whether participating units are one or two officer units.
- Other clear and articulable facts that would warrant the increased personnel involvement.

The involvement of additional units shall be approved by the Watch Commander or field supervisor.

307.3.1 MOTORCYCLE OFFICERS

A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practical.

In the event a pursuit is initiated by an officer on a two-wheeled motorcycle, the pursuing motorcycle officer shall relinquish the role as the primary unit when a marked unit equipped for Code-3 operation has joined the pursuit, unless the circumstances are such that a motorcycle is the safest means of continuing a pursuit (e.g., heavy commuter traffic). Under no circumstances shall officers on a two-wheeled motorcycle become a secondary unit after they become aware of the arrival of a secondary marked unit.

307.3.2 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.

307.3.3 UNMARKED VEHICLES

An unmarked police vehicle equipped with emergency lights and siren may occasionally become involved in pursuits. When officers in unmarked vehicles with emergency equipment become
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aware that a marked police unit has arrived and will attempt to stop the suspect vehicle, the unmarked unit shall yield the pursuit to the marked unit and shall disengage when a secondary marked unit has joined the pursuit.

307.3.4 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 Communications Bureau that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

(a) Unit identification.
(b) Reason for the pursuit.
(c) Location and direction of travel.
(d) Speed of the fleeing vehicle.
(e) Traffic conditions.
(f) Weather/roadway conditions.
(g) Description of the fleeing vehicle and license number, if known.
(h) Number of known occupants.
(i) The identity or description of the known occupants.
(j) 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.

307.3.5 SECONDARY UNIT RESPONSIBILITIES
The second officer in the pursuit is responsible for the following:

(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.
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307.3.6 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 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.

307.3.7 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.

The primary, secondary and supervisory units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

307.3.8 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.
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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.

307.3.9 AIRCRAFT ASSISTANCE
When available, aircraft assistance should be requested as soon as possible. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue the pursuit. When an aircraft is employed, it will be in addition to authorized ground units.

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. If ground units are not within visual contact and the air unit recommends that it is unsafe to continue the pursuit, the supervisor shall determine if the pursuit should be terminated.

Aircraft Surveillance Mode (ASM): If it is deemed appropriate by the pursuing officer or a supervisor, and if air support resources are available, officers may consider terminating the active pursuit of the suspect vehicle. While utilizing ASM, the air unit maintains visual contact of the suspect vehicle and broadcasts pertinent information to ground units. Ground units continue to follow or parallel the suspect vehicle in a safe/prudent manner without red lights or siren until the ASM is terminated or the suspect vehicle is stopped.

307.4 SUPERVISORY CONTROL AND RESPONSIBILITIES
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 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 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 the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring aircraft are requested if available.

(g) Ensuring the proper radio channel is being used.
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(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 BHPD units when a pursuit enters another jurisdiction.

(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

307.4.1 WATCH COMMANDER RESPONSIBILITIES
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. Once notified, 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.

307.5 COMMUNICATIONS BUREAU
Radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher.

307.5.1 COMMUNICATIONS BUREAU RESPONSIBILITIES
Upon notification that a pursuit has been initiated, Communications Bureau will:

(a) Coordinate pursuit communications of the involved units and personnel.

(b) Notify and coordinate with other involved or affected agencies as practicable.

(c) Ensure a field supervisor is notified of the pursuit.

(d) Assign an incident number and log all pursuit activities.

(e) Broadcast pursuit updates as well as other pertinent information as necessary.

(f) Notify the Watch Commander as soon as practicable.

(g) Simulcast the pursuit on all BHPD radio frequencies.

307.5.2 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.

307.6 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 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.
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307.6.1 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 Beverly Hills 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.

307.6.2 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 or it is demonstrated that the outside agency is unable to request assistance. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit. The unit joining the pursuit shall notify dispatch and obtain supervisor approval as soon as practicable.

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.

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.

307.7 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.

307.7.1 WHEN USE IS AUTHORIZED

Generally, supervisor approval should be obtained prior to employing pursuit intervention tactics. 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.

307.7.2 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.

307.7.3 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) Boxing-in 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.
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2. All other reasonable intervention techniques have failed or reasonably appear ineffective.

3. Employing the boxing-in 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 should obtain supervisor approval 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.

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) The use of spike strips should be approved in advance by a supervisor and deployed by a trained officer and only when it is reasonably certain that only the pursued vehicle will be affected by their use. Supervisors should carefully consider the limitations of such devices as well as the potential risks to, 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, and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(e) 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, or other members of the public.

307.7.4 CAPTURE OF SUSPECTS
Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force,
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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.

Unless specifically requested or directed by a supervisor, all other officers shall remain clear of the termination point of the pursuit.

307.7.5 STARCHASE PURSUIT MANAGEMENT SYSTEM

The StarChase system allows an officer to remotely affix a GPS tracking device to a pursued (or about to be pursued) vehicle using an air pressure system to discharge the tracker from the front of the StarChase equipped patrol car to the vehicle in front of it. Once the tracker is affixed, its location can be tracked by an employee (StarChase Monitor) using a computer, tablet, or smartphone with an internet connection.

(a) For the purpose of clarity of communication, radio traffic should identify the device as "StarChase."

(b) StarChase equipment in the patrol vehicle will only be operated by officers who have been trained in its use.

(c) StarChase equipped vehicles will not be assigned to officers who are not trained on its use unless required by exigent circumstances.

Safety Considerations:

Except as specified below, officers shall use their own judgment regarding affixing a StarChase tag upon a pursued vehicle and do not need prior approval from a Supervisor:

(a) All safety decisions related to the discharge of a StarChase tag shall be evaluated by the operator prior to deployment. While supervisors may direct or approve the deployment of a StarChase equipped patrol car in a pursuit and/or the discharge of a tag, the actual discharge of the device will be evaluated by the operator prior to deployment. In accordance with policy, the safety of officers, uninvolved person and persons inside the pursued vehicle shall be considered. The following decisions are specifically included:

1. StarChase- equipped patrol cars, with approval from a supervisor or watch commander, are authorized to respond Code 3 to join a pursuit for potential use of the device.

2. Whether any circumstance would indicate the device would not work (e.g. weather conditions, suspect vehicle weaving, motorcycle, etc.).

3. Whether the officer can safely maneuver close enough to the suspect vehicle to come within targeting range, as outlined in the StarChase training.

4. Unless directed otherwise, the StarChase- equipped vehicle will join in the pursuit at the rear of the authorized pursuing vehicles.
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5. Once a StarChase-equipped vehicle joins a pursuit, it becomes an authorized unit as it relates to the number of authorized pursuing vehicles.

6. StarChase equipped vehicles may pass other pursuing vehicles only when deemed safe and only with specific permission from the unit to be passed. Permission is to be sought and acknowledged one passing at a time. Officers driving the StarChase equipped vehicle will identify which side will be overtaken.

7. StarChase tags will be deployed in accordance with training:
   (a) Once the StarChase tag has been successfully deployed, pursuing vehicles should normally drop back significantly from the suspect vehicle.
   (b) Officers will maintain constant communication with the StarChase Monitor for speed/direction/location updates of the suspect vehicle.
   (c) The Supervisor will coordinate with the StarChase Monitor to direct resources and officers to appropriate locations to apprehend the suspect.
   (d) No officer who is driving a moving patrol car will access the StarChase Monitor data as this creates an unnecessary hazard.

8. Tactical Considerations:
   (a) The StarChase tag will not normally be deployed in the following situations unless the suspect poses a substantial risk to the public:
      1. During heavy rain.
      2. While driving on exceptionally rough terrain.
      3. On a motorcycle.
      4. When pedestrians are between or in close proximity to the suspect vehicle and the StarChase-equipped vehicle.

9. In addition to the normal pursuit reporting procedures required by policy, officers who use the StarChase system will report all tag deployments.

307.8 REPORTING REQUIREMENTS
All appropriate reports should be completed to comply with applicable laws, policies, and procedures.

   (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 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, the involved, or if unavailable on-duty, field supervisor shall promptly complete a Supervisor's Log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:
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1. Date and time of pursuit.
2. Initial reason and circumstances surrounding the pursuit.
3. Length of pursuit in distance and time, including the starting and termination points.
4. Involved units and officers.
5. Alleged offenses.
6. Whether a suspect was apprehended, as well as the means and methods used.
7. Any use of force that occurred during the vehicle pursuit.
   (a) Any use of force by a member should be documented in the appropriate report (See the Use of Force Policy).
8. Any injuries and/or medical treatment.
9. Any property or equipment damage.
10. Name of supervisor at scene or who handled the incident.
   
   (d) After receiving copies of reports, logs, and other pertinent information, the Chief of Police or the authorized designee should conduct or assign the completion of a post-pursuit review.

Annually, the Chief of Police should direct a documented review and analysis of Department vehicle pursuit reports to minimally include policy suitability, policy compliance, and training or equipment needs.

**307.8.1 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)).

**307.8.2 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.

**307.9 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.
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307.10 ADMINISTRATIVE REVIEW
The Department shall conduct an administrative review of the pursuit to ensure the pursuit was conducted in compliance with Department policies. The administrative review should include a critique of the incident and utilization of the critique as a training tool. All members involved in the pursuit, including communications dispatchers, should be included in the critique process.

307.11 CRITIQUE
Upon the completion of any pursuit involving field personnel, the Watch Commander or the authorized designee shall conduct a debriefing with the involved members at the first available opportunity. Whenever possible, the debriefing shall include the involved communications dispatcher. It is recommended that the critique include all available video and radio recordings and member recollection, the discussion should include an analysis of procedures employed, radio transmissions and the communications in general.

Following the critique, the Watch Commander who was on duty at the time of the pursuit, shall ensure that a written report is prepared that describes the incident, as well as any conclusions, opinions and/or recommendation regarding the pursuit. This report will be forwarded to the Operations Division Commander for review in BlueTeam.
Officer Response to Calls

308.1 PURPOSE AND SCOPE
This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

308.2 RESPONSE TO CALLS
Officers dispatched “Code-3” shall consider the call an emergency response and proceed immediately. Officers responding Code-3 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.

Responding with emergency light(s) and siren 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.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

An emergency response is reasonable when one or more of the following elements are present:

- A serious public hazard.
- An immediate pursuit of a suspect.
- The preservation of life.
- A serious crime in progress.
- The prevention of a serious crime.
- Another officer is requested to respond Code-3.

308.3 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 Communications Bureau.

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
Officer Response to Calls

308.3.1 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).

308.4 INITIATING CODE 3 RESPONSE
If an officer believes a Code-3 response to any call is appropriate, the officer should immediately notify Communications Bureau. Generally, only one unit should respond Code-3 to any situation. Should another officer believe a Code-3 response is appropriate, Communications Bureau should be notified and the Watch Commander or field supervisor will, as soon as practicable, acknowledge the Code-3, and make a determination as to whether one or more officers driving Code-3 is appropriate.

308.5 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 Communications Bureau. 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.

308.6 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. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance
(b) Notify the Watch Commander as soon as practicable
(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

308.7 SUPERVISORY RESPONSIBILITIES
Upon being notified that a Code-3 response has been initiated, the Watch Commander or the field supervisor shall verify the following:
Officer Response to Calls

(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

308.8 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 Communications Bureau of the equipment failure so that another unit may be assigned to the emergency response.
Canines

309.1 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.

309.2 POLICY
It is the policy of the Beverly Hills Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT
Canine teams should be assigned to assist and supplement the Field Services Division to function primarily in assist or cover assignments. However, they may be assigned by the Watch Commander to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Watch Commander.

309.4 CANINE SERGEANT
The canine sergeant shall be appointed by and directly responsible to the canine manager (lieutenant).

The responsibilities of the canine sergeant 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 kennel vendor.

(c) Maintaining a liaison with command staff and functional supervisors.

(d) Maintaining a liaison with other agency canine supervisors.

(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.
309.5 REQUESTS FOR CANINE TEAMS
Patrol officers are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Field Services Division shall be evaluated and approved by the Watch Commander.

309.5.1 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 deployment that he/she deems unsuitable.
(c) Calling out off-duty canine teams will be at the discretion of the Watch Commander in consultation with the canine sergeant, if available. The final authority to dispatch a canine shall be the Watch Commander.
(d) It shall be the responsibility of the canine handler to coordinate operations with the requesting agency.

309.5.2 PUBLIC CANINE DEMONSTRATIONS
All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine manager prior to making any resource commitment. The canine sergeant is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. All requests for demonstrations of canine apprehensions require prior approval from the canine manager.

309.6 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 an offense and 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.
(b) The suspect is actively 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.
Canines

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense other than those identified above requires approval from the Watch Commander, and if feasible, in consultation with the canine sergeant. The final authority to utilize a canine shall be the Watch Commander; however, the canine handler shall have the authority to decline the use of the canine whenever the handler deems the deployment is unsuitable.

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, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.6.1 PREPARATION FOR DEPLOYMENT
Prior to the use of a canine to search for and/or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

(a) The nature and seriousness of the suspected offense.
(b) Whether violence or weapons were used or are suspected.
(c) The degree of resistance or threatened resistance the suspect has shown.
(d) The suspect’s known or perceived age.
(e) The potential for injury to officers or the public if the canine is not utilized.
(f) Any potential danger to the public and/or other officers at the scene if the canine is released.
(g) The potential for the suspect to escape or flee if the canine is not utilized.
(h) Brief deployment plan with supervisor.
(i) Establish a medical plan.
(j) Consider methods of de-escalation.
(k) Methods and considerations for canine announcements

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler’s responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
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309.6.2 WARNINGS AND ANNOUNCEMENTS
Unless it would increase the risk of injury or escape, a clearly audible warning, utilizing the PA system, when available, 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. Canine handlers shall advise dispatch that the announcements were made.

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.

309.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES
Handlers should document canine deployments in a canine use report or other applicable report. Whenever a canine deployment results in a bite or causes injury, a supervisor and the canine sergeant 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, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related case or arrest report.

Any unintended bite or injury caused by a canine, whether on or off-duty, shall be promptly reported to the canine sergeant and forwarded to the Chief of Police via the chain of command. 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 or complains of pain, a supervisor and the canine sergeant shall be notified. 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.

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).

309.7 NON-APPREHENSION GUIDELINES
Properly trained canines may be used to track or search for person not suspected of criminal activity (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:
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(a) Absent a change in circumstances that presents an imminent 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 any person.

(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.

309.7.1 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.

309.7.2 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.

309.7.3 BOMB/EXPLOSIVE DETECTION
Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive detection canine team may be used in accordance with current law and under certain circumstances, including:

(a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.

(b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).

(c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas.

(d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.
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Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.

At no time will an explosive detection trained canine handler render an explosive device safe.

### 309.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) Off probation.
- (b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
- (c) A garage that can be secured and accommodate a canine vehicle.
- (d) Agreeing to be assigned to the position for a minimum of three years.

### 309.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Beverly Hills Police Department facility.
- (e) Handlers shall permit the canine sergeant or lieutenant to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine sergeant as soon as possible.
- (g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the canine be lodged at another location unless approved by the canine sergeant.
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(j) When off-duty, the handler should not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Watch Commander.

(k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine sergeant so that appropriate arrangements can be made.

309.9.1 CANINE IN PUBLIC AREAS
The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

309.10 HANDLER COMPENSATION
The canine handler shall be available for call-out under conditions specified by the Police Officer Association MOU.

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement (29 USC § 207).

309.11 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 sergeant or the canine lieutenant 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 canine’s medical file at the designated canine veterinarian office.

309.12 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 shall be trained and certified by recognized and approved certification standards established for their particular discipline.

The canine sergeant 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,
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as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Watch Commander. All canine training shall be logged in the handler and canine training file.

309.12.1 CONTINUED TRAINING
Each canine team shall thereafter be recertified to a 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 Beverly Hills Police Department canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the canine sergeant.

(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 the canine sergeant.

309.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING
Any canine team failing to graduate or obtain certification shall not be utilized for the discipline, until successful certification is achieved and with approval of the canine sergeant. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

309.12.3 TRAINING RECORDS
All canine training records shall be maintained in the canine’s training file.

309.12.4 TRAINING AIDS
Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Beverly Hills Police Department may work with outside trainers with the applicable licenses or permits.

309.12.5 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 Beverly Hills 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.
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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.

309.12.6 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.

(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.

(d) All controlled substance training samples will be inspected, weighed, and tested annually. The results of the annual testing shall be recorded and maintained by the canine handler with a copy forwarded to the canine sergeant.

(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.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any controlled substance training samples shall be returned to the Property and Evidence Unit 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.

309.12.7 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 facility 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.
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(c) The canine sergeant 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 and SWAT breachers shall have access to the explosive training aids storage facility.

(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 sergeant, 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).
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310.1 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 domestic violence.

310.1.1 DEFINITIONS
Definitions related to this policy include:

Abuse - Means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.

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.

Domestic Violence - Is abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship.

310.2 POLICY
The Beverly Hills 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.

310.3 OFFICER SAFETY
The investigation of domestic violence cases often places officers 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.

310.4 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.
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(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.

(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 Detective Bureau 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.

DV Worksheet.pdf

310.4.1 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 Watch Commander to enable notification of the victim upon the suspect’s release from jail. The notification should be made on a recorded line, whenever possible.
(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

310.4.2 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.

310.5 VICTIM ASSISTANCE
Because victims may be traumatized or confused, officers should be aware that a victim’s behavior and actions may be affected:

(a) Victims should be provided with the Department’s domestic violence information handout, even if the incident may not rise to the level of a crime.
(b) Victims should also be alerted to any available victim advocates, shelters, and community resources.
(c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time.
(d) If the victim has sustained injury or complaints of pain, officers should seek medical assistance as soon as practicable.
(e) Officers should ask the victim whether the victim has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for the victim’s safety or if the officer determines that a need exists.
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(f) Officers should make reasonable efforts to ensure children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(g) If appropriate, officers should seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).

310.6 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.

310.7 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).

310.8 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.
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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.

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.

310.9 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 the victim's 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,
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rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:

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).

310.10 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 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, ammunition, 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)).

310.11 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 and Jail Manager to maintain and report this information as required.

310.12 SERVICE OF 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
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into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

(b) A temporary restraining order, emergency protective order, or an order issued after a hearing shall, at the request of the petitioner, be served on the restrained person by an officer who is present at the scene of a reported domestic violence incident or when the officer receives a request from the petitioner to provide service of the order (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)).

(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).

1. An officer should ensure that the Records Bureau is notified of any firearm obtained for entry into the Automated Firearms System (Family Code § 6383) (see the Records Bureau Policy for additional guidance).

(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 the person 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).

310.13 PUBLIC ACCESS TO POLICY
A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

310.14 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).

310.15 DOMESTIC VIOLENCE DEATH REVIEW TEAM
This department should cooperate with any interagency domestic violence death review team investigation. Written and oral information relating to a domestic violence death that would otherwise be subject to release restrictions may be disclosed to the domestic violence death review team upon written request and approval of a supervisor (Penal Code § 11163.3).
Search and Seizure

311.1 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 Beverly Hills Police Department personnel to consider when dealing with search and seizure issues.

311.2 POLICY
It is the policy of the Beverly Hills 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.

311.3 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.
Search and Seizure

311.4 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.

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

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

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
312.1 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 Beverly Hills Police Department (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

312.1.1 DEFINITIONS
Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent, or alien juvenile who may be legally held for the juvenile's 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 the juvenile's 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; 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.
Temporary Custody of Juveniles

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
(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 that is more than brief or inadvertent.

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).

312.2 POLICY
The Beverly Hills 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 Beverly Hills Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release.

312.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Beverly Hills 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).
Temporary Custody of Juveniles

These juveniles should not be held at the Beverly Hills Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).

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).

312.3.1 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. Department members should administer first aid as applicable (15 CCR 1142).

312.3.2 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 themself, or any unusual behavior which may indicate the juvenile may harm themself while in either secure or non-secure custody (15 CCR 1142).

312.4 CUSTODY OF JUVENILES
Officers should take custody of a juvenile and temporarily hold the juvenile at the Beverly Hills 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 Beverly Hills 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 the juvenile's entry into the Beverly Hills Police Department (34 USC § 11133; Welfare and Institutions Code § 207.1).

312.4.1 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 Beverly Hills 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 (Welfare and Institutions Code § 602.1).
Temporary Custody of Juveniles

312.4.2 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 the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).

312.4.3 CUSTODY OF JUVENILE OFFENDERS
Juvenile offenders should be held in non-secure custody while at the Beverly Hills 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 taken into custody for committing or attempting to commit a felony with a firearm shall not be released and be transported to a juvenile facility (Welfare and Institutions Code § 625.3).

A juvenile offender suspected of committing murder, a sex offense described in Welfare and Institutions Code § 602(b) that may subject the juvenile to criminal jurisdiction under Welfare and Institutions Code § 707, 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 the juvenile offender’s 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).
**Temporary Custody of Juveniles**

312.5 ADVISEMENTS
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, the juvenile shall be given the *Miranda* rights advisement regardless of whether questioning is intended. This does not apply to juvenile non-offenders taken into temporary custody for their safety or welfare (Welfare and Institutions Code § 625).

Anytime a juvenile offender is placed in secure custody, the juvenile offender 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).

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 their parent or guardian; one to a responsible relative or their 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).

312.6 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 Beverly Hills 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; 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.
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312.7 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; 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 Beverly Hills 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).

312.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Beverly Hills 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 Beverly Hills Police Department more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the Beverly Hills 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) Juveniles shall be provided sanitary napkins, panty liners, and tampons as requested (15 CCR 1143).

(g) 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).

(h) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).

(i) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(j) Juveniles shall have privacy during family, guardian, and/or lawyer visits (15 CCR 1143).
Temporary Custody of Juveniles

(k) 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).

(l) Blankets shall be provided as reasonably necessary (15 CCR 1143).

1. Jail staff should ensure that there is an adequate supply of clean blankets.

(m) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.

(n) Juveniles shall have adequate furnishings, including suitable chairs or benches.

(o) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.

(p) Juveniles shall have access to language services (15 CCR 1143).

(q) Juveniles shall have access to disability services (15 CCR 1143).

(r) 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).

While held in temporary custody, juveniles shall be informed in writing of what is available to them pursuant to 15 CCR 1143 and it shall be posted in at least one conspicuous place to which they have access (15 CCR 1143).

312.9 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 Beverly Hills 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).

312.10 PERSONAL PROPERTY
The officer taking custody of a juvenile offender or status offender at the Beverly Hills 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 Beverly Hills Police Department.
Temporary Custody of Juveniles

312.11 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 themselves or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to themselves or others include the following (15 CCR 1145):

(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).

312.11.1 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).
Temporary Custody of Juveniles

(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 the juvenile's well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
3. Requests or concerns of the juvenile should be logged.

(e) Juveniles of different genders shall not be placed in the same locked room (15 CCR 1147).

(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.

312.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE
The Jail Manager will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Beverly Hills Police Department (15 CCR 1142; 15 CCR 1047). The procedures will address:

(a) Immediate notification of the on-duty supervisor, Chief of Police, and Field Services Division Commander.
(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.

312.13 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 an individual under 18 years of age 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):
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(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.

312.13.1 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 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).

312.14 FORMAL BOOKING
No juvenile offender shall be formally booked without the authorization of the arresting officer's supervisor, or in the supervisor's absence, the Watch Commander.
Temporary Custody of Juveniles

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 the Detective Bureau 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

312.15 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 Beverly Hills 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 and Jail Managers and the appropriate Detective Bureau supervisors to ensure that personnel of those bureaus act within legal guidelines.

312.16 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION
The Jail Manager at the direction of the Field Services Division Commander shall coordinate the procedures related to the custody of juveniles held at the Beverly Hills Police Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

312.17 RELIGIOUS ACCOMMODATION
Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

312.18 TRAINING
Department members should be trained on and familiar with this policy and any supplemental procedures.
Senior and Disability Victimization

313.1 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 Beverly Hills Police Department members as required by law (Penal Code § 368.6).

The Beverly Hills Police Department is committed to providing equal protection and demonstrating respect for all persons regardless of age or disabilities, and to conscientiously enforcing all criminal laws protecting elders, and adults and children with disabilities, regardless of whether these crimes also carry civil penalties (Penal Code § 368.6) (see Child Abuse Policy for child abuse investigations and reporting).

313.1.1 DEFINITIONS
Definitions related to this policy include:

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 § 15610.05 et seq.; Penal Code § 368.5).

Department protocols (or protocols) - A procedure adopted by a local law enforcement agency consistent with the agency’s organizational structure and stated in a policy adopted pursuant to this section, to effectively and accountably carry out a particular agency responsibility.

Dependent adult - 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 (Penal Code § 368; Welfare and Institutions Code § 15610.23).

Elder and dependent 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).

Senior and disability victimization - Means any of the following (Penal Code § 368.6):
(a) Elder and dependent adult abuse
(b) Unlawful interference with a mandated report
(c) Homicide of an elder, dependent adult, or other adult or child with a disability


Senior and Disability Victimization

(d) Sex crimes against elders, dependent adults, or other adults and children with disabilities

(e) Child abuse of children with disabilities

(f) Violation of relevant protective orders

(g) Hate crimes against persons with actual or perceived disabilities, including but not limited to disabilities caused by advanced age, or those associated with them

(h) Domestic violence against elders, dependent adults, and adults and children with disabilities, including disabilities caused by advanced age

313.2 POLICY

The Beverly Hills Police Department will investigate all reported incidents of alleged elder and dependent adult abuse and ensure proper reporting and notification as required by law.

313.2.1 ARREST POLICY

It is the department policy to make arrests or to seek arrest warrants for elder and dependent adult abuse in accordance with Penal Code § 836 and, in the case of domestic violence, as allowed by Penal Code § 13701 (Penal Code § 368.6) (see Law Enforcement Authority and Domestic Violence policies for additional guidance).

313.2.2 ADHERENCE TO POLICY

All officers are required to be familiar with the policy and carry out the policy at all times, except in the case of an unusual compelling circumstance as determined and approved by a supervisor (Penal Code § 368.6).

Any supervisor who determines and approves an officer’s deviation from this policy shall provide a written report to the Chief of Police that states the unusual compelling circumstances regarding the deviation. A copy of this report will be made available to the alleged victim and reporting party pursuant to department protocols (Penal Code § 368.6(c)(27)).

The Chief of Police shall retain the report for a minimum of five years and shall make it available to the state protection and advocacy agency upon request (Penal Code § 368.6(c)(27)).

313.3 FIRST-RESPONDING OFFICER’S RESPONSIBILITIES

Officers shall use the following detailed checklist of first-responding officers' responsibilities, including but not limited to, all the of the following (Penal Code 368.6 (c)(23)):

(a) Take responsibility for the safety and well-being of the potential victims and witnesses, while treating all potential victims, witnesses, and suspects with dignity and respect.

(b) Comply with the provisions of this policy requirements for arrests and mandatory seeking of arrest warrants as well as the requirements for seeking emergency protective orders.

(c) Following policy guidelines for interviewing person with cognitive or communication disabilities.
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(d) Recognizing that some elders, adults and children with cognitive or communication disability may have difficulty narrating events, appear to be poor historians, or lack short term memory, which adds to their vulnerability and therefore requires officers to make special efforts to provide them equal protection.

(e) Documenting the scene

(f) Obtaining a signed medical release from potential victims

(g) Interview caretakers separately, recognizing that in some cases, the caretaker is the perpetrator.

(h) Recognize that victim cooperation is sometimes unnecessary for prosecution, and that in some cases, allowing victims the option of preventing prosecution creates an opportunity for the perpetrator to obstruct justice by pressuring or threatening the victims. Each dispatch call or case should be investigated on its own evidential merits.

(i) Taking other actions necessary in order to comply with the provisions of this policy.

313.4 INVESTIGATIONS AND REPORTING

All reported or suspected cases of elder and dependent adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated (Penal Code § 368.6).

Investigations and reports related to suspected cases of elder and dependent 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 elder and dependent 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.

(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) Witness and suspect statements if available.

(k) Review of all portable audio/video recorders, devices, and other available video.
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(i) Call history related to the elder or dependent adult including calls from mandated reporters or other individuals.

(m) Whether the abuse is related to a disability-bias hate crime and related bias motivations (Penal Code § 368.6) (see the Hate Crimes Policy for additional guidance).

(n) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the elder or dependent adult abuse (Welfare and Institutions Code § 15640(f)).

(o) 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 elder or dependent adult abuse and investigated similarly.

An unexplained or suspicious death of an elder, dependent adult, or other adult or child with a disability should be treated as a potential homicide until a complete investigation including an autopsy is completed, and it should not be assumed that the death of an elder or person with a disability is natural simply because of the age or disability of the deceased (Penal Code § 368.6(c)(18)).

313.4.1 ADDITIONAL INVESTIGATIVE CONSIDERATIONS
The following factors as provided in Penal Code § 368.6 should be considered when investigating incidents of elder and dependent adult abuse:

(a) Elder and dependent adult abuse, sex crimes, child abuse, domestic violence, and any other criminal act, when committed in whole or in part because of the victim’s actual or perceived disability, including disability caused by advanced age, is also a hate crime (Penal Code § 368.6) (see the Hate Crimes Policy for additional guidance).

(b) Senior and disability victimization crimes are also domestic violence subject to the mandatory arrest requirements of Penal Code § 836 if they meet the elements described in Penal Code § 273.5, including but not limited to a violation by a caretaker or other person who is or was a cohabitant of the victim, regardless of whether the cohabitant is or was a relative of, or in an intimate personal relationship with, the victim (Penal Code § 368.6(c)(10)).
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(c) Many victims of sexual assault and other sex crimes delay disclosing the crimes for reasons including but not limited to shame, embarrassment, self-doubt, fear of being disbelieved, and fear of retaliation by the perpetrator or others (Penal Code § 368.6(c)(11)).

(d) Victims and witnesses with disabilities, including cognitive and communication disabilities, can be highly credible witnesses when interviewed appropriately by trained officers or other trained persons (Penal Code § 368.6(c)(14)).

313.5 QUALIFIED INVESTIGATORS
Qualified investigators should be available to investigate cases of elder and dependent adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to elder and dependent adult abuse investigations.

(c) Present all cases of alleged elder and dependent adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies, and facility administrators as needed (Welfare and Institutions Code § 15650).

(e) Provide referrals to therapy services, victim advocates, guardians, and support for the victim and family as appropriate (see the Victim and Witness Assistance Policy for additional guidance).

1. Ensure victims of sex crimes know their right to have a support person of their choice present at all times during an interview or contact (Penal Code § 368.6) (see the Sexual Assault Investigations Policy for additional guidance).

2. Referrals to the crime victim liaison as appropriate for victims requiring further assistance or information regarding benefits from crime victim resources.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

(g) Make reasonable efforts to determine whether any person committed unlawful interference in a mandated report.

313.6 MANDATORY NOTIFICATION
Members of the Beverly Hills Police Department shall notify the local office of the California Department of Social Services (CDSS) APS agency of known, suspected, or alleged instances of abuse when they reasonably suspect, have observed, or have knowledge of an incident that reasonably appears to be abuse of an elder or dependent adult, or are told by an elder or dependent adult that the person has experienced abuse (Welfare and Institutions Code § 15630(b)).

Notification shall be made by telephone or through a confidential internet reporting tool as soon as practicable. If notification is made by telephone, a written report shall be sent or internet report
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shall be made through the confidential internet reporting tool within two working days, as provided in Welfare and Institutions Code § 15630(b).

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 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 the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by a written report to the local ombudsman within 24 hours.
   3. If there is any other abuse in a long-term care facility (not a state mental health or a state developmental center), a written report shall be made to the local ombudsman and corresponding state licensing agency within 24 hours.

(b) The California Department of Public Health (DPH) shall be notified of all known or suspected abuse in a long-term care facility.

(c) The CDSS shall be notified of all known or suspected abuse occurring in a residential care facility for the elderly or in an adult day program.

(d) If the abuse occurred in an adult day health care center, DPH and the California Department of Aging shall be notified.

(e) The Division of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.

(f) The District Attorney’s office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.

(g) 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)).

(h) If during an investigation it is determined that the elder or dependent 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)).
(i) 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 Detective Bureau 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).

Failure to report or impeding or inhibiting a report of abuse of an elder or dependent adult is a misdemeanor (Welfare and Institutions Code §15630(h)).

313.6.1 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.

313.7 PROTECTIVE CUSTODY
Before taking an elder or dependent 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 elder or dependent 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 elder or dependent adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably
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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 elder or dependent 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 elder or dependent 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.

313.7.1 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)).

313.7.2 VERIFICATION OF PROTECTIVE ORDER
Whenever an officer verifies that a relevant protective order has been issued, the officer shall make reasonable efforts to determine if the order prohibits the person from possession of firearms or requires the relinquishment of firearms, and if the order does so, the officer shall make reasonable efforts to (Penal Code § 368.6(c)(19)):

(a) Inquire whether the restrained person possesses firearms. The officer should make this effort by asking the restrained person and the protected person.

(b) Query the California Law Enforcement Telecommunications System to determine if any firearms are registered to the restrained person.

(c) Receive or seize prohibited firearms located in plain view or pursuant to a consensual or other lawful search in compliance with Penal Code § 18250 et seq. and in accordance with department procedures.

313.8 INTERVIEWS

313.8.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected elder or dependent 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.
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313.8.2 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:

(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.

313.8.3 INTERVIEWS WITH A PERSON WITH DEAFNESS OR HEARING LOSS
An officer who is interviewing a victim or witness who reports or demonstrates deafness or hearing loss should secure the services of a qualified interpreter (as defined by Evidence Code § 754) prior to the start of the interview (Penal Code § 368.6) (see the Communications with Persons with Disabilities Policy for additional guidance).

313.9 MEDICAL EXAMINATIONS
When an elder or dependent 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.

313.10 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 elder or dependent adult abuse victim who has been exposed to the manufacturing, trafficking, or use of narcotics.

313.10.1 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where an elder or dependent adult abuse victim is present or where there is evidence that an elder or dependent 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.
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(b) Notify the Detective Bureau supervisor so an interagency response can begin.

313.10.2 SUPERVISOR RESPONSIBILITIES
The Detective Bureau 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 elder or dependent 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 Detective Bureau supervisor that he/she has responded to a drug lab or other narcotics crime scene where an elder or dependent adult abuse victim is present or where evidence indicates that an elder or dependent adult abuse victim lives.

313.11 STATE MANDATES AND OTHER RELEVANT LAWS
California requires or permits the following:

313.11.1 DETECTIVE BUREAU RESPONSIBILITIES
The Detective 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.

313.12 TRAINING
The Department should provide training on best practices in elder and dependent 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 elder and dependent adult abuse investigations.

(f) Availability of victim advocates or other support.

313.12.1 MANDATORY TRAINING
The Personnel and Training Sergeant shall ensure that appropriate personnel receive the required training, including:

(a) Materials from POST as described in Penal Code § 368.6(c)(5)(A).
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(b) Advanced training on senior and disability victimization available from POST, the United States Department of Justice, the Disability and Abuse Project of the Spectrum Institute, or other sources as provided by Penal Code § 368.6(c)(16)(A).

1. Training should include the following:

(a) Information on the wide prevalence of elder and dependent adult abuse, sexual assault, other sex crimes, hate crimes, domestic violence, human trafficking, and homicide against adults and children with disabilities, including disabilities caused by advanced age, and including those crimes often committed by caretakers (Penal Code § 368.6(c)(1)).

(b) Information on the history of elder and dependent adult abuse and crimes against individuals with disabilities (see the POST Senior and Disability Victimization Policy Guidelines).

The Personnel and Training Sergeant shall also ensure that appropriate training is provided on this policy to dispatchers, community services officers, front desk personnel, and other civilian personnel who interact with the public (Penal Code § 368.6 (c)(7)).

313.13 JURISDICTION
The Beverly Hills 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, if consistent with federal law, in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).

Additional jurisdiction responsibilities for investigations of abuse involving various facilities and agencies may be found in Welfare and Institutions Code § 15650.

313.14 RELEVANT STATUTES
Penal Code § 288 (a) and Penal Code § 288 (b)(2)

(a) Except as provided in subdivision (i), a person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1 (Of Crimes and Punishments of the Penal Code) upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years.

(b)(2) A person who is a caretaker and commits an act described in subdivision (a) upon a dependent person by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, with the intent described in subdivision (a), is guilty of a felony and shall be punished by imprisonment in the state prison for 5, 8, or 10 years.
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Penal Code § 368 (c)
A 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 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.

Protections provided by the above Penal Code § 288 and Penal Code § 368 protect many persons with disabilities regardless of the fact they live independently.

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.

(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.
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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. A person shall not be deemed neglected or abused for the sole reason that the person voluntarily relies on treatment by spiritual means through prayer alone in lieu of medical treatment.
3. Failure to protect from health and safety hazards.
4. Failure to prevent malnutrition or dehydration.
5. Substantial inability or failure of an elder or dependent adult to manage personal finances.
6. Failure of an elder or dependent adult to satisfy any of the needs specified in paragraphs (1) to (5), inclusive, for themselves as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health.

(c) Neglect includes being homeless if the elder or dependent adult is also unable to meet any of the needs specified in paragraphs (1) to (5), inclusive, of subdivision (b).

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, or former Section 262 of the Penal Code.
   3. Rape in concert, as described in Section 264.1 of the Penal Code.
   4. Incest, as defined in Section 285 of the Penal Code.
   5. Sodomy, as defined in Section 286 of the Penal Code.
   6. Oral copulation, as defined in Section 287 or former Section 288a of the Penal Code.
   7. Sexual penetration, as defined in Section 289 of the Penal Code.
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8. 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.

313.15 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police or the authorized designee responsibilities include but are not limited to (Penal Code § 368.6):

(a) Taking leadership within the Department and in the community, including by speaking out publicly in major cases of senior and disability victimization, to assure the community of department support for the victims and their families and for others in the community who are terrorized and traumatized by the crimes, and to encourage victims and witnesses to the crimes or similar past or future crimes to report those crimes to help bring the perpetrators to justice and prevent further crimes.

(b) Developing and including department protocols in this policy, including but not limited to the following:

1. Protocols for seeking emergency protective orders by phone from a court at any time of day or night pursuant to Family Code § 6250(d).
2. Protocols for arrest warrants and arrests for senior and disability victimization for matters other than domestic violence and consistent with the requirements of Penal Code § 368.6(c)(9)(B) that include the following:

   (a) In the case of a senior and disability victimization committed in an officer’s presence, including but not limited to a violation of a relevant protective order, the officer shall make a warrantless arrest based on probable cause when necessary or advisable to protect the safety of the victim or others.

   (b) In the case of a felony not committed in an officer’s presence, the officer shall make a warrantless arrest based on probable cause when necessary or advisable to protect the safety of the victim or others.

   (c) In the case of a misdemeanor not committed in the officer’s presence, including but not limited to misdemeanor unlawful interference with a mandated report or a misdemeanor violation of a relevant protective order, or when necessary or advisable to protect the safety of the victim or others, the agency shall seek an arrest warrant based on probable cause.

   (d) Protocol for seeking arrest warrants based on probable cause for crimes for which no arrest has been made.
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3. Procedures for first responding officers to follow when interviewing persons with cognitive and communication disabilities until officers, or staff of other responsible agencies with more advanced training, are available. The procedure shall include an instruction to avoid repeated interviews whenever possible.

(c) For each department protocol, include either a specific title-by-title list of officer responsibilities or a specific office or unit in the Department responsible for implementing the protocol.

(d) Ensuring an appendix is created and attached to this policy that describes requirements for elder and dependent adult abuse investigations consistent with Penal Code § 368.6(c)(8)(B).

(e) Ensuring a detailed checklist is created and attached to this policy regarding first responding responsibilities that includes but is not limited to the requirements of Penal Code § 368.6(c)(23).

(f) Ensuring that all members carry out their responsibilities under this policy.

(g) Verifying a process is in place for transmitting and periodically retransmitting this policy and related orders to officers, including a simple and immediate way for officers to access the policy in the field when needed.

(h) Ensuring this policy is available to the Protection and Advocacy Agency upon request.

313.16 ELDER AND DEPENDENT ADULT ABUSE LIAISON
A department member appointed by the Chief of Police or the authorized designee will serve as the Elder and Dependent Adult Abuse Liaison. Responsibilities of the liaison include but are not limited to (Penal Code § 368.6):

(a) Acting as a liaison to other responsible agencies (defined by Penal Code § 368.6(b)(15)) to increase cooperation and collaboration among them while retaining the law enforcement agency’s exclusive responsibility for criminal investigations (Welfare and Institutions Code § 15650).

(b) Reaching out to the senior and disability communities and to the public to encourage prevention and reporting of senior and disability victimization.
Child Abuse

315.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Beverly Hills Police Department members are required to notify the L.A. County Department of Children and Family Services (DCFS) of suspected child abuse.

315.1.1 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).

315.2 POLICY
The Beverly Hills Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCFS is notified as required by law.

315.3 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. Notification of the District Attorney is not required for 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 (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. When the alleged abuse or neglect involves a child of a minor parent or a dependent adult, notification shall also be made to the attorney of the minor or the dependent adult within 36 hours (Penal Code 11166.1; Penal Code 11166.2).
Child Abuse

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 the peace officer's employment as a peace officer.

315.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (Penal Code § 11166):

(a) Notification shall be made immediately, or as soon as practicable to the Los Angeles County Child Protection Hotline, by telephone at 800-540-4000, fax or electronic transmission.

(b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

315.3.2 WATCH COMMANDER RESPONSIBILITY
When the Watch Commander receives notification of a new Suspected Child Abuse Report from the DCFS via facsimile or email, appropriate action should be taken regarding the allegation. As soon as practical, the Watch Commander shall login to the DCFS web-based system and update the incident. This serves as the acknowledgement that the Suspected Child Abuse Report was received by the Department.

315.4 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).

315.5 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.
Child Abuse

Investigations and reports related to suspected cases of child 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 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.

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).

315.5.1 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).

315.5.2 INITIAL REPORTS OF ABUSE FROM A NONMANDATED REPORTER
Members who receive a report of child abuse or neglect shall request the following information from the reporter (Penal Code § 11167):

(a) Name and telephone number
Child Abuse

(b) Information and the source of information that gives rise to the knowledge or reasonable suspicion of child abuse or neglect

If the reporter refuses to provide their name and telephone number, the member should make a reasonable effort to determine the basis for the refusal and inform them that their information will remain confidential.

315.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCFS. Generally, removal of a child from the child's 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 the child's 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 the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure the child is delivered to DCFS.

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, 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 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.

(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.
Child Abuse

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 DCFS unless otherwise directed by court order.

315.6.1 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 DCFS.

315.6.2 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 the newborn is placed with the adoptive parents when it is appropriate.

315.7 INTERVIEWS

315.7.1 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.

315.7.2 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:

(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 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.

4. The potential destruction of physical or biological evidence.

(b) A court order or warrant has been issued.

315.7.3 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).

315.8 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.

315.9 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.

315.9.1 SUPERVISOR RESPONSIBILITIES
The Detective Bureau supervisor should:

(a) Work with professionals from the appropriate agencies, including DCFS, other law enforcement agencies, medical service providers and local prosecutors to develop specific procedures for responding to situations where there are children 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 Detective Bureau supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates a child lives there.

315.9.2 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:
Child Abuse

(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 Detective Bureau supervisor so an interagency response can begin.

315.10 STATE MANDATES AND OTHER RELEVANT LAWS
California requires or permits the following:

315.10.1 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).

315.10.2 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 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.

315.10.3 CACI HEARING OFFICER
The Detective Bureau 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.

315.10.4 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 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
Child Abuse

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 the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ for 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.

315.10.5 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 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).

315.11 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.
Missing Persons

316.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

316.1.1 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).

316.2 POLICY
The Beverly Hills 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 Beverly Hills 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).

316.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS
The Operations 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
Missing Persons

- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

316.4 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).

316.5 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). MP Worksheet Jan 2018.pdf
(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.
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.

316.6 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.

316.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.

(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.

316.6.2 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.

(d) Forward a copy of the report to the Detective Bureau.
Missing Persons

(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).

316.7 DETECTIVE BUREAU 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).

(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 § 586).
316.8 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 and Jail Manager shall 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.

316.8.1 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.

316.9 CASE CLOSURE
The Detective Bureau 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 Beverly Hills 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.
(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.
316.10 TRAINING
Subject to available resources, the Personnel and 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.
Public Alerts

317.1 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.

317.2 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.

317.3 RESPONSIBILITIES

317.3.1 EMPLOYEE RESPONSIBILITIES
Employees of the Beverly Hills Police Department should notify their supervisor, Watch Commander or Detective Bureau 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.

317.3.2 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

317.4 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.

317.4.1 CRITERIA FOR AMBER ALERT
The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):
Public Alerts

(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.

317.4.2 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 Los Angeles County 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)

317.5 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.
Public Alerts

317.5.1 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.

317.5.2 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 Los Angeles County 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

317.6 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).
Public Alerts

317.6.1 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.

317.6.2 PROCEDURE FOR SILVER ALERT
Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

317.7 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 Los Angeles County Sheriff's Department Emergency Communications Bureau facilities and staff can be made available in the event of a high call volume.

If the Watch Commander or Detective Bureau Supervisor elects to use the services of the Los Angeles County Sheriff's Department, the following will apply:

(a) Notify the Los Angeles County Sheriff's Department Watch Commander of the incident and the request for assistance. The Watch Commander will provide a telephone number for the public to call.
(b) In the press release, direct the public to the telephone number provided by the Los Angeles County 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 Los Angeles County Sheriff's Department will be referred back to this department.

The Beverly Hills Police Department shall assign a minimum of two detectives/officers to respond to the Los Angeles County Sheriff's Department Emergency Communications Bureau 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 Bureau.
317.8 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).

317.8.1 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.

317.8.2 PROCEDURE
Public safety emergency alerts should be activated by following the guidelines issued by the Office
of Emergency Services (Government Code § 8593.7).

317.9 YELLOW ALERT
A Yellow Alert may be issued when a person is killed due to a hit-and-run incident and
the department has specified information concerning the suspect or the suspect's vehicle
(Government Code § 8594.15).

317.9.1 CRITERIA FOR YELLOW ALERT
All of the following conditions must be met before activating a Yellow Alert (Government Code
§ 8594.15):
(a) A person has been killed due to a hit-and-run incident.
(b) There is an indication that a suspect has fled the scene utilizing the state highway
system or is likely to be observed by the public on the state highway system.
(c) The department has additional information concerning the suspect or the suspect's vehicle
including but not limited to the following:
   1. The complete license plate number of the suspect's vehicle.
   2. A partial license plate number and additional unique identifying characteristics,
such as the make, model, and color of the suspect's vehicle, which could
reasonably lead to the apprehension of a suspect.
   3. The identity of a suspect.
   4. Public dissemination of available information could either help avert further harm
or accelerate apprehension of a suspect based on any factor, including but not
limited to the time elapsed between a hit-and-run incident and the request or
the likelihood that an activation would reasonably lead to the apprehension of
a suspect.
317.9.2 PROCEDURE FOR YELLOW ALERT
Requests for a Yellow Alert shall be made through the California Highway Patrol (Government Code § 8594.15).

317.10 FEATHER ALERT
A Feather Alert may be issued when an indigenous person is reported missing under unexplained or suspicious circumstances (Government Code § 8594.13).

317.10.1 CRITERIA FOR FEATHER ALERT
All of the following conditions must be met before activating a Feather Alert (Government Code § 8594.13):

(a) The missing person is an indigenous person.
(b) The Department has utilized local and tribal resources.
(c) The investigating officer has determined the person has gone 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.

317.10.2 PROCEDURE FOR FEATHER ALERT
Requests for a Feather Alert shall be made through the California Highway Patrol (Government Code § 8594.13).

317.11 ENDANGERED MISSING ADVISORY
An Endangered Missing Advisory may be requested when a person is reported missing who is developmentally disabled, or cognitively impaired, or has been abducted, or is unable to otherwise care for themselves, placing their physical safety at risk (Government Code § 8594.11).

317.11.1 CRITERIA FOR ENDANGERED MISSING ADVISORY
All of the following conditions must be met before activating an Endangered Missing Advisory (Government Code § 8594.11):

(a) The missing person is developmentally disabled, cognitively impaired, has been abducted or is otherwise unable to care for themselves, placing their physical safety at risk.
(b) The Department has utilized all available local resources.
(c) The investigating officer has determined the person has gone 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
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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.

317.11.2 PROCEDURE FOR ENDANGERED MISSING ADVISORIES
Requests for an endangered missing advisory shall be made through the California Highway Patrol (Government Code § 8594.11).

317.12 EBONY ALERT
An Ebony Alert may be requested when it is determined the alert would be an effective tool in the investigation of missing Black youth, including a young woman or girl (Government Code § 8594.14).

317.12.1 CRITERIA FOR EBONY ALERT
The investigating officer may consider the following factors to make the determination that an Ebony Alert would be an effective tool (Government Code § 8594.14):

(a) The missing person is between the ages of 12 and 25 years old, inclusive.
(b) The missing person is missing under circumstances that indicate their physical safety is endangered or they have been subject to trafficking.
(c) The missing person suffers from a mental or physical disability.
(d) Determination that the person has gone missing under unexplained or suspicious circumstances.
(e) Belief 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.
(f) The Department has utilized all available local resources.
(g) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

317.12.2 PROCEDURE FOR EBONY ALERT
Requests for an Ebony Alert shall be made through the California Highway Patrol (Government Code § 8594.14).
Victim and Witness Assistance

318.1 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.

318.2 POLICY
The Beverly Hills Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Beverly Hills 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.

318.3 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 Beverly Hills 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.

318.3.1 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 the crime victim liaison's 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 Beverly Hills Police Department jurisdiction (Penal Code § 680.2).
Victim and Witness Assistance

(f) Providing information required by Penal Code § 679.09 of a deceased minor to a parent or guardian of the minor whose death is being investigated.

1. In cases where the parent or guardian of the deceased minor cannot be located, information required by Penal Code § 679.09 shall be provided to the victim's immediate family, upon their request.

(g) Providing notification to victims of human trafficking or abuse of their right to have a human trafficking advocate and a support person that the victim chooses present during an interview by the Department, prosecutor, or the suspect's defense attorney (Penal Code § 236.21).

318.4 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.

318.4.1 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).

318.5 VICTIM INFORMATION

The Crime victim liaison or the assigned designee 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.
Victim and Witness Assistance

(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.

(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).

318.6 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.
Hate Crimes

319.1 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 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.

319.2 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 Beverly Hills 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).

319.2.1 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, discriminatory selection of victims, 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.
Hate Crimes

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 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 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 the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

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, regardless of whether it is 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:
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1. "Association with a person or group with one or more of these actual or perceived characteristics" includes advocacy for, identification with, or being on the premises 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 the 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

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 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 the bias be a main factor, or a crime would not have been committed but for the actual or perceived characteristic.

Nationality - Nationality means country of origin, immigration status, including citizenship, and national origin.

Race or ethnicity - Race or ethnicity includes ancestry, color, and ethnic background.
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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
- Library
- Other victim or intended victim of the offense

319.3 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.

319.3.1 HATE CRIMES COORDINATOR

A Department member appointed by the Chief of Police or the authorized designee 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.

(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 immigrant, Muslim, Arab, LGBTQ, Black or African-American, Jewish, and Sikh persons and persons with disabilities.

(i) Coordinating with the Personnel and Training Sergeant to develop a schedule of required hate-crime training and 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.

1. Ensure the California Department of Justice crime data is posted monthly on the Department website (Penal Code § 13023).

(l) Reporting any suspected multi-mission extremist crimes to the Department 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) Submitting required hate crime materials to the California Department of Justice in accordance with the timeline established by state law (Penal Code § 13023).

(o) Annually assessing this policy, including:

1. Keeping abreast of POST model policy framework for hate crimes for revisions or additions, including definitions, responsibilities, training resources, the supplemental hate crime report, and planning and prevention methods.
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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.

319.3.2 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.
(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 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.

319.4 RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP

319.4.1 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:
Hate Crimes

(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.

(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 § 7923.615.
   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).
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(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).


319.4.2 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.
   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.
Hate Crimes

(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.

(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).


(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.

319.4.3 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 § 7923.615) 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.
Hate Crimes

(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 officer to specific locations that could become targets).

(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.

319.5 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, gender bias, and religion bias.

(b) Accurate reporting by officers, including information on the general underreporting of hate crimes.

(c) Distribution of hate crime brochures.

319.6 APPENDIX
See attachments:

Statutes and Legal Requirements.pdf
Hate Crime Checklist.pdf
Supplemental Hate Crime Report.pdf
Standards of Conduct

320.1 PURPOSE AND SCOPE
This policy establishes standards of conduct that are consistent with the values and mission of the Beverly Hills 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.

320.2 POLICY
The continued employment or appointment of every member of the Beverly Hills 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.

320.3 DIRECTIVES AND ORDERS
Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

320.3.1 UNLAWFUL OR CONFLICTING ORDERS
Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.
Standards of Conduct

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

320.3.2 SUPERVISOR RESPONSIBILITIES
Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

(d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

320.4 GENERAL STANDARDS
Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

This policy is not intended to cover every possible type of misconduct.

320.5 CAUSES FOR DISCIPLINE
The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

320.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.
Standards of Conduct

320.5.2 ETHICS

(a) Using or disclosing one’s status as a member of the Beverly Hills Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for nondepartment business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member’s duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel or services.

(g) Any other failure to abide by the standards of ethical conduct.

320.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

320.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one’s official capacity.

(b) Engaging in on-duty sexual activity, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect, or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the member knows or reasonably should know 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 this department.

(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

(f) Participation in a law enforcement gang as defined by Penal Code § 13670. Participation is grounds for termination (Penal Code § 13670).
Standards of Conduct

320.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.

(a) Members of this department shall not disclose the name, address, or image of any victim of human trafficking except as authorized by law (Penal Code § 293).

(b) Disclosing to any unauthorized person any active investigation information.

(c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

(a) It is a misdemeanor for a first responder, operating under color of authority, who responds to the scene of an accident or crime and captures the photographic image of a deceased person by any means, including, but not limited to, by use of a personal electronic device or a device belonging to their employing agency, for any purpose other than an official law enforcement purpose or a genuine public interest (Penal Code § 647.9).

(d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

(e) 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.

320.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.

(d) Unauthorized sleeping during on-duty time or assignments.
Standards of Conduct

(e) Failure to notify the Department within 24 hours of any change in residence address or contact telephone numbers.

320.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any workrelated investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

(c) Failure to participate in, or 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.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on department premises.
2. At any work site, while on duty or while in uniform, or while using any department equipment or system.
3. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

1. Unauthorized attendance while on duty at official legislative or political sessions.
2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on duty or, on department property except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

(i) Any act on or off duty that brings discredit to this department.

320.5.9 CONDUCT
Standards of Conduct

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous or disrespectful treatment of any member of the public or any member of this department or the City.

(g) Discriminatory treatment of any member of the public or any member of this department or the City.

(h) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

(i) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.

(j) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

(k) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(l) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.

(m) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(n) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

320.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
Standards of Conduct

(d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member’s appointing authority.

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic collision.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

320.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member’s ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.
Information Technology Use

321.1 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. This Department follows the City’s Administrative Regulations (AR), entitled Information Systems Acceptable Use Policy. Members are responsible for abiding by the City AR, Information Systems Acceptable Use Policy.
Department Use of Social Media

322.1 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).

322.1.1 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

322.2 POLICY
The Beverly Hills 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.

322.3 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.

322.4 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.

Examples of appropriate content include:
Department Use of Social Media

(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.

322.4.1 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.

322.5 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 Beverly Hills 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 the content is reviewed/investigated and the appropriate action is taken.

322.5.1 PUBLIC POSTING PROHIBITED
Department social media sites shall have the ability to receive public comments/postings. Department social media sites shall be monitored by authorized members to ensure appropriate content.
Department Use of Social Media

The Department may provide a method for members of the public to contact department members directly.

Public comments containing any of the following content shall not be permitted:

- Content that is unlawful, abusive, obscene, discriminatory, inflammatory or sexually explicit.
- Any information that could compromise an ongoing criminal investigation.
- Any information that could compromise the safety and security of city employees, victims, suspects or the public or violates constitutionally protected privacy rights.
- Threats of violence or injury to any person, property, or organization.
- Content that promotes, fosters, perpetuates discrimination on the basis of race, color, creed, sex, age, religion, national origin or ancestry, physical or mental disability, veteran status, parentage, marital status, medical condition, sexual identity, sexual orientation, as well as any other category protected by federal, state, or local laws.

Comments that do not violate this policy, regardless of whether they are favorable or unfavorable to the City of Beverly Hills and/or the police department, shall be allowed to remain.

322.5.2 REMOVING AND ARCHIVING PROHIBITED POSTINGS

Social media postings are subject to Public Records Act. If a public posting is prohibited under this policy, the preferred method to remove the posting is to archive or hide the posting if the social media platform offers this functionality. In the case where archiving or hiding the prohibited posting is not possible due to limitation sof the social media platform, the user should complete the following:

- Obtain approval from the Social Media Team sergeant or lieutenant to remove the post.
- Take a screenshot of the post prior to deletion.
- Delete the post.
- File the screenshot of the prohibited post in the Prohibited Posts file folder.

322.5.3 POSTING BOOKING PHOTOS ON SOCIAL MEDIA

The Beverly Hills Police Department is permitted to post booking photos of individuals arrested, but not convicted, on suspicion of committing violent crimes. It is prohibited to post or share booking photos of individuals arrested, but not convicted, on suspicion of committing a nonviolent crime unless:

- The suspect is a fugitive or an imminent threat to an individual or public safety and publishing the image will assist in locating the suspect or reducing the threat.
- A judge orders the release or publication of the suspect's image based on a finding that doing so furthers a legitimate law enforcement interest.
- An exigent circumstance exists that necessitates publication of the suspect's image to further an urgent and legitimate law enforcement interest.
Department Use of Social Media

Should the Beverly Hills Police Department share a booking photo via social media of an individual arrested on suspicion of committing a nonviolent crime, the department shall remove the booking from its social media page within 14 days, upon the request of the individual of the post or that individual's representative.

Individuals arrested on suspicion of committing a violent crime may also request that their booking photo be removed, and the department must do so within 14 days of the request if the following are found to be true:

- The individual's record has been sealed.
- The individual's conviction has been dismissed, expunged, pardoned or eradicated pursuant to the law.
- The individual has been issued a certificate of rehabilitation.
- The individual was found not guilty of the crime which they were arrested.
- The individual was ultimately not charged with the crime or the charges were dismissed.

322.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to periodically review the department's social media platforms and report back on the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

322.7 RETENTION OF RECORDS

The Executive Officer or the authorized designee 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.

322.8 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.
Report Preparation

323.1 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.

323.1.1 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.

323.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

323.2.1 CRIMINAL ACTIVITY
When an officer responds to a call for service and determines 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 and misdemeanor crimes
(c) Incidents involving threats or stalking behavior
(d) Situations covered by separate policy. These include:
   (a) Use of Force Policy
   (b) Domestic Violence Policy
323.2.2 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

323.2.3 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
Report Preparation

(c) Homicide or suspected homicide
(d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death)
(e) Found dead bodies or body parts

323.2.4 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.

323.2.5 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.

323.2.6 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).

323.2.7 ALTERNATE REPORTING FOR VICTIMS
Reports that may be submitted by the public via online or other self-completed reporting processes include:

(a) Lost property
(b) Misdemeanor vandalism with no suspect information and no hate crime implications
(c) Annoying telephone calls with no suspect information
(d) Supplemental property lists

Members at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

323.3 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. An incomplete report, unorganized reports 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.

323.3.1 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 department consistency.

323.3.2 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.

323.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should reject the report and note the areas in need of correction. The original report 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.

323.5 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.

323.6 ELECTRONIC SIGNATURES
The Beverly Hills Police Department has established an electronic signature procedure for use by all employees of the Beverly Hills Police Department. The Administrative Services 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.
- 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.
Media Relations

324.1 PURPOSE AND SCOPE
This policy provides guidelines for the release of official Department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities.

324.2 POLICY
It is the policy of the Beverly Hills Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

324.3 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders and designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and the applicable laws regarding confidentiality.

324.3.1 ASSIGNMENT OF ACTING PIO
Pending the arrival of the PIO, the Incident Commander at the scene of a serious police incident shall, as soon as practicable, assign an officer of the highest subordinate rank to be the Acting PIO. The appointed officer shall be responsible for assisting press representatives in the performance of their functions until the arrival of the Department PIO.

324.4 PROVIDING ADVANCE INFORMATION
To protect the safety and rights of Department members 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 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 a 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.

324.5 MEDIA REQUESTS
Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

(a) At no time shall any member of this Department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
Media Relations

(b) In situations involving multiple agencies or government departments, 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. Under these circumstances the member should direct the media to the agency handling the incident.

324.6 ACCESS
Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities as required by law.

Access by the media is 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. Media representatives may not bring or facilitate the transport of an unauthorized person into a closed area unless it is for the safety of the person.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Based upon available resources, 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 PIO or other designated spokesperson.

(c) No member of this Department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member (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 express consent of the person in custody.

324.6.1 MEDIA RELEASES

MEDIA RELEASES

324.6.2 CRITICAL OPERATIONS
A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize
Media Relations

a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

324.6.3 TEMPORARY FLIGHT RESTRICTIONS
Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper 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 (FAA) should be contacted (14 CFR 91.137).

324.7 CONFIDENTIAL OR RESTRICTED INFORMATION
It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

324.7.1 EMPLOYEE INFORMATION
The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Watch Commander or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws.

324.8 RELEASE OF INFORMATION
The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents, or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the Department website or other electronic data sources.

324.8.1 ACCESS TO CRIME AND ARREST INFORMATION
Every 24 hours, the city publishes information related to crimes and adult arrestees on the city's website for media access.

(a) https://www.beverlyhills.org/Archive.aspx?AMID=40
(b) https://www.crimemapping.com/
(c) https://gis.beverlyhills.org/VBH/CrimeMap/
Media Relations

Requests for additional information shall be directed to the Public Information Officer (PIO) and/or to the Records Manager for PRA requests.
Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE
This policy establishes the guidelines for department members who must appear in court. It will allow the Beverly Hills Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

325.2 POLICY
Beverly Hills Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

325.3 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 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)).

325.3.1 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.
Subpoenas and Court Appearances

(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 Beverly Hills Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Beverly Hills 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.

325.3.2 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.

325.3.3 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.

325.3.4 SERVING SUBPOENAS

- Department Personnel:
  - All subpoenas issued to department personnel are served through the Department's Online Subpoena System. Once the subpoena is either manually or automatically entered into the Online Subpoena System, an email notification is immediately sent to the subpoenaed member. Upon receipt of the email notification, the member shall login to the Online Subpoena System and review the subpoena. This process modifies the status from UNREAD to READ and meets subpoena service requirements.

- Service of Outside Law Enforcement Agency Personnel:
  - Subpoenas for outside agency personnel will normally be served by fax to the appropriate Court Liaison Officer of that agency.

- Service of Civilians:
  - Civilian witnesses will normally be served by mail or fax with a preceding phone call identifying the witness by name. If the witness is served by mail, the witness's date of birth and driver's license number must be written on the subpoena for verification (Penal Code § 1328d). If a witness cannot be reached by phone, the
Subpoenas and Court Appearances

Subpoena Cadet will contact the investigating detective concerning delivery of the subpoena.

- Service of Witnesses Located in Other States or Countries:
  - Foreign witnesses will be served on the advice of the detective handling that particular case or in his/her absence or unavailability, the Detective Bureau supervisor or issuing prosecutor’s office.

325.4 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.

325.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

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.

325.6 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.

325.6.1 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.

325.7 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.
Reserve Officers

326.1 PURPOSE AND SCOPE
The Beverly Hills 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 and support other Department operations.

326.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS
The Beverly Hills 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.

326.2.1 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, extended basic academy, or modular academy.

326.2.2 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.

326.2.3 ANNUAL REIMBURSEMENT FOR RESERVE OFFICERS
Reserve officers will be provided an annual flat-rate distribution in the amount of $2,000 as reimbursement for the following costs:

(a) A yearly uniform allowance equal to that of full-time police officers
(b) Fuel, mileage and wear and tear on personal vehicle
(c) Cell phone usage
(d) Supplemental police equipment purchased by the reserve officer
(e) Lost wages due to mandatory court appearances

326.2.4 EMPLOYEES WORKING AS RESERVE OFFICERS
This Department does not currently allow paid Beverly Hills City employee to serve as reserve police officers.

326.3 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 Field Services Division. Reserve officers may be assigned to other areas within the Department as
Reserve Officers

needed. All reserve officers are required to volunteer a minimum of 16 hours per month, averaged annually.

326.3.1 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.

326.3.2 RESERVE OFFICER ASSIGNMENTS
All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

326.3.3 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 overall Reserve Program
(f) Maintaining liaison with other agency Reserve Coordinators

326.4 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.

California POST requires Level I reserve officers to complete 400 hours of field training over a minimum of 10 weeks. The Department extends this training requirement to Level II reserve officers.

When a reserve officer has satisfactorily completed formal training, he/she will have had a minimum requirement of 400 hours of on-duty training.

326.5 LEVEL I RESERVE OFFICERS
Reserve officers certified as Level I may, with prior authorization of the Reserve Coordinator and on approval of the Division 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.
Reserve Officers

In the absence of the Reserve Coordinator and the 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.

326.6 LEVEL II AND LEVEL III RESERVE OFFICERS
Pursuant to Penal Code § 832.6, Level II and III reserve officers are to be supervised as follows:

- Level II reserve officers may be assigned to prevention and detection of crime and the general enforcement of the laws of California while under the immediate supervision of a peace officer who has completed all required training for peace officer basic certification.
- Level II reserve officers may be assigned, without immediate supervision, to those limited duties authorized for Level III reserve officers.
- Level III reserve officers are permitted only to carry out limited support duties not requiring general law enforcement powers in their routine performance; to include:
  - Traffic control
  - Security at parades and sporting events
  - Report taking
  - Event transportation
  - Parking enforcement
  - Other duties not likely to result in physical arrest
- Level III reserve officers, while assigned these duties, shall be supervised in the accessible vicinity by a Level I reserve officer or a full-time police officer. Level III reserve officers may transport prisoners without supervision.

326.7 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.

326.8 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.

326.9 UNIFORM
Reserve officers shall conform to all uniform regulation and appearance standards of this department.
Reserve Officers

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.

326.10 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 Field Services 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.

326.11 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.

326.12 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.

326.12.1 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.

326.12.2 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 plainclothes 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.
**Reserve Officers**

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 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 Beverly Hills Police Department, unless they qualify for a retired peace officer CCW permit (see the Retiree Concealed Firearms Policy).

326.12.3 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 and in accordance with current Department procedures related to firearms training and qualification.

326.13 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL

The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.
Outside Agency Assistance

327.1 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.

327.2 POLICY
It is the policy of the Beverly Hills 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.

327.3 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.

327.3.1 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 Beverly Hills Police Department shall notify his/her supervisor or the Watch Commander and Communications Bureau as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

327.4 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.
Outside Agency Assistance

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

327.5 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.

327.6 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 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 Communications Bureau and the Watch Commander to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Personnel and Training Sergeant should maintain documentation that the appropriate members have received the required training.
Registered Offender Information

328.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Beverly Hills 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.

328.2 POLICY
It is the policy of the Beverly Hills 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.

328.3 REGISTRATION
The Detective Bureau supervisor assigned to Crimes Against Persons (CAPS) 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.

328.3.1 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.).

328.4 MONITORING OF REGISTERED OFFENDERS
The CAPS 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. The assigned investigator should physically confirm residency annually.

(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.

The CAPS supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Beverly Hills Police Department personnel, including timely updates regarding new or relocated registrants.

328.5 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 Beverly Hills Police Department's website. Information on sex registrants placed on the Beverly Hills Police Department's website shall comply with the requirements of Penal Code § 290.46.

The Records Manager may release local registered offender information to residents only in accordance with applicable law and in compliance with a California Public Records Act request (Government Code § 7920.000 et seq.; Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1).

328.5.1 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).
Major Incident Notification

329.1 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.

329.2 POLICY
The Beverly Hills 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.

329.3 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Chief of Police, the Assistant Chief of Police, the affected Division Commander, and the PIO. 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 use of force incident
- Significant injury or death to employee - on or off duty
- Death of a prominent Beverly Hills official
- Arrest of a department employee or prominent Beverly Hills official
- Aircraft crash
- In-custody deaths
- Significant incident involving a member of this department, on or off duty
- Incident of major significance, public interest, or involving a celebrity

329.4 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. If unable to contact via telephone, email notification should be made to Command Staff.
Major Incident Notification

329.4.1 STAFF NOTIFICATION
In the event an incident occurs described in the Major Incident Notification Policy, the Chief of Police and the Assistant Chief of Police shall be notified along with the affected Division Commander and the Detective Lieutenant if that division is affected.

329.4.2 DETECTIVE NOTIFICATION
If the incident requires that a detective respond from home, the designated on-call detectivesupervisor shall be contacted who will then contact the appropriate detective(s).

329.4.3 TRAFFIC BUREAU NOTIFICATION
In the event of a traffic fatality or major injury, the Watch Commander shall notify the Traffic Bureau Commander or authorized designee to relate the circumstances of the traffic collision and seek assistance from the Major Collision Response Team (MCRT).

329.4.4 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.
Death Investigation

330.1 PURPOSE AND SCOPE
The investigations 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.

330.2 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.

330.2.1 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).
Death Investigation

(l) Occupational diseases or occupational hazards.
(m) Known or suspected contagious disease and constituting a public hazard.
(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.

330.2.2 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.

330.2.3 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.
**Death Investigation**

330.2.4 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.

330.2.5 DEATH INVESTIGATION REPORTING
All incidents involving a death shall be documented on the appropriate form.

330.2.6 SUSPECTED HOMICIDE AND UNATTENDED DEATH
If the initially assigned officer suspects that the death involves a homicide, suspicious circumstances or unattended death, the Investigations Division supervisor shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

330.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES
When a workplace death or serious injury or a serious environmental incident occurs in the City, immediate telephonic notification shall be made by the Watch Commander to the Detective Bureau Commander or his designee and the Los Angeles County District Attorney’s Office, District Attorney Command Center.

The California Department of Industrial Relations, Division of Occupational Safety and Health (OSHA), shall be notified within eight hours of a serious injury or death which occurs at a workplace or a serious environmental incident (8 CCR 342(b)). OSHA defines "serious injury or illness" occurring in a place of employment or in connection with any employment as follows:

(a) Requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation.

(b) Suffers a loss of any member of the body, or suffers any serious degree of permanent disfigurement.

(c) Any incident which involves three or more employees who require hospitalization.
Identity Theft

331.1 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.

331.2 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.

PROCEDURES
Communications with Persons with Disabilities

332.1 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.

332.1.1 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.

332.2 POLICY
It is the policy of the Beverly Hills 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.

332.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR
The City of Beverly Hills shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Human Resources Department or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

(a) Working with the Chief of Police or authorized designee regarding the Beverly Hills Police Department’s efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.
Communications with Persons with Disabilities

(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 Public Safety Communications 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.

332.4 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.

332.5 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.
Communications with Persons with Disabilities

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 Beverly Hills 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.

332.6 TYPES OF ASSISTANCE AVAILABLE
Beverly Hills 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.

332.7 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
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may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

332.8 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 speechreading (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).

332.9 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.

332.10 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.
Communications with Persons with Disabilities

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.

332.11 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.

332.12 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.

332.13 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 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.
Communications with Persons with Disabilities

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.

332.13.1 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 speechread 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.

332.14 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 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.
Communications with Persons with Disabilities

332.15 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.

332.16 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.

332.17 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.

332.18 CALL-TAKER TRAINING
Emergency call-takers shall be trained in the use of TTY equipment protocols and Text to 911 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.
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(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, Text to 911 and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all Communications Bureau 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.
Private Persons Arrests

333.1 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.

333.2 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.

333.3 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.

333.4 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.

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
Private Persons Arrests

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

333.5 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 form 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.
Limited English Proficiency Services

335.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

335.1.1 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 Beverly Hills 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).

335.2 POLICY
It is the policy of the Beverly Hills 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.

335.3 LEP COORDINATOR
The City HR Department handles LEP Coordinator responsibilities.

335.4 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
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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.

(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.

335.5 TYPES OF LEP ASSISTANCE AVAILABLE
Beverly Hills 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.

335.6 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.

335.7 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.

335.8 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
Limited English Proficiency Services

non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

The Department does not currently have a program to qualify bilingual members. The contracted language line should be contacted or assistance from a neighboring jurisdiction may be requested.

335.9 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.

335.9.1 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.
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335.9.2 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.

335.10 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.

335.11 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 Communications Bureau, 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.

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.
Limited English Proficiency Services

335.12 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.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

335.13 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 or in the language of their request by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card. This shall also apply to consent searches.

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.

335.14 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 or the language of their request by the qualified bilingual member or an authorized interpreter.
Limited English Proficiency Services

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.

335.15 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.

335.16 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.

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.

335.17 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.

335.18 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.

The Personnel and 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 Personnel and 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.
Limited English Proficiency Services

335.18.1 TRAINING FOR AUTHORIZED INTERPRETERS
All members on the qualified interpreter list shall abide by the City's policy and/or guidelines on interpreter training.
Mandatory Notification to School Employers

336.1 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.

336.2 POLICY
The Beverly Hills Police Department will meet the reporting requirements of California law to minimize the risks to children and others.

336.3 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.

336.3.1 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).

336.3.2 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).

336.3.3 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).
Mandatory Notification to School Employers

336.3.4 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).

336.4 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).
Biological Samples

337.1 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.

337.2 POLICY
The Beverly Hills 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.

337.3 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.

337.4 PROCEDURE
When an individual is required to provide a biological sample, a trained employee shall obtain the sample in accordance with this policy.

337.4.1 COLLECTION
The following steps should be taken to collect a sample:

(a) Verify the individual is required to provide a sample pursuant to Penal Code § 296; Penal Code § 296.1.
(b) Verify 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.

337.5 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
**Biological Samples**

with the approval of a supervisor. 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.

337.5.1 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).

337.5.2 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).

337.6 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

337.6.1 DOCUMENTATION RELATED TO FORCE
The Watch Commander or the on-duty authorized designee 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.

337.6.2 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.
Biological Samples

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)).

337.6.3 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.
Chaplains

338.1 PURPOSE AND SCOPE
This policy establishes the guidelines for Beverly Hills Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

338.2 POLICY
The Beverly Hills Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

338.3 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.

338.4 RECRUITMENT, SELECTION AND APPOINTMENT
The Beverly Hills 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.

338.4.1 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.
Chaplains

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.

338.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Ballistic vests shall be supplied by the Department upon request. 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 Beverly Hills Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Beverly Hills Police Department identification cards, with the exception that "Police 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.

338.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to the Executive Officer to serve as the chaplain coordinator.

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.
(g) Completing and disseminating, as appropriate, all necessary paperwork and information.
(h) Planning periodic recognition events.
Chaplains

(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.

338.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Field Services 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 Beverly Hills Police Department.

Chaplains may officiate as clergy at memorial or ceremonial functions involving the Department.

338.7.1 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.

338.7.2 OPERATIONAL GUIDELINES

(a) Chaplains shall be permitted to ride with officers during any shift and observe Beverly Hills Police Department operations, provided the Watch Commander has been notified and has approved the activity.

(b) Chaplains shall not be evaluators of members of the Department.

(c) In responding to incidents, a chaplain shall never function as an officer.

(d) 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.

(e) Each chaplain may request to 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.

338.7.4 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.
Chaplains

(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.

338.7.3 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.

338.7.5 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.

(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.

338.7.6 CHAPLAIN MEETINGS
All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.
Chaplains

338.8 PRIVILEGED COMMUNICATIONS
No person who provides chaplain services to members of the Department may work or volunteer for the Beverly Hills 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 Beverly Hills Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

338.9 TRAINING
The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Personnel and 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
- Officer injury or death
- Sensitivity and diversity
Public Safety Video Security System

339.1 PURPOSE AND SCOPE
This policy provides guidance for the placement and monitoring of department public safety video security systems (e.g., Closed Circuit Television Video System [CCTV]), as well as the storage and release of the captured images. The Beverly Hills Police Department CCTV program will enhance public safety by improving the Department's ability to:

- Deter criminal activity
- Respond to public safety needs
- Investigation of criminal activity
- Identify and apprehend crime participants and serve as an aid to the successful prosecution of those responsible for criminal acts.

This policy only applies to overt, marked public safety video security 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.

339.2 POLICY
The Beverly Hills Police Department operates a public safety video security 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 security systems in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy. The guidelines set forth in this policy are intended to ensure the cameras are reasonably and properly operated and comply with the intent of the City program and in compliance with State and Federal laws.

339.3 OPERATIONAL GUIDELINES
Only department-approved video security equipment shall be utilized. Members authorized to monitor video security 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 security technology and should consult with and be guided by legal counsel as necessary in making such determinations.

This policy is not intended to create an affirmative duty on the part of the live monitor, whether on a continuous or periodic basis, the system located in public places. Installation of the system is not designed to benefit specific individuals, businesses, entities or groups and shall create no special relationship with any specific person or party. The system may be live monitored on a case by case basis, as deemed appropriate.
**Public Safety Video Security System**

339.3.1 PLACEMENT AND MONITORING
Camera placement will be guided by the underlying purpose or strategy associated with the overall video security 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 security 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.
(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 Communications Bureau. 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 Communications Bureau 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 security 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.

339.3.2 INTEGRATION WITH OTHER TECHNOLOGY
The Department may elect to integrate its public safety video security 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.
339.4 VIDEO SUPERVISION
Supervisors should monitor video security access and usage to ensure members are within department policy and applicable laws. Access and viewing shall be in the course of legitimate police business and on a need-to-know/right-to-know basis. Supervisors should ensure such use and access is appropriately documented.

339.4.1 PROHIBITED ACTIVITY
Public safety video security 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 security 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 security equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

339.5 EMERGENCY ACCESS TO SCHOOL DISTRICT CCTV SYSTEM
In connection with an active emergency situation only; and when necessary to protect the health or safety of a pupil or other persons, the School District shall allow the City’s police personnel to access the District's CCTV camera feeds pursuant to 20 USC Section 1232g(b)(1)(I) and California Education Code Section 49076(a)(2)(A). In providing access to the CCTV camera feeds, the District shall comply with the terms of the current memorandum of understanding.

In the event of a non-emergency situation, or for the purposes of investigating a crime or incident, if necessary to obtain express permission for an authorized representative of the School District prior to viewing live or recorded video from District CCTV camera feeds.

Any access to school cameras for maintenance purposes shall be coordinated with the BHUSD Superintendent, or authorized designee, prior to this access. The Special Projects Bureau shall maintain a record of all such access.

339.6 STORAGE AND RETENTION OF MEDIA
All downloaded media shall be stored in a secure area with access restricted to authorized persons. Images will be digitally stored on secure servers located in the City of Beverly Hills Information Technology (IT) Department to facilitate prompt retrieval for investigative purposes and/or transferred to a tape medium for the remainder of the storage period. 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.

The type of video security technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule and for thirteen months (395 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.

339.6.1 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.

339.7 RELEASE OF VIDEO IMAGES
All recorded video images gathered by the public safety video security equipment are for the official use of the Beverly Hills Police Department. Video images stored on servers may be accessed and retrieved by authorized personnel only.

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.

339.8 VIDEO SURVEILLANCE AUDIT
The Chief of Police or the authorized designee will conduct an annual review of the public safety video security system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

339.9 TRAINING
All department members authorized to operate or access public video security 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 address state and federal law related to the use of video
Public Safety Video Security System

security equipment and privacy. Training shall be documented and acknowledged in writing by both the member receiving the training and providing the training.
Child and Dependent Adult Safety

340.1 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 Senior and Disability Victimization policies.

340.2 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 Beverly Hills 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.

340.3 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.
Child and Dependent Adult Safety

340.3.1 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. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) 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.
   1. 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.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.

(e) 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.

340.3.2 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)).
Child and Dependent Adult Safety

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.

340.3.3 REPORTING

(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member 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

340.3.4 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.

340.4 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.
Child and Dependent Adult Safety

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

340.5 TRAINING
The Personnel and 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).
Service Animals

341.1 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).

341.1.1 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)).

341.2 POLICY
It is the policy of the Beverly Hills 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.

341.3 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.
Service Animals

- 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 schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

341.4 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 Beverly Hills Police Department affords to all members of the public (28 CFR 35.136).

341.4.1 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.

341.4.2 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.

341.4.3 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.
Service Animals

341.4.4 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 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).
Volunteer Program

342.1 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.

342.1.1 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 (see Reserve Officer policy), interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

342.2 VOLUNTEER MANAGEMENT

342.2.1 VOLUNTEER COORDINATOR
The Volunteer Coordinator shall be appointed by the Executive Officer. 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.
**Volunteer Program**

342.2.2 RECRUITMENT
Volunteers should be recruited on an as-needed 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. 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.

342.2.3 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 (last 5 years)

(c) Volunteer Background Questionnaire

(d) Local law enforcement agency checks

A polygraph exam may be required of each applicant depending on the type of assignment.

Reserve Officers are subject to the complete sworn officer background process consistent with P.O.S,T, standards.

342.2.4 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 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. All volunteers 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.

342.2.5 TRAINING
Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment.
Volunteer Program

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 and/or the City of Beverly Hills.

342.2.6 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.

342.2.7 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.

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.

342.3 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
Volunteer Program

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.

342.4 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.

342.5 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.

342.5.1 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.
Volunteer Program

(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.

342.5.2 RADIO AND MDT USAGE
Volunteers shall successfully complete CLETS and radio procedures training prior to using the police radio or MDT and comply with all related provisions. The Volunteer Coordinator should ensure that radio and CLETS training is provided for volunteers whenever necessary.

342.6 DISCIPLINARY PROCEDURES/TERMINATION
A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. 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 written notice of their departure and a reason for their decision.

342.6.1 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.

342.7 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.
Off-Duty Law Enforcement Actions

343.1 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 Beverly Hills Police Department with respect to taking law enforcement action while off-duty.

343.2 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.

343.3 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 badge and 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.

343.4 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.

(c) The lack of equipment, such as handcuffs, OC or baton.
Off-Duty Law Enforcement Actions

(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.

343.4.1 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 Beverly Hills Police Department officer until acknowledged. Official identification should also be displayed.

343.4.2 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.

343.4.3 NON-SWORN RESPONSIBILITIES
Non-sworn 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.

343.4.4 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.

343.5 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 make Command Staff notifications of the incident and provide appropriate direction to the officer.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Gun Violence Restraining Orders

344.1 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).

344.1.1 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).

344.2 POLICY
It is the policy of the Beverly Hills Police Department to petition for 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.

344.3 GUN VIOLENCE RESTRAINING ORDERS
An officer who reasonably believes a person is a present danger to self or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from the officer's 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 submit the petition electronically or orally request a temporary order (Penal Code § 18122; Penal Code § 18140).

344.3.1 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.
Gun Violence Restraining Orders

(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).

344.4 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 firearms, 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 Records Bureau 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.

344.4.1 TEMPORARY EMERGENCY GUN VIOLENCE RESTRAINING ORDERS

An officer requesting a gun violence restraining order shall (Penal Code § 18140):

(a) For oral requests, sign a declaration under penalty of perjury reciting the oral statements provided to the judicial officer and memorialize the order of the court on the form approved by the Judicial Council.

(b) Serve the order on the restrained person if the restrained person can be reasonably located.

(c) Forward a copy of the order to the Records Bureau for filing with the court and appropriate databases.
Gun Violence Restraining Orders

344.5 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.

344.6 THE RECORDS MANAGER RESPONSIBILITIES
The 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) Temporary orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).

(c) Copies of temporary orders are filed with the court as soon as practicable, but no later than three court days, after issuance (Penal Code § 18140).

(d) 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).

(e) 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).
Gun Violence Restraining Orders

344.7 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:

(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.

344.8 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.

344.9 GUN VIOLENCE RESTRAINING ORDER COORDINATOR
The Chief of Police will appoint a 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.

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 Records and Jail 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 Personnel and 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).

344.10 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).

344.11 TRAINING
The Personnel and Training Sergeant should ensure that members receive periodic training on the requirements of this policy (Penal Code § 18108).
Gun Violence Restraining Orders

344.12 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS
The Detective Bureau supervisor 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).
Community Relations

345.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for community relationship-building. Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

345.2 POLICY
It is the policy of the Beverly Hills Police Department to promote positive relationships between members of the department and the community by treating the general public with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

345.3 MEMBER RESPONSIBILITIES
Officers should, as time and circumstances reasonably permit:

(a) Make casual and consensual contacts with general public to promote positive community relationships (see the Detentions and Photographing Detainees Policy).
(b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
(c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.
(d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify the Communications Bureau of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform the Communications Bureau of their location and status during the foot patrol.

345.4 COMMUNITY RELATIONS COORDINATOR
The Chief of Police or the authorized designee should designate a member of the Department to serve as the community relations coordinator. He/she should report directly to the Chief of Police or authorized designee and is responsible for:

(a) Obtaining department-approved training related to his/her responsibilities.
Community Relations

(b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.

(c) Organizing surveys to measure the condition of the department’s relationship with the community.

(d) Working with community groups, department members and other community resources to:
   (a) Identify and solve public safety problems within the community.
   (b) Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.

(e) Recognizing department and community members for exceptional work or performance in community relations efforts.

(f) Attending City council and other community meetings to obtain information on community relations needs.

(g) Assisting with the department’s response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.

(h) Informing the Chief of Police and others of developments and needs related to the furtherance of the department’s community relations goals, as appropriate.

345.5 SURVEYS
The community relations coordinator should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

(a) Overall performance of the Department
(b) Overall competence of department members
(c) Attitude and behavior of department members
(d) Level of community trust in the Department
(e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.

345.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS
The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

(a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
(b) Police-community get-togethers (e.g., cookouts, meals, charity events).
Community Relations

(c) Youth leadership and life skills mentoring.
(d) Disaster Communications System (DCS)
(e) Neighborhood Watch, National Night Out, and crime prevention programs.
(f) Police youth camps

345.7 INFORMATION SHARING
The community relations coordinator should work with the Public Information Officer to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between department and community members. Examples of information-sharing methods include:

(a) Community meetings.
(b) Social media (see the Department Use of Social Media Policy).
(c) Department website postings.

Information should be regularly refreshed, to inform and engage community members continuously.

345.8 LAW ENFORCEMENT OPERATIONS EDUCATION
The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

(a) Development and distribution of informational cards/flyers.
(b) Department website postings.
(c) Presentations to driver education classes.
(d) Instruction in schools.
(e) Department ride-alongs (see the Ride-Along Policy).
(f) Scenario/Simulation exercises with community member participation.
(g) Youth internships at the Department.
(h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the department regarding alleged misconduct or inappropriate job performance by department members.

345.9 SAFETY AND OTHER CONSIDERATIONS
Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.
**Community Relations**

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

**345.10 TRANSPARENCY**

The Department should periodically publish statistical data and analysis regarding the department’s operations. The reports should not contain the names of officers, suspects or case numbers. The community relations coordinator should work with the community advisory committee to identify information that may increase transparency regarding department operations.

**345.11 TRAINING**

Subject to available resources and department needs, members should receive training related to this policy, including training on topics such as:

(a) Effective social interaction and communication skills.

(b) Cultural, racial and ethnic diversity and relations.

(c) Building community partnerships.

(d) Community policing and problem-solving principles.

(e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.
INCIDENT REVIEW BOARD

346.1 PURPOSE AND SCOPE
The Beverly Hills Police Department will conduct administrative reviews of specific incidents as deemed appropriate by the Chief of Police or designee. The intention of this policy is to review incidents for adherence to Department policies and procedures. The Board may recommend changes in policy, procedure, tactics, training or equipment to better prepare and equip officers to meet the challenges they face in the field. The Incident Review Board does not make disciplinary recommendations and in most cases, the Board will conduct reviews of incidents after the conclusion of a Professional Standards Unit investigation if applicable.

346.2 POLICY
It is the policy of this Department to convene an Incident Review Board (IRB) when the following incidents occur:

(a) Officer Involved Shootings (OIS)
(b) In-Custody Deaths
(c) On-Duty death or serious injury to a Department employee
(d) Vehicle Pursuits
(e) Category 2 and Category 3 Uses of Force
(f) Show of Force incidents referred to the Board by the Personnel and Training Bureau Training Sergeant
(g) Canine Bites
(h) Traffic collisions involving police vehicles resulting in injury or significant property damage
(i) Traffic collisions involving police vehicles operating Code-3, regardless of injury
(j) Incidents in which lifesaving efforts were made by a police employee(s)
(k) Any other incident or occurrence deemed appropriate by the Chief of Police or designee

346.3 COMPOSITION OF THE BOARD
The Board shall be comprised of the following members:

(a) Field, Investigative and/or Administrative Division Commanders (Voting)
(b) Lieutenant Watch Commander (Non-voting)
(c) Personnel and Training Bureau Lieutenant (Voting)
(d) Personnel and Training Bureau Training Sergeant/Training Subject Matter Expert (Non-voting)
(e) Personnel and Training Policy & Compliance Sergeant (Voting)
(f) Other relevant Subject Matter Experts when applicable (Non-voting)
INCIDENT REVIEW BOARD

(g) Communications Manager (for Vehicle Pursuit reviews and other significant incidents involving Communications personnel) (Voting)

(h) Police Officers Association Board Member (Voting)

(i) Peer Officer (Voting)

346.4 PROCEDURE
All incidents referred to in this policy shall be reviewed by the Incident Review Board. The Board will render an opinion, based on a majority vote, regarding policy compliance, training and tactical issues. The Board will assess current policies, procedures, training and equipment, as they relate to the incident under review, and recommend changes when appropriate.

346.5 FINDINGS
The Incident Review Board may make the following determinations:

(a) The incident response was exemplary and merits formal recognition

(b) The incident response was within policy and resulted in no tactical or training concerns

(c) The incident response was within policy; however, training or tactical concerns were identified and referred to the Personnel and Training Bureau for supplemental training or instruction

(d) The incident response was not within policy and the matter was referred to the appropriate Division Command or Professional Standards Unit for further action

(e) If a supervisor was on-scene during the incident under review, the Board shall include a review of the supervisor's decision making and management of the incident.

The findings and recommendations of the Incident Review Board shall be memorialized, by the employee's Division Commander, in a memorandum to the Chief of Police.

346.6 RESPONSIBILITIES OF THE CHIEF OF POLICE
The Chief of Police shall have the final determination on the findings and recommendations. Within 15 days of receiving the Board's findings, the Chief of Police may:

(a) Concur with the Board's findings

(b) Make modifications to the Board's findings

(c) Direct the Board to reconvene for further discussion

Upon final approval of the Chief of Police, the Board shall notify the employee(s) of the outcome within 10 business days.
Chapter 4 - Patrol Operations
Patrol Function

400.1  PURPOSE AND SCOPE
The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2  POLICY
The Beverly Hills Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.3  FUNCTION
Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Beverly Hills. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

(a)  Responding to emergency calls for service.
(b)  Apprehending criminal offenders.
(c)  Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
(d)  Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
(e)  Responding to reports of criminal and non-criminal acts.
(f)  Responding to routine calls for service, such as public assistance or public safety.
(g)  Carrying out crime prevention activities such as residential inspections, business inspections and community presentations.
(h)  Carrying out community oriented policing and problem-solving activities including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
(i)  Directing and controlling traffic.

The following are expectations of officers assigned to patrol:

(a)  Self-initiated activity.
(b)  Traffic enforcement.
(c)  Community outreach/engagement.
(d)  Customer service.
(e)  Effective time management.
**Patrol Function**

(f) Beat integrity and accountability.

### 400.4 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all divisions and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily roll calls and to attend roll calls of other divisions or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and divisions.
Bias-Based Policing

401.1 PURPOSE AND SCOPE
This policy provides guidance to Department members that affirms the Beverly Hills 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).

401.1.1 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). This includes explicit and implicit biases.

401.2 POLICY
The Beverly Hills 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.

401.3 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.

401.3.1 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.
Bias-Based Policing

401.4 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.

401.4.1 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.

401.4.2 REPORTING OF STOPS
Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by Penal Code § 12525.5 and 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple officers conduct a stop, the officer with the highest level of engagement with the person shall collect the data elements and prepare the report (11 CCR 999.227).

If multiple agencies are involved in a stop and the Beverly Hills Police Department is the primary agency, the Beverly Hills Police Department officer shall collect the data elements and prepare the stop data report (11 CCR 999.227).

The stop data report should be completed by the end of the officer's shift or as soon as practicable (11 CCR 999.227).

401.4.3 DISCLOSURE AND DOCUMENTATION OF TRAFFIC OR PEDESTRIAN STOP
An officer conducting a traffic or pedestrian stop shall state the reason for the stop prior to questioning the individual related to a criminal investigation or traffic violation unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, including but not limited to cases of terrorism or kidnapping (Vehicle Code § 2806.5).

Officers shall document the reason for the stop on any citation or report (Vehicle Code § 2806.5).

401.5 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.
**Bias-Based Policing**

1. Supervisors should document these discussions, in the prescribed manner.

   (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.

   (a) Supervisors should document these periodic reviews.

   (b) 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.

401.6 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Professional Standards Unit Manager 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 and Jail Manager for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Bureau Policy.

Supervisors should ensure that data stop reports are provided to the Records and Jail Manager for required annual reporting to the DOJ (Government Code § 12525.5) (See Records Bureau Policy).

401.7 ADMINISTRATION

Each year, the Operations 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.

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.

401.8 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Personnel and Training Bureau.

   (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.
Bias-Based Policing

(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)).
Roll Call Training

402.1 PURPOSE AND SCOPE
Roll Call training is generally conducted at the beginning of the officer’s assigned shift. Roll Call provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call; however officers may conduct Roll Call for training purposes with supervisor approval.

Roll Call 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 Special Orders or changes in policy

(d) Reviewing recent incidents for training purposes

(e) Daily Training Bulletins (DTBs)

(f) Providing training on a variety of subjects

402.2 PREPARATION OF MATERIALS
The supervisor conducting Roll Call 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.

402.3 RETENTION OF ROLL CALL TRAINING RECORDS
Roll Call training materials and a curriculum or summary shall be forwarded to the Personnel and Training Sergeant for inclusion in training records, as appropriate.
Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY
It is the policy of the Beverly Hills 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.

403.3 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.

403.4 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.

403.5 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
Crime and Disaster Scene Integrity

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.

403.5.1 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.

403.6 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).
Crisis Response Unit

404.1 PURPOSE AND SCOPE
The Crisis Response Unit (CRU) is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics Team (SWAT). The unit has 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).

404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY
The Policy Manual sections pertaining to the Crisis Response Unit 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.

404.1.2 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.

404.2 LEVELS OF CAPABILITY/TRAINING

404.2.1 LEVEL I
A level I SWAT team is a basic team capable of providing containment and intervention with critical incidents that exceed the training and resources available to line-level officers. This does not include ad hoc teams of officers that are formed around a specific mission, detail or incident (e.g. active shooter response). Generally 5% of the basic team’s on-duty time should be devoted to training.

404.2.2 LEVEL II
A level II, Intermediate level SWAT team is capable of providing containment and intervention. Additionally, these teams possess tactical capabilities above the Level I teams. These teams may or may not work together on a daily basis, but are intended to respond to incidents as a team. At
Crisis Response Unit

least 5% of their on-duty time should be devoted to training with supplemental training for tactical capabilities above the Level I team.

404.2.3 LEVEL III
A Level III, Advanced level SWAT team is a SWAT team whose personnel function as a full-time unit. Generally 25% of their on-duty time is devoted to training. Level III teams operate in accordance with contemporary best practices. Such units possess both skills and equipment to utilize tactics beyond the capabilities of Level I and Level II teams.

404.3 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 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.

404.3.1 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.

404.3.2 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.
404.3.3 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 CRU 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.

(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.

404.4 TRAINING NEEDS ASSESSMENT
The SWAT/CRU 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. § 1084).

404.4.1 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.

404.4.2 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.

404.4.3 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.
Crisis Response Unit

Command personnel who may assume incident command responsibilities should attend 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.

404.4.4 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 range master 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 the Rangemaster 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 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.

404.4.5 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.
404.4.6 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.

404.4.7 TRAINING DOCUMENTATION
Individual and team training shall be documented and records maintained by the Personnel and Training Bureau. 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.

404.5 UNIFORMS, EQUIPMENT, AND FIREARMS

404.5.1 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.

404.5.2 EQUIPMENT
SWAT teams from this agency should be adequately equipped to meet the specific mission(s) identified by the agency.

404.5.3 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.

404.5.4 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.

404.6 MANAGEMENT/SUPERVISION OF CRISIS RESPONSE UNIT
The Commander of the CRU shall be selected by the Chief of Police upon recommendation of staff.

404.6.1 PRIMARY UNIT MANAGER
Under the direction of the Chief of Police, through the Operations Division Commander, the Crisis Response Unit shall be managed by a lieutenant.

404.6.2 TEAM SUPERVISORS
The Negotiation Team and each Special Weapons and Tactics Team will be supervised by a sergeant.
**Crisis Response Unit**

The team supervisors shall be selected by the Chief of Police upon specific recommendation by staff and the CRU Commander.

The following represent the supervisor responsibilities for the Crisis Response Unit.

(a) The Negotiation Team supervisor's primary responsibility is to supervise the operations of the Negotiation Team which will include deployment, training, first line participation, and other duties as directed by the CRU 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 CRU Commander.

**404.7 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.

**404.7.1 SELECTION OF PERSONNEL**

Interested sworn personnel, who are off probation, shall submit a change of assignment request to their appropriate Division Commander. A copy will be forwarded to the CRU Commander and the Crisis Negotiation Team supervisor. Qualified applicants will then be invited to an oral interview. The oral board will consist of the CRU 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.

(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.

**404.7.2 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.
Crisis Response Unit

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.

404.8 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.

404.8.1 SELECTION OF PERSONNEL
Interested sworn personnel who are off probation shall submit a change of assignment request to their appropriate Division Commander, a copy of which will be forwarded to the CRU Commander and other SWAT supervisors. 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 CRU 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 CRU Commander. Applicants will be evaluated by the following criteria:
1. Recognized competence and ability as evidenced by performance;
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 CRU Commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.
Crisis Response Unit

(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 CRU Commander, for final selection.

404.8.2 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 CRU 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.

404.9 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT
The following procedures serve as guidelines for the operational deployment of the Crisis Response Unit. 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 CRU Commander.

404.9.1 ON-SCENE DETERMINATION
The supervisor in charge on the scene of a particular event will assess whether the Crisis Response Unit is to respond to the scene. Upon final determination by the Watch Commander, he/she will notify the CRU Commander.

404.9.2 APPROPRIATE SITUATIONS FOR USE OF CRISIS RESPONSE UNIT
The following are examples of incidents which may result in the activation of the Crisis Response Unit:

(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.
Crisis Response Unit

404.9.3 OUTSIDE AGENCY REQUESTS
Requests by field personnel for assistance from outside agency crisis units must be approved by the Watch Commander. Deployment of the Beverly Hills Police Department Crisis Response Unit in response to requests by other agencies must be authorized by a Division Commander.

404.9.4 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 Beverly Hills Police Department SWAT team shall operate under the policies, procedures and command of the Beverly Hills Police Department when working in a multi-agency situation.

404.9.5 MOBILIZATION OF CRISIS RESPONSE UNIT
The On-Scene supervisor shall make a request to the Watch Commander for the Crisis Response Unit. The Watch Commander shall then notify the CRU Commander. If unavailable, a team supervisor shall be notified. A current mobilization list shall be maintained in the Watch Commander's office by the CRU Commander. The Watch Commander will then notify the Operations Division Commander as soon as practical.

The Watch Commander should advise the CRU 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.

(h) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.

The CRU Commander or supervisor shall then call selected officers to respond.

404.9.6 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.

404.9.7 ON-SCENE COMMAND RESPONSIBILITIES
Upon arrival of the Crisis Response Unit at the scene, the Incident Commander shall brief the CRU Commander and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the CRU Commander, whether to deploy the Crisis Response Unit. Once the Incident Commander authorizes deployment, the CRU 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 the Crisis Response Unit. The Incident Commander and the CRU Commander (or his or her designee) shall maintain communications at all times.

404.9.8 COMMUNICATION WITH CRISIS RESPONSE UNIT PERSONNEL
All of those persons who are non-Crisis Response Unit 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 Crisis Team personnel directly. All non-emergency communications shall be channeled through the Negotiation Team Sergeant or his or her designee.
Hazardous Material Response

406.1 PURPOSE AND SCOPE
Exposure to hazardous materials presents potential harm to Department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities. To comply with 8 CCR § 5194, the following is to be the policy of this Department.

406.1.1 DEFINITIONS
Definitions related to this policy include:

Hazardous material – A substance which, by its nature, containment, or 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.

406.2 HAZARDOUS MATERIAL RESPONSE
Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When members 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 Code § 79355).

406.3 REPORTING EXPOSURE
Department members 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 member in an employee memorandum that shall be forwarded via chain of command to the Watch Commander as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.
Hazardous Material Response

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 as applicable.

406.3.1 SUPERVISOR RESPONSIBILITY
When a supervisor has been informed that a member has been exposed to a hazardous material, the supervisor shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of members, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Fire Department.
Hostage and Barricade Incidents

407.1 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.

407.1.1 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.

407.2 POLICY
It is the policy of the Beverly Hills 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.

407.3 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.

407.3.1 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,
**Hostage and Barricade Incidents**

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.

**407.4 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.

**407.4.1 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.
Hostage and Barricade Incidents

(c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support, SWAT).

(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.

407.4.2 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, SWAT, LA County Sheriff's Special Enforcement Bureau (SEB)).

(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.
Hostage and Barricade Incidents

(h) Coordinate pursuit or surveillance vehicles and control of travel routes.

(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.

407.5 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 a CNT/SWAT response if appropriate and apprising the Emergency Services Bureau (ESB) 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.
Hostage and Barricade Incidents

(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 Communications Bureau.

(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.

407.6 EMERGENCY SERVICES BUREAU RESPONSIBILITIES
The Incident Commander will decide, with input from the ESB Commander, whether to deploy CNT/SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the ESB 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 ESB. The Incident Commander and the ESB Commander or the authorized designee shall maintain communications at all times.

407.7 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.
Response to Bomb Calls

408.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to assist members of the Beverly Hills 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.

408.2 POLICY
It is the policy of the Beverly Hills Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.3 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.

408.4 GOVERNMENT FACILITY OR PROPERTY
A bomb threat targeting a government facility may require a different response based on the government agency.

408.4.1 BEVERLY HILLS POLICE DEPARTMENT FACILITY
If the bomb threat is against the Beverly Hills 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.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY
If the bomb threat is against a county or municipal facility within the jurisdiction of the Beverly Hills 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.
Response to Bomb Calls

408.4.3 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.

408.5 PRIVATE FACILITY OR PROPERTY
When a member of this department receives notification of a bomb threat at a location in the City of Beverly Hills, 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.

408.5.1 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.
Response to Bomb Calls

(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.

408.6 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 Los Angeles Sheriff's Department bomb squad 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. Evacuation of at least 300 feet is recommended. Evacuation area may be modified based upon the size of the suspicious item and the recommendation of the Bomb Squad. Floors immediately above and below a suspicious device in a multistory structure should also be evacuated.

(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.
Response to Bomb Calls

(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.
   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.

408.7 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.

408.7.1 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.
(j) Limited radio transmissions until device rendered safe.

408.7.2 NOTIFICATIONS
When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Los Angeles Sheriff’s Department bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
Response to Bomb Calls

- Watch Commander
- Chief of Police
- Assistant Chief of Police
- 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

408.7.3 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.

408.7.4 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.
Crisis Intervention Incidents

409.1 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.

409.1.1 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.

409.2 POLICY
The Beverly Hills 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.

409.3 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

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.
Crisis Intervention Incidents

409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS
The Chief of Police should designate an appropriate Division Commander 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.

409.5 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.

  (k) If circumstances reasonably permit, consider and employ alternatives to force.
Crisis Intervention Incidents

409.6 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.

409.7 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.

409.8 SUPERVISOR RESPONSIBILITIES
A supervisor shall, unless other exigent circumstances exist, respond to the scene of any interaction with a person in crisis. Responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.
**Crisis Intervention Incidents**

(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 Commander.

Evaluate whether a critical incident stress management debriefing for involved members is warranted.

**409.9 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.

**409.9.1 DIVERSION**

Individuals who are not being arrested should be processed in accordance with the Mental Illness Commitments Policy.

**409.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS**

Non-sworn 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 may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

**409.11 EVALUATION**

The Division Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to
Crisis Intervention Incidents

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.

409.12 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).
Mental Illness Commitments

410.1 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).

410.2 POLICY
It is the policy of the Beverly Hills Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

410.3 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

410.3.1 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.

410.4 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:
Mental Illness Commitments

(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.

410.4.1 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).

410.5 TRANSPORTATION
When transporting any individual for a 5150 commitment, the transporting officer should have Communications Bureau 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, the Watch Commander should be notified before transport commences.

410.6 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 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.

### 410.7 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.

#### 410.7.1 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).

### 410.8 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.
Mental Illness Commitments

(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.

410.9   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).

410.9.1   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 Detective Bureau, 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.

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 the failure to do so will result in the forfeiture of any confiscated weapon.
Mental Illness Commitments

410.10 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.
Cite and Release Policy

411.1 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.

411.2 POLICY
It is the policy of the Beverly Hills 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.

411.3 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 person’s 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 they deem necessary to ensure that the defendant understands their written promise to appear.

411.3.1 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.

411.3.2 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.

411.4 NON-RELEASE
Cite and Release Policy

411.4.1 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) 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)
(f) Stalking (Penal Code § 646.9)
(g) 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)

411.4.2 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 they could be a danger to themselves 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 their own safety
   1. The Beverly Hills 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) There are one or more outstanding arrest warrants for the person (see Misdemeanor Warrants elsewhere in this policy).
(e) The person could not provide satisfactory evidence of personal identification.
Cite and Release Policy

1. If a person released on citation does not have satisfactory identification in their possession, a right thumbprint or fingerprint should be obtained on the citation form.

   (f) 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.

   (g) 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.

   (h) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.

   (i) 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. Reasons may include:

      1. Previous failure to appear is on record
      2. The person lacks ties to the area, such as a residence, job, or family
      3. 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 a non-release form. This form shall be submitted to the Watch Commander for approval and included with the booking record.

411.4.3 FELONY OWN RECOGNIZANCE (OR)
Generally, it is our policy not to release individuals on felony charges, however; in certain cases it may be appropriate to release a felony arrestee. In most cases this will be applicable only for non-violent felonies. Regardless of the offense, approval of a magistrate is required prior to releasing an arrestee on their own recognizance. Magistrate approval shall be obtained through the LA County Probation Department, Pre-Trial Services Division.

411.5 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 themselves or others due to intoxication or being under the influence of drugs or narcotics.
Cite and Release Policy

(f) The person requires medical examination or medical care or was otherwise unable to care for their own safety.

(g) The person has other ineligible charges pending against themselves.

(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.

411.6 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 Beverly Hills City codes

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Detective Bureau for further action including diversion.
Foreign Diplomatic and Consular Representatives

412.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that members of the Beverly Hills Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

412.2 POLICY
The Beverly Hills 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.

412.3 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 LA County Sheriff’s Department International Liaison Unit or 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.

TYPES OF DIPLOMATS
Foreign Diplomatic and Consular Representatives

412.4 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. Generally, it is the policy of this Department not to issue citations to consular officers, but rather to warn the violator of the dangers of his/her actions and allow him/her to proceed.

(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:

(a) Diplomatic-level staff of missions to international organizations and recognized family members

(b) Diplomatic agents and recognized family members

(c) Members of administrative and technical staff of a diplomatic mission and recognized family members

(d) Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:

(a) International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.

(b) Support staff of missions to international organizations

(c) Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.

(d) Honorary consular officers

(e) 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.

PROCEDURES REGARDING CONTACT WITH FOREIGN NATIONALS
Foreign Diplomatic and Consular Representatives

412.5 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.

IDENTIFICATION

412.6 DIPLOMATIC IMMUNITY TABLE
Reference table on diplomatic immunity:

<table>
<thead>
<tr>
<th>Category</th>
<th>Arrested or Detained</th>
<th>Enter Residence Subject to Ordinary Procedures</th>
<th>Issued Traffic Citation</th>
<th>Subpoenaed as Witness</th>
<th>Prosecuted</th>
<th>Recognized Family Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomatic Agent</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Member of Admin and Tech Staff</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Service Staff</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability (note (a))</td>
</tr>
<tr>
<td>Career Consul Officer</td>
<td>Yes if for a felony and pursuant to a warrant (note (a))</td>
<td>Yes (note (d))</td>
<td>Yes</td>
<td>No for official acts. Testimony may not be compelled in any case</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Honorable Consul Officer</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Consulate Employees</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability (note (a))</td>
</tr>
</tbody>
</table>
## Foreign Diplomatic and Consular Representatives

<table>
<thead>
<tr>
<th>Int'l Org Staff (note (b))</th>
<th>Yes (note (c))</th>
<th>Yes (note (c))</th>
<th>Yes</th>
<th>Yes (note (c))</th>
<th>No for official acts. Yes otherwise (note (c))</th>
<th>No immunity or inviolability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomatic-Level Staff of Missions to Int'l Org</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Support Staff of Missions to Int'l Orgs</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts</td>
<td>No for official acts</td>
</tr>
</tbody>
</table>

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.

**CONSULATE LOCATIONS IN BEVERLY HILLS**
Rapid Response and Deployment

413.1 PURPOSE AND SCOPE
Violence that is committed by individuals or a group of individuals who are determined to target and kill innocent persons and to create mass casualties that present a significant threat to the public and 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 the swift and immediate deployment of law enforcement to stop the threat of ongoing violent aggressive attacks that can result in death or great bodily injury.

413.2 POLICY
The goal of the Beverly Hills Police Department in a crisis is to conduct a swift and immediate deployment of law enforcement resources to stop the violent actions of the suspect(s) as soon as possible and to protect innocent life. It is the goal 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.

413.3 CONSIDERATIONS
When dealing with a crisis situation members should:

(a) ASSESS - Assess the immediate situation and determine appropriate tactics based on the situation.
(b) ANNOUNCE - Announce what is occurring and what resources are needed.
(c) ASSEMBLE - Rapidly assemble resources to respond to the situation as necessary.
(d) ACT - Implement appropriate tactics.

413.4 RAPID 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 take immediate action 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 practicable, while requesting additional assistance. The overarching priority is to stop the threat and to save innocent lives as quickly as possible.

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:
Rapid Response and Deployment

(a) Based on information known or received at the time, take immediate to stop the threat.
(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 rescued or evacuated.
(d) Whether the suspect can be contained or denied access to victims.
(e) 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.
(f) Use of maneuver tactics.
(g) Whether cover fire can be used to suppress a violent suspect(s) so officers can move to a position of advantage. If cover fire is used the officer should consider that cover fire must be:
   1. Controlled and deliberate
   2. Target specific
   3. Worse case scenario/ No other alternatives are feasible.

In a case of a barricaded suspect with no immediate threat to others, officers should consider summoning and waiting for additional assistance (SWAT/CNT).

413.4.1 RESPONSE TO SCHOOL THREATS
Upon receiving a threat or perceived threat from a school official, officers shall immediately investigate and conduct a threat assessment. The investigation shall include a review of the firearm registry of the California Department of Justice. A reasonable search of the school at issue shall be conducted when the search is justified by reasonable suspicion that it would produce evidence related to the threat or perceived threat (Education Code § 49394).

For purposes of this subsection a "threat" or "perceived threat" means any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual (Education Code § 49390).

413.5 PLANNING
The Field Services 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.
Rapid Response and Deployment

(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.

(i) Mutual aid agreements with other agencies.

(j) Coordination with private security providers in critical incident target sites.

413.6 TRAINING

The Personnel and Training Sergeant should include rapid response to critical incidents in the training plan. This training should address:

(a) Patrol rapid-response training, including patrol rifle, shotgun, breaching tool and control device training.

   (a) This should include the POST terrorism incident training required for officers assigned to field duties (Penal Code § 13519.12).

   (b) Active Shooter

   (c) Multi-Assault Counter Terrorism Action Capabilities (MACTAC)

(b) First aid, including Tactical Casualty Care.

(c) Reality-based scenario training.
Immigration Violations

414.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Beverly Hills Police Department relating to immigration and interacting with federal immigration officials.

414.1.1 DEFINITIONS
The following definitions apply to this policy (Government Code § 7284.4):

Criminal immigration violation - Any federal criminal immigration violation that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States. This does not include any offense where a judicial warrant already has been issued.

Immigration enforcement - Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

Judicial warrant - An arrest warrant for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge.

414.2 POLICY
It is the policy of the Beverly Hills 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.

414.3 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 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 not in any way that would violate the United States or California constitutions.

414.4 IMMIGRATION INQUIRIES PROHIBITED
Officers shall not inquire into an individual’s immigration status for immigration enforcement purposes (Government Code § 7284.6).

414.4.1 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)
Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).
**Immigration Violations**

Members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual’s record (Government Code § 15160).

414.4.2 **CALIFORNIA DEPARTMENT OF MOTOR VEHICLES**

Members shall not obtain, access, use, or otherwise disclose noncriminal history information maintained by the DMV for immigration enforcement (Vehicle Code § 1808.48).

**414.5 DETENTIONS AND ARRESTS**

An officer 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 a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 USC § 1326(a) (unlawful reentry) that may be subject to an enhancement due to a previous conviction of an aggravated felony under 8 USC § 1326(b) (2), 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 reentry 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).

An officer shall not detain any individual, for any length of time, for any other criminal immigration 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).

414.5.1 **SUPERVISOR RESPONSIBILITIES**

When notified that an officer has arrested an individual for violation of 8 USC § 1326(a) or under the authority of a judicial warrant, the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.

(b) Transfer the person to jail.

**414.6 FEDERAL REQUESTS FOR ASSISTANCE**

Absent an urgent issue of officer safety or other emergency circumstances, 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.).
Immigration Violations

414.7 INFORMATION SHARING
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):

(a) Sending information to, or requesting or receiving such information from federal immigration officials
(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.

414.7.1 IMMIGRATION DETAINERS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the individual meets one of the following conditions (Government Code § 7282.5; Government Code § 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 prison.
(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.

414.7.2 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 Beverly Hills Police Department intends to comply with the request (Government Code § 7283.1).

If the Beverly Hills 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).
Immigration Violations

414.7.3 ICE INTERVIEWS
Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Beverly Hills 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.

414.7.4 TRANSFERS TO IMMIGRATION AUTHORITIES
Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist (Government Code § 7282.5; Government Code § 7284.6):

(a) Transfer is authorized by a judicial warrant or judicial probable cause determination.
(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.

414.7.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Jail Manager shall ensure that data regarding the number of transfers of an individual to immigration authorities, as permitted by Government Code § 7284.6(a)(4), and the offense that allowed for the transfer is collected and provided to the Records and Jail Manager for required reporting to the DOJ (Government Code § 7284.6(c)(2)(see the Records Bureau Policy).

414.8 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 Detective Bureau supervisor assigned to oversee the handling of any related case. The Detective Bureau supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
Immigration Violations

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). The certification shall be completed and not refused for the specified reasons in Penal Code § 679.10(k)(3).

3. Form I-914 Supplement B declaration shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking). The declaration shall be completed and not refused for completion for the specified reasons in Penal Code § 679.11(j)(3).

4. Forward the completed Form I-918 Supplement B certification or completed Form I-914 declaration B to the victim, family member, or authorized representative (as defined in Penal Code § 679.10 and Penal Code § 679.11) without requiring the victim to provide government-issued identification (Penal Code § 679.10; Penal Code § 679.11)

(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.

1. If Form I-918 Supplement B is not certified, a written explanation of denial shall be provided to the victim or authorized representative. The written denial shall include specific details of any reasonable requests for cooperation and a detailed description of how the victim refused to cooperate (Penal Code § 679.10).

(e) Inform the victim liaison of any requests and their status.

414.8.1 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 and Penal Code § 679.11 within 30 days of a request from the victim, victim's family, or authorized representative related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within seven days of the first business day following the day the request was received.

414.8.2 REPORTING TO LEGISLATURE
The Records Manager 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).


Immigration Violations

414.8.3 POLICE REPORTS
Upon request, a victim or authorized representative should be provided with a copy of the report filed by the victim within seven days of the request (Penal Code § 679.10).

414.9 TRAINING
The Personnel and Training Sergeant 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 violation has been committed.
(c) Prohibitions contained in the California Values Act (Government Code § 7284 et seq.).
Field Training Officer Program

417.1 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 Beverly Hills 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 possesses all skills needed to operate in a safe, productive, and professional manner.

417.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING
The Field Training Officer (FTO) is an experienced officer trained in supervising, training, and evaluating entry level and lateral police officers in the performance of their patrol duties.

417.2.1 SELECTION PROCESS
FTOs will be selected based on the following requirements:
   (a) Desire to be an FTO
   (b) Interest memo
   (c) Minimum of two years of patrol experience with the Department
   (d) Demonstrated ability as a positive role model
   (e) Participate and pass an internal oral interview selection process
   (f) Evaluation by supervisors and current FTOs
   (g) Possess a POST Basic certificate
   (h) Review and approval by Command Staff

The selection/retention process for the FTO assignment shall conform to the provisions of the Beverly Hills Police Officer's Association/City of Beverly Hills Memorandum of Understanding (MOU). The selection criteria shall be determined by the Chief of Police.

417.2.2 TRAINING
An officer selected as a Field Training Officer shall successfully complete a POST certified 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.
Field Training Officer Program

417.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR
The FTO Program supervisor should be selected from the rank of sergeant or above by the Field Services Division Commander 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 digital 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

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)).

417.4 TRAINEE DEFINED
Any entry level or lateral police officer newly appointed to the Beverly Hills Police Department who has successfully completed a POST approved Basic Academy.

417.5 REQUIRED TRAINING
Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks, not including orientation (11 CCR 1004; 11 CCR 1005). Although 10 weeks is the minimum standard by statute, the Department's current FTO program spans 22 weeks.

A lateral trainee shall have the same duties and responsibilities as an entry-level trainee. However, lateral trainees who have completed one year of full time field service with a California law enforcement agency, may be eligible for an accelerated training program (11 CCR 1005(a)(1)(B)3). Based on performance of the lateral trainee, the FTO Lieutenant can impose a shorter training period, which shall not be shorter than twelve weeks, not to include in-house orientation. The lateral trainee shall be deemed eligible to work in a solo capacity when his/her evaluations show that a solo beat officer level of performance has been attained, and this has met with concurrence by the FTO Lieutenant. Also, the weekly training and critical task lists shall have been completed.

To the extent practicable, trainees should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.
Field Training Officer Program

417.5.1 FIELD TRAINING MANUAL
Each new officer will be issued a digital 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 Beverly Hills 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 Beverly Hills Police Department.

417.6 EVALUATIONS
Evaluations are an important component of the training process and shall be completed as outlined below.

417.6.1 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.

417.6.2 IMMEDIATE SUPERVISOR
The immediate supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the Field Training Administrator.

417.6.3 FIELD TRAINING SERGEANT
The Field Training Sergeant will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through his/her immediate supervisor.

417.7 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
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Mobile Audio/Video

422.1 PURPOSE AND SCOPE
The Beverly Hills Police Department has equipped marked patrol cars with Mobile Audio/Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

422.1.1 DEFINITIONS
Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Audio/Video (MAV) system - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV technician - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

422.2 POLICY
It is the policy of the Beverly Hills Police Department to use mobile audio and video technology to more effectively fulfill the department’s mission and to ensure these systems are used securely and efficiently.

422.3 OFFICER RESPONSIBILITIES
Prior to going into service, each officer will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Beverly Hills Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MAV system’s operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer recording his/her name, serial number, badge or PIN number and the current date and time at the start and again at the end of each shift. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.
422.4 ACTIVATION OF THE MAV
The MAV system is designed to turn on whenever the unit’s emergency lights are activated. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate or required. When audio is being recorded, the video will also record. Officers should activate the MAV system when operating their vehicle at a high rate of speed based on conditions (e.g., weather, roadway conditions, pedestrian or vehicular traffic).

422.4.1 REQUIRED ACTIVATION OF MAV
This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident. In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

(a) All field contacts involving actual or potential criminal conduct within video or audio range:
   1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
   2. Priority responses
   3. Vehicle pursuits
   4. Suspicious vehicles
   5. Arrests
   6. Vehicle searches
   7. Physical or verbal confrontations or use of force
   8. Pedestrian checks
   9. DWI/DUI investigations including field sobriety tests
   10. Consensual encounters
   11. Crimes in progress
   12. Responding to an in-progress call

(b) All self-initiated activity in which an officer would normally notify Communications Bureau

(c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:
Mobile Audio/Video

1. Domestic violence calls
2. Disturbance of peace calls
3. Offenses involving violence or weapons

(d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

(e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

422.4.2 CESSATION OF RECORDING
Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

Members shall cease audio 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).

422.4.3 WHEN ACTIVATION IS NOT REQUIRED
Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

422.4.4 SUPERVISOR RESPONSIBILITIES
Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Communications Bureau.

At reasonable intervals, supervisors should validate that:

(a) Beginning and end-of-shift recording procedures are followed.

(b) Logs reflect the proper chain of custody, including:

1. The tracking number of the MAV system media.
2. The date it was issued.
3. The law enforcement operator or the vehicle to which it was issued.
4. The date it was submitted.
5. Law enforcement operators submitting the media.
6. Holds for evidence indication and tagging as required.
   (c) The operation of MAV systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

422.5 REVIEW OF MAV RECORDINGS
All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:
   (a) For use when preparing reports or statements
   (b) By a supervisor investigating a specific act of officer conduct
   (c) By a supervisor to assess officer performance
   (d) To assess proper functioning of MAV systems
   (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
   (f) By department personnel who request to review recordings
   (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
   (h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
   (i) By the media through proper process or with permission of the Chief of Police or the authorized designee
Mobile Audio/Video

(j) To assess possible training value

(k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection.

Employees desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Watch Commander. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

422.6 DOCUMENTING MAV USE
If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation, indicating that the incident was recorded.

422.7 RECORDING MEDIA STORAGE AND INTEGRITY
Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of two years after which time it will be erased, destroyed or recycled in accordance with the established records retention schedule (Government Code § 34090.6).

422.7.1 COPIES OF ORIGINAL RECORDING MEDIA
Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

422.7.2 MAV RECORDINGS AS EVIDENCE
Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Beverly Hills Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

422.8 SYSTEM OPERATIONAL STANDARDS

(a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.

(b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
Mobile Audio/Video

(c) The MAV system may not be configured to record audio data occurring prior to activation.

(d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer’s transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.

(e) Officers using digital transmitters that are synchronized to their individual MAV shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.

(f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system (this does not apply to cell phones, IPADs or similar tablet devices).

(g) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.

(h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

422.9 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

(a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.

(b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:

1. Ensures it is stored in a secure location with authorized controlled access.

2. Makes the appropriate entries in the chain of custody log.

(c) Erasing of media:

1. Pursuant to a court order.

2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.

(d) Assigning all media an identification number prior to issuance to the field:

1. Maintaining a record of issued media.

(e) Ensuring that an adequate supply of recording media is available.

(f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.
Mobile Audio/Video

422.10 TRAINING
All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.
Mobile Data Terminal Use

423.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) 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 Communications Bureau.

423.2 POLICY
Beverly Hills Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

423.3 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).

423.4 RESTRICTED ACCESS AND USE
MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Watch Commanders.

Use of the MDT 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 MDT 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 MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

423.4.1 USE WHILE DRIVING
Use of the MDT 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.
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.

**423.5 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 MDT unless security or confidentiality prevents such broadcasting.

MDT 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 MDT.

**423.5.1 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 MDT 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 MDT when the vehicle is not in motion.

**423.5.2 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.

**423.6 EQUIPMENT CONSIDERATIONS**

**423.6.1 MALFUNCTIONING MDT**

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify Communications Bureau. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.
Mobile Data Terminal Use

423.6.2 BOMB CALLS
When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.
Portable Audio/Video Recording Devices

424.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body worn cameras (BWC), hand held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Beverly Hills Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

424.2 POLICY
The Beverly Hills Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

424.3 COORDINATOR
The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices 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.

424.4 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.
### 424.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that they are equipped with a Body Worn Camera (BWC) issued by the Department, and the BWC 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 their supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the BWC in a conspicuous manner or otherwise notify persons they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, BHPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

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.

### 424.5.1 SUPERVISOR RESPONSIBILITIES

Supervisors should take custody of a portable audio/video recording device 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 downloaded (Penal Code § 832.18).

### 424.6 ACTIVATION OF THE BODY WORN CAMERA

The BWC shall be placed in the "on" position (buffering/standy-by) when uniformed personnel are "in-service." The BWC may be turned off during:

- (a) Meal breaks
- (b) Bathroom breaks
- (c) Extended station breaks

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 recorder any time the member believes it would be appropriate or valuable to record an incident.
**Portable Audio/Video Recording Devices**

Each uniformed member shall record all incidents, including enforcement and investigative contacts, whether self-initiated or in response to a call for service. Department personnel shall activate their BWC prior to initiating, or upon arrival at, any enforcement or investigative contact.

The BWC 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 Communications Bureau.

(d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

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.

**Demonstrations**

(a) As a general policy, Department personnel should refrain from video recording peaceful demonstrations.

(b) When there is a reason to believe a planned event has the potential for unlawful activity, Commanding Officers should make the determination whether video recording is appropriate.

(c) During demonstrations, officers should operate cameras in buffering/stand-by mode. If officers witness crimes occurring among the demonstrators, and/or believe an arrest is likely, they should begin recording.

At no time is a member expected to jeopardize his/her safety in order to activate a BWC or change the recording media. However, the BWC should be activated in situations described above as soon as reasonably practicable.

**424.6.1 CESSATION OF RECORDING**

Once activated, the BWC should remain on continuously until the member reasonably believes their direct participation in the incident is complete or the situation no longer fits the criteria for activation. When a member believes it is necessary and feasible to interrupt a recording before the end of the contact or activity, they should verbally indicate the intent to stop the recording, and upon reactivation, state they have restarted the recording. This interruption and the underlying reasoning should be documented in the police report and/or on the BWC. The use of a mute button (if body worn camera is equipped with one) should only be used to safeguard confidential
discussions between members of the department or public, or in order to keep discussions about tactics confidential.

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).

424.6.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER
Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes 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.

424.6.3 EXPLOSIVE DEVICE
Many portable recorders, including body-worn cameras 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.

424.7 PROHIBITED USE OF PORTABLE RECORDERS
Members are prohibited from using department-issued and recording media 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.

424.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS
To assist with identifying and preserving data and recordings, all members utilizing the designated software or web-based management system to upload BWC files into the media storage database, shall minimally include the following basic identifying information:

1. CAD Incident number
2. Type of incident: "Traffic stop", "Call for service", etc.
Portable Audio/Video Recording Devices

3. Members should also document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

(a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
(b) A complainant, victim or witness has requested non-disclosure.
(c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
(d) Disclosure may be an unreasonable violation of someone’s privacy.
(e) Medical or mental health information is contained.
(f) Disclosure may compromise an undercover officer or confidential informant.

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.

424.9 RETENTION OF RECORDINGS

Recordings of the following should be retained for a minimum of two years (Penal Code § 832.18):

(a) Incidents 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 Beverly Hills Police Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

All other recordings should 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 180 days.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

424.9.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy and in accordance with current law.

424.10 REVIEW OF RECORDED MEDIA FILES

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
**Portable Audio/Video Recording Devices**

shall not retain personal copies of recordings. Members should not use the fact 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.

Recorded files may also be reviewed:

(a) Upon approval by a supervisor, 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.

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.
Public Recording of Law Enforcement Activity

425.1 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.

425.2 POLICY
The Beverly Hills 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.

425.3 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.

425.4 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 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.

425.5 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.

425.6 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 evidence is to transmit a copy of the recording from a device to a department-owned device.
Public Recording of Law Enforcement Activity

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
Medical Marijuana

426.1 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.

426.1.1 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).
Medical Marijuana

426.2 POLICY
It is the policy of the Beverly Hills 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 Beverly Hills Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

426.3 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.

426.3.1 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.

- Possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis (Health and Safety § 11362.1).
- Not more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time (Health and Safety § 11362.2).

426.3.2 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.
Medical Marijuana

(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.

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.

426.3.3 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).

426.3.4 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).
**Medical Marijuana**

426.3.5  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.
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.

426.3.6  EXCEPTIONS

This policy does not apply to, and officers should consider taking enforcement action for the following:
Medical Marijuana

(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.

(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).

426.4 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.

426.5 PROPERTY AND EVIDENCE UNIT SUPERVISOR RESPONSIBILITIES
The Property and Evidence Unit 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 and Evidence Unit 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 and Evidence Unit 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 and Evidence Unit supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Bureau supervisor.
Bicycle Patrol Unit

427.1 PURPOSE AND SCOPE
The Beverly Hills Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

It is the responsibility of the Bicycle Unit to prevent crime and suppress criminal activity, through the use of proactive policing techniques. The Bicycle Unit will act as a liaison between the police department and the public. Other areas of focus will be the City’s transient population, community relations in the business district, and patrolling areas that are not easily accessible by police vehicles.

427.2 POLICY
Patrol bicycles may be used for regular patrol duty, or in a plain-clothes capacity, in addition to traffic enforcement or any other assignment at the discretion of the Chief of Police or the authorized designee. Generally, the use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Watch Commander.

427.3 SELECTION OF PERSONNEL
Interested sworn personnel, who are off probation, shall submit a change of assignment request to their appropriate Division Commander. A copy will be forwarded to the BPU supervisor(s). Qualified applicants will then be invited to participate in the application process, which may consist of an oral interview as well as a review of their personnel packet. In the case of an oral interview, the oral board will consist of the BPU supervisor(s) or an appropriate designee to be selected by the BPU supervisor(s). Interested personnel shall be evaluated by the following criteria:

(a) Recognized competence and ability as evidenced by performance.
(b) Special skills or training as it pertains to the assignment.
(c) Have the physical ability to perform the duties.
(d) Willingness to perform duties using the bicycle as a mode of transportation and/or operation.

427.3.1 BICYCLE PATROL UNIT SUPERVISORS
The Bicycle Patrol Unit supervisor(s) will be selected from the rank of sergeant by the Operations Division Commander or his/her designee.
The Bicycle Patrol Unit supervisor(s) shall have responsibility for the following:

(a) Organizing bicycle patrol training.
(b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
(c) Scheduling maintenance and repairs.
(d) Evaluating performance of bicycle officers.
(e) Coordinating activities with the Operations Division.
(f) Other activities as required to maintain the efficient operation of the Bicycle Patrol Unit.

427.4 TRAINING

Participants in the program must complete an initial Department approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies.
- Bicycle safety and accident prevention.
- Operational tactics using bicycles.

Collateral bicycle officers will attend update training days in order to maintain their collateral status. Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

Officers who fail the basic bike school or do not qualify during in-service training, may be removed from the assignment.

427.5 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches, and department-approved bicycle patrol pants or shorts.

Optional equipment includes a radio head set and microphone, and jackets in colder weather. Turtleneck shirts or cold weather clothing are permitted when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.
427.6 CARE AND USE OF PATROL BICYCLES
Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

Bicycles utilized for uniformed bicycle patrol should be primarily black or white in with a “POLICE” decal affixed to each side of the crossbar or the bike’s saddlebag. Every such bicycle shall be equipped with front and rear lights and a siren/horn satisfying the requirements of Vehicle Code §2800.1(b).

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle. (Vehicle Code § 21201.3)

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance twice yearly to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles should be properly secured when not in the officer’s immediate presence.

427.7 OFFICER RESPONSIBILITY
Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions (Vehicle Code § 21200(b)(1)):

(a) In response to an emergency call.
(b) While engaged in rescue operations.
Bicycle Patrol Unit

(c) In the immediate pursuit of an actual or suspected violator of the law.
Foot Pursuits

428.1 PURPOSE AND SCOPE
This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

428.2 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.

428.3 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.
Foot Pursuits

(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.

428.4 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.
Foot Pursuits

(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.

428.5 RESPONSIBILITIES IN FOOT PURSUITS

428.5.1 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.

428.5.2 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.
Foot Pursuits

428.5.3 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.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

428.5.4 COMMUNICATIONS BUREAU 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.

428.6 REPORTING REQUIREMENTS
The initiating officer shall complete appropriate crime/arrest/incident 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.
Foot Pursuits

(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.
Automated License Plate Recognition (ALPR)

429.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Recognition (ALPR) technology. The Beverly Hills Police Department’s ALPR program is part of the City’s broader Community Safety Initiative. The ALPR program will enhance public safety by employing fixed, mobile and portable ALPR camera systems to detect, identify and apprehend criminal offenders.

429.1.1 DEFINITIONS
ALPR - uses cameras to read vehicle license plates. The plates are processed through federal, state and local databases to identify wanted vehicles or vehicles of interest, capturing the date and time the vehicle was at a location. This information allows law enforcement to identify and respond; provides for rapid, efficient and appropriate deployment of law enforcement resources; and may also serve as a post-incident investigative and prosecution resource.

Mobile ALPR - consists of fixed cameras mounted on selected marked black and white police vehicles and an ALPR program icon located on the Mobile Data Computer (MDC) touch screen.

Fixed ALPR - consists of one or more cameras permanently affixed to a pole, traffic signal or street light in the public right-of-way, which monitors a traffic lane or lanes on a public roadway.

Portable ALPR - consists of one or more cameras that can be temporarily affixed on or in a vehicle, pole, trailer or other object. The portable ALPR also consists of a laptop computer.

Back end server - the Beverly Hills Information Technology Department utilizes a hosted off-site solution dedicated to saving/maintaining information captured via the ALPR system.

429.2 POLICY
The policy of the Beverly Hills Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this Department. Because such data may contain confidential information, it is not open to public review.

429.3 ADMINISTRATION
The ALPR technology allows for the automated detection of license plates. It is used by the Beverly Hills 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 missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administrative Services Division Commander or the authorized designee. The Administrative Services Division Commander or the authorized designee will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.
Automated License Plate Recognition (ALPR)

429.3.1 ALPR ADMINISTRATOR
The Administrative Services Division Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

(a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.

(b) Training requirements for authorized users.

(c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

(d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.

(e) The title and name of the current designee in overseeing the ALPR operation.

(f) Working with the Custodian of Records on the retention and destruction of ALPR data.

(g) Ensuring this policy and related procedures are conspicuously posted on the Department's website.

429.4 OPERATIONS
Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

(a) An ALPR shall only be used for official 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 queried in 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.

(e) No ALPR operator may access department, state or federal data unless they have both a legitimate need and a right to access data. "Need" shall be defined as a legitimate law enforcement need related to an investigation or report follow-up.

(f) Any alerts (wanted returns) received from the ALPR, including lost or stolen license plates, stolen vehicle, wanted persons, outstanding warrants, Amber Alerts and Vehicles of interest, should be confirmed through the MDT or Police Communications before any law enforcement action is taken absent additional information necessitating immediate police action.
Automated License Plate Recognition (ALPR)

(g) Absent a confirmed warrant, hit or stolen vehicle return, officers must develop independent probable cause to initiate a traffic stop for vehicles and persons of interest where no crime is suspected (e.g. stop and identify alerts).

429.5 DATA COLLECTION AND RETENTION
The Administrative Services Division Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged 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 discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

429.6 ACCOUNTABILITY
All data will be closely safeguarded and protected by both procedural and technological means. The Beverly Hills Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

(a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).

(b) Members 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 relate to a specific criminal investigation or Department-related civil or administrative action.

(c) ALPR system audits should be conducted on a regular basis by the ALPR Administrator or the authorized designee.

For security or data breaches, see the Records Release and Maintenance Policy.

429.7 RELEASING ALPR DATA
The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

(a) The agency makes a written request for the ALPR data that includes:
   1. The name of the agency.
   2. The name of the person requesting.
   3. The intended purpose of obtaining the information.

(b) The request is reviewed by the Administrative Services Division Commander or the authorized designee and approved before the request is fulfilled.
Automated License Plate Recognition (ALPR)

(c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

429.8 TRAINING
The Personnel and Training Sergeant or the authorized designee should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).
Homeless Persons

430.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure 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 Beverly Hills Police Department recognizes members of the homeless community are often in need of special protection and services. The Beverly Hills 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.

430.1.1 POLICY
It is the policy of the Beverly Hills 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.

430.2 HOMELESS COMMUNITY LIAISON
The Chief of Police will designate a member of this department to act as the Homeless Liaison Officer to coordinate with the City's Human Services Administrator. 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.

430.3 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
Homeless Persons

from taking reasonable enforcement action when facts support a reasonable suspicion of criminal 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.

430.3.1 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 Senior and Disability Victimization 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.

430.4 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.
Homeless Persons

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 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.

430.5 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.

430.5.1 SUBSECTION TITLE

430.6 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.
First Amendment Assemblies

431.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

431.2 POLICY
The Beverly Hills 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.

431.3 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 material. 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. 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 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 debates 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.
(d) Take independent action without supervisor approval, unless death and/or serious injury is imminent.

Supervisors should continually observe department members under their commands to ensure members' interaction with participants and their response to crowd dynamics is appropriate.
First Amendment Assemblies

431.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and 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 the subject of the information is involved in criminal conduct.

431.4 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 Communications Bureau, 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.

431.5 PLANNED LARGE SCALE EVENT PREPARATION
For planned large scale events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

431.5.1 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.
First Amendment Assemblies

- 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).

431.5.2 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:

- Command assignments, chain of command structure, roles and responsibilities.
- Staffing and resource allocation.
- Management of criminal investigations.
- Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- Deployment of specialized resources.
- Event communications and interoperability in a multijurisdictional event.
- Liaison with demonstration leaders and external agencies.
- Liaison with City government and legal staff.
- Media relations.
- Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- Traffic management plans.
- First aid and emergency medical service provider availability.
- Prisoner transport and detention.
- Review of policies regarding public assemblies and use of force in crowd control.
- Parameters for declaring an unlawful assembly.
- Arrest protocol, including management of mass arrests.
- Protocol for recording information flow and decisions.
- Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- Protocol for handling complaints during the event.
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(t) Parameters for the use of body-worn cameras and other portable recording devices.

431.5.3 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 Outside Agency Assistance Policy).

431.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, 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 the content of the message is clear and 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.

431.7 RIOT CONTROL
When the City is confronted with a situation which may escalate into a riot, the Department must establish control of the situation. Control is gained by reacting quickly and committing sufficient resources to the situation, including requesting mutual aid, if appropriate. Control must be established to safeguard the community. Law violators should be arrested and their prosecution sought, when circumstances permit. Finally, once order is restored, the Department must remain in the affected area with adequate personnel and equipment until such time that all concerned are convinced that additional outbreaks will no longer occur.

431.8 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).
First Amendment Assemblies

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 Conducted Energy 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).

Force or control devices, including oleoresin capsicum (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.

431.9 ARRESTS
The Beverly Hills 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).

431.10 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).
431.10.1  MEDIA ACCESS
If officers close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment, officers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

431.11  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.

431.12  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, Communications Bureau records/tapes
(g)  Media accounts (print and broadcast media)

431.12.1  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.

431.13  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.
First Amendment Assemblies

Officers should also receive periodic training on the standards for the use of kinetic energy projectiles and chemical agents for crowd control purposes as identified in Penal Code § 13652.

431.14 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

(a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.

(b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.

(c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.

(d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.

(e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.

(f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.

(g) An objectively reasonable effort has been made to extract individuals in distress.

(h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.

(i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.

(j) Kinetic energy projectiles or chemical agents shall not be used solely due to any of the following:
   1. A violation of an imposed curfew.
   2. A verbal threat.
   3. Noncompliance with a law enforcement directive.

(k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.
First Amendment Assemblies

431.14.1 USE SUMMARY
The Field Services Division Commander or the authorized designee should ensure a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the Department at the time of the report and include the information required in Penal Code § 13652.1.

431.15 ANTI-REPRODUCTIVE RIGHTS CALLS
Officer response to public assemblies or demonstrations relating to anti-reproductive rights should be consistent with this policy (Penal Code § 13778.1).
Civil Disputes

432.1 PURPOSE AND SCOPE
This policy provides members of the Beverly Hills 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.

432.2 POLICY
The Beverly Hills 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.

432.3 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.

432.4 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
Civil Disputes

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 appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

432.4.1 STANDBY REQUESTS
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.

432.5 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.

432.6 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.
Suspicious Activity Reporting

433.1 PURPOSE AND SCOPE
This policy provides guidelines for reporting and investigating suspicious and criminal activity.

433.1.1 DEFINITIONS
Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. 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 should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

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.

433.2 POLICY
The Beverly Hills Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

433.3 RESPONSIBILITIES
The Investigative Services Division Captain and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems.
Suspicious Activity Reporting

The responsibilities of the Investigative Services Division Captain include, but are not limited to:

(a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

(b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.

(c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.

(d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.

(e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.

(f) Coordinating investigative follow-up, if appropriate.

(g) Coordinating with any appropriate agency or fusion center.

(h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

433.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

433.5 HANDLING INFORMATION

SAR's will be assigned to the Detective Bureau's Criminal Intelligence Unit for review and appropriate follow up.
Medical Aid and Response

434.1 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.

434.2 POLICY
It is the policy of the Beverly Hills Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

434.3 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 Communications Bureau 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 Communications Bureau 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.
434.4 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.

434.5 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.

434.5.1 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.
Medical Aid and Response

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.

434.6 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.

434.7 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 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 Operations 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.
Medical Aid and Response

- Ensure that no one smokes near the aircraft.

434.8 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).

434.8.1 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 Personnel and Training Sergeant who is responsible for ensuring appropriate maintenance.

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 Communications Bureau as soon as possible and request response by EMS.

434.8.2 AED REPORTING
Any member using an AED will complete an incident report detailing its use.

434.8.3 AED TRAINING AND MAINTENANCE
The Personnel and 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 Personnel and 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).

434.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION
Trained members may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

434.9.1 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 watch commander or on duty supervisor for forwarding to the Personnel and Training Sergeant.

Any member who administers an opioid overdose medication should contact Communications Bureau as soon as possible and request response by EMS.
Medical Aid and Response

434.9.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in a report and select Naloxone deployment in significant events. In addition, the officer shall fill out a Naloxone Use Report and submit it to the Watch Commander.

The on duty Watch Commander or Patrol Sergeant in his/her absence at the time Naloxone was administered will ensure that a copy of the Naloxone Use Report is submitted to the Department’s Medical Director as soon as possible and not later than the conclusion of watch.

434.9.3 OPIOID OVERDOSE MEDICATION TRAINING
The Personnel and Training Sergeant should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication, in accordance with the medical provider and agency coordinator’s approved curriculum. Training has been approved and meets requirements of the Los Angeles County Emergency Medical Services Agency and complies with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

434.10 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS
The Operations 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 Personnel and 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).

434.10.1 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 Communications Bureau as soon as possible and request response by EMS (Health and Safety Code § 1797.197a(b)).

434.10.2 EPINEPHRINE AUTO-INJECTOR REPORTING
Any member who administers an epinephrine auto-injector should detail its use in an appropriate report.

The Personnel and Training Sergeant should ensure that the Records and Jail 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)).
Medical Aid and Response

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)).

434.10.3  EPINEPHRINE AUTO-INJECTOR TRAINING
The Personnel and 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.

434.11  FIRST AID TRAINING
The Personnel and 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).

434.12  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.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions and facilitate the expeditious movement of pedestrian and vehicular traffic. 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.

500.2 OFFICER DEPLOYMENT FOR TRAFFIC ENFORCEMENT
Several factors are considered in the development of deployment schedules for officers of the Beverly Hills 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.

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:
Traffic Function and Responsibility

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, request traffic school 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 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 or misdemeanor hit-and-run
(d) Refusal to sign notice to appear
(e) Any other misdemeanor at the discretion of the officer, when appropriate, such as reckless driving with extenuating circumstances

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 take appropriate enforcement action 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 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
Traffic Function and Responsibility

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.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
Each vest should be stored in a manner 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.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Personnel and Training Sergeant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.
Traffic Collision Reporting

501.1 PURPOSE AND SCOPE
The Beverly Hills 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 in accordance with the Records Maintenance and Release policy.

501.2 RESPONSIBILITIES
The Traffic Bureau Commander will be responsible for distribution of the Collision Investigation Manual. The Traffic Bureau Commander will receive all changes in the state manual and ensure conformity with this policy.

501.2.1 WATCH COMMANDER RESPONSIBILITY
Any City property damage collision or member-involved collision shall include a command notification, prior the end of shift, by the Watch Commander.

501.3 TRAFFIC COLLISION REPORTING
All traffic collision reports taken by members of this department shall be forwarded to the Traffic Bureau for approval. The Traffic Bureau Commander or the authorized designee will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Operations Division Commander, or other persons as required.

501.4 REPORTING SITUATIONS

501.4.1 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 or injury results. An incident report may be taken 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 another vehicle. Whenever there is damage to a City vehicle, appropriate documentation shall be completed and forwarded to the appropriate Division Commander.

Photographs of the collision scene and vehicle damage shall be taken.

501.4.2 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 Beverly Hills Police Department resulting in a serious injury or fatality, the Traffic Bureau Commander or the Watch Commander, may elect to notify the California Highway Patrol for assistance.

The term serious injury is defined as any injury that may result in a fatality.
**Traffic Collision Reporting**

501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
The Traffic Bureau Commander or on-duty Watch Commander may elect to request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee within the jurisdiction of the Beverly Hills Police Department resulting in a serious injury or fatality.

501.4.4 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, an applicable Vehicle Code violation, or at the discretion of any supervisor when appropriate.

501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports should 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, injury or complaint of pain to any person involved in the collision

Generally, no collision report will be taken for non-injury collisions. A report may be generated at the discretion of a supervisor.

501.5 COLLISIONS INVOLVING SERIOUS INJURY OR DEATH
In the event of a serious injury or death related traffic collision, the Watch Commander shall notify the Traffic Bureau Commander or the authorized designee to relate the circumstances of the traffic collision and seek assistance from the Major Collision Response Team (MCRT).
Vehicle Towing and Release

502.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Beverly Hills Police Department. Nothing in this policy shall require the Department to tow a vehicle.

502.2 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.

502.2.1 VEHICLE STORAGE REPORT
Department members requesting towing, storage or impound of a vehicle shall complete a Vehicle Impound Report and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should 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.

502.2.2 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, the department's designated company will be selected.

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 Beverly Hills. The officer will then store the vehicle using a Vehicle Impound Report.

502.2.3 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:
Vehicle Towing and Release

- 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.

502.2.4 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.

502.2.5 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.

502.2.6 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.

502.2.7 RECORDS BUREAU RESPONSIBILITY
Records personnel shall promptly enter pertinent data from the completed Vehicle Impound Report into the Stolen Vehicle System (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5). When the Records Bureau is closed, the entry is the responsibility of the Communications Bureau.
Vehicle Towing and Release

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.

502.3 TOWING SERVICES
The City of Beverly Hills periodically selects a towing service(s) to act as the official tow service and awards them a contract. This towing service 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 a vehicle is being held as evidence in connection with an investigation.
(c) 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.
(d) Cases where the vehicle presents a hazard in the roadway.

502.4 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.

502.5 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 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.
Vehicle Towing and Release

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.

502.6 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.
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.

502.7 TOWING FOR EXPIRED REGISTRATION
Prior to a member removing a vehicle that is found to have expired registration for more than six months, the member shall verify that no current registration exists with the Department of
Vehicle Towing and Release

Motor Vehicles (DMV). If current registration exists with the DMV, the vehicle shall not be removed (Vehicle Code § 22651(o)(1)(A)).
Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

503.2 STORED OR IMPOUND HEARING
When a vehicle is stored or impounded by any member of the Beverly Hills 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)).

503.2.1 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 Bureau Commander or the authorized designee will 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
Vehicle Impound Hearings

where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

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 Traffic Bureau Commander or the authorized designee. The hearing officer will forward appropriate documentation to the Traffic Administrator to ensure that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.
Impaired Driving

504.1 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).

504.2 POLICY
The Beverly Hills 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.

504.3 INVESTIGATIONS
All officers are expected to enforce these laws with due diligence.

The Traffic Bureau Commander or the authorized designee 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 (FSTs) 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, if available.

504.4 FIELD TESTS
The Traffic Bureau Commander should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

504.5 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.
Impaired Driving

(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, 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.

504.5.1 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).

504.5.2 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).

504.5.3 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).

504.5.4 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
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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)).

CHEMICAL TESTS
REQUEST FOR INDEPENDENT TESTING

504.5.5 BREATH SAMPLES
The Traffic Bureau Commander or the authorized designee 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 Bureau Commander.

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 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)).

BREATH SAMPLES

504.5.6 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
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to take a blood test should not be considered a refusal. However, that arrestee may be required
to complete another available and viable test.

BLOOD SAMPLES

504.5.7 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.

URINE SAMPLES

504.6 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.

504.6.1 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)).

504.6.2 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.
504.6.3 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) A search warrant should be obtained prior to conducting a forced blood draw, unless exigent circumstances exist. The exigent circumstances shall be clearly articulated in a report.

(c) 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.

(d) 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.
   1. This dialogue should be recorded on audio and/or video if practicable.

(e) Ensure that the blood sample is taken in a medically approved manner.

(f) Ensure the forced blood draw is recorded on audio and/or video when practicable.

(g) 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 the following:
      (a) In misdemeanor cases, if the arrestee refuses, no force shall be used to obtain the blood sample and the refusal should be noted in the report.
      (b) In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
      (c) If the arrestee physically resists the execution of a warrant after notification by the officer of the warrant, officers may use reasonable force to complete the blood draw.

(h) 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 to respond, officers should attempt to brief a supervisor via police radio or telephone to obtain guidance. If a supervisor is unavailable to provide additional guidance, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 ARREST AND INVESTIGATION
Impaired Driving

504.7.1 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.

504.7.2 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.

504.8 RECORDS BUREAU RESPONSIBILITIES
The Records and Jail Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney’s office.

504.8 ADMINISTRATIVE HEARINGS
The Records and Jail 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.

504.9 TRAINING
The Personnel and 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, investigative techniques and rules of evidence pertaining to DUI investigations. The
Impaired Driving

Personnel and Training Sergeant should confer with the prosecuting attorney’s office and update training topics as needed.
Traffic Citations

505.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES
The Traffic Bureau Commander or the authorized designee shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

The Traffic Bureau shall be responsible for the supply and accounting of all traffic citation books issued to employees of this department.

505.3 DISMISSAL OF SIGNED 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 Commander. Upon a review of the circumstances involving the issuance of the traffic citation, the Traffic Bureau Commander may 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 the dismissal of a traffic citation 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, via email, advising of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required.

505.3.1 PHOTO RED LIGHT (PRL) CITATIONS
Due to the technical nature of PRL enforcement process, dismissal of citation authority is permitted without supervisor or Bureau Commander approval, in the following circumstance:

• When a PRL officer determines that a citation should be dismissed in the interest of justice (e.g. driver identification issues, photo quality, video review, other technical issues with the PRL system) the officer may dismiss the citation at his/her discretion, following established department procedures.

505.4 VOIDING SIGNED TRAFFIC CITATIONS
• Voiding a citation that has been completed, but not issued:
  ◦ 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 supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Traffic Bureau Commander for approval.
Traffic Citations

• Voiding a citation that has been signed and issued (in the interest of justice determination):
  ◦ Upon a review of the circumstances involving a citation already issued, but not yet submitted to the court system, the issuing officer or supervisor may, in the interest of justice, request the citation to be voided. The citation and copies shall then be forwarded to the Traffic Bureau Commander for approval.

505.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of a material (e.g., incorrect violation cited) correction, the officer issuing the citation shall submit the citation and a memo requesting a specific correction to his/her immediate supervisor. The citation and memo shall then be forwarded to the Traffic Bureau. The Traffic Bureau shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

In the event of a non-material correction (e.g., incorrect court date or Vehicle Code subsection) the Traffic Bureau Administrative Coordinator may make the correction in accordance with established department procedure.

505.6 DISPOSITION OF TRAFFIC CITATIONS
The court and file copies of all traffic citations issued by members of this department shall be forwarded to the Traffic Bureau for review. The citation copies shall then be filed with the Traffic Bureau.

Upon separation from employment with the this department, all employees issued traffic citations books shall return any unused citations to the Traffic Bureau.

505.7 SPECIAL CONSIDERATIONS FOR PHYSICIANS
A physician shall be exempt from the provisions of the basic speed law (22350 VC) and the prima facie limit (22352 VC) when:

(a) The physician is traveling in response to an emergency call.
(b) The vehicle used by him/her displays an insignia approved by the CHP indicating that the vehicle is owned by a licensed physician.

This section does not relieve the driver of the vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect the driver from the consequences of an arbitrary exercise of the privileges of this section (21058 VC).

Officers effecting traffic stop for violation of 22350 VC or 22352 VC and determining that the driver is a licensed physician responding to an emergency call in conformance with the above provisions shall:

(a) Immediately release the physician to respond to the emergency call, provided that the doctor was driving within the bounds of the exception.
(b) Detain the doctor long enough to record his/her driver license information, his/her vehicle license number, the patient's name and the type and location of the emergency
Traffic Citations

call, if it is questionable whether the doctor was, in fact, responding to an emergency call, or is driving beyond the bounds of the exemption.

Return immediately to the station and verify with the hospital that the emergency call did exist. If there is no record of an emergency call for the physician, note the name of the nurse or other person giving the information and either:

(a) Include all pertinent facts in an incident report. Upon receiving the incident report, the Traffic Bureau Accident Investigation Section Officer shall file an Application for Complaint with the District Attorney.

(b) See the physician at his/her office or other destination and present him/her with the citation. Should the physician refuse to sign the citation he/she shall be advised that he/she shall be placed in custody and transported to the police station for booking. If the physician continues to refuse to sign he/she shall be arrested, with Watch Commander Approval.

When a physician is taken into custody while en route to treat an emergency case, the arresting officer shall immediately cause the patient to be notified. If this is not possible, the person who summoned the physician shall be notified.

505.8 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.8.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

(a) Administrative reviews are conducted by the Department of Public Works who will review written/documentary data. Requests for administrative reviews are available in the Traffic Bureau of the Beverly Hills 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.

505.8.2 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.
Traffic Citations

(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)).

(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).

505.8.3 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.

505.9 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.
Disabled Vehicles

506.1 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.

506.2 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.

506.3 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.

506.3.1 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.

506.3.2 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.

506.3.3 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.

506.4 PUBLIC ACCESS TO THIS POLICY
This written policy is available upon request.
72-Hour Parking Violations

507.1 PURPOSE AND SCOPE
This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Beverly Hills City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

507.2 MARKING VEHICLES
Vehicles suspected of being in violation of the City of Beverly Hills 72-Hour Parking Ordinance shall be marked and Dispatch will be advised to create a follow-up call for 72 hours later for final disposition of the complaint.

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 in the CAD entry. 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, if the registered owner lives in the vicinity of where the vehicle is parked.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and appropriate notification to Dispatch.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

507.2.1 VEHICLE STORAGE
Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Bureau or Communications Bureau immediately following the storage of the vehicle. It shall be the responsibility of the Records Bureau or the Communications Bureau to immediately notify 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 Bureau to determine the names and addresses of any individuals 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).
Chapter 6 - Investigation Operations
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 POLICY
It is the policy of the Beverly Hills 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.

600.3 INITIAL INVESTIGATION

600.3.1 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.

600.3.2 NON-SWORN MEMBER RESPONSIBILITIES
A non-sworn 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.
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600.4  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. *Miranda warnings shall be read verbatim from the Department-issued Miranda advisement.*

600.4.1  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.

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 Detective Bureau 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.

600.4.2  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.
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(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).

600.5 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.

1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.

2. 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 Senior and Disability Victimization policies may also require an arrest or submittal of a case to a prosecutor.
600.6 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.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES
Use of social media and any other internet source to access information for the purpose of 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 the member's own equipment, the
member should note the dates, times, and locations of the information and report the discovery to
the member's 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).

600.7.1 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 nongovernment 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 and
the dates and times that the information was gathered.
Investigation and Prosecution

600.7.2 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.

600.8 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY INVESTIGATIONS
The Investigative Services 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.
   (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.

600.9 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 (11 CCR 751.6).

It is the Detective Bureau 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
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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 Detective Bureau supervisor shall provide written notice to the person and, if the person is under the age of 18, to their 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 their behalf, or their 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 their 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 Detective Bureau 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 Detective Bureau 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.

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).

600.10 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 Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

600.11 USE OF CERTAIN DNA SAMPLES
Known samples of DNA collected from a victim of a crime or alleged crime, and known reference samples of DNA from any individual that were voluntarily provided for the purpose of exclusion are
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to be used only for the purpose directly related to the incident being investigated and in compliance with the procedures identified in Penal Code § 679.12.

600.12 ANTI-REPRODUCTIVE RIGHTS CRIMES
A member should take a report any time a person living within the jurisdiction of the Beverly Hills Police Department reports the person has been a victim of an anti-reproductive rights crime as defined by Penal Code § 13776 and Penal Code § 423.3. This includes:

(a) Taking a report, even if the location of the crime is outside the jurisdiction of this Department or has not been determined (e.g., online harassment).

(b) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Members should encourage the person to review the material and should assist with any questions.

A report should also be taken if a person living outside Department jurisdiction reports an anti-reproductive rights crime may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in the [city/county] to facilitate the crime).

A member investigating an anti-reproductive rights crime should ensure the case is referred to the appropriate agency if it is determined this Department should not be the investigating agency. The victim should be advised the case is being transferred to the agency of jurisdiction. The appropriate entries should be made into any databases that have been authorized for Department use and are specific to this type of investigation.

The Detective Bureau supervisor should provide the Records Manager with enough information regarding the number of calls for assistance and number of arrests to meet the reporting requirements to the California Department of Justice as required by Penal Code § 13777. See the Records Bureau Policy for additional guidance.

600.13 STATE REQUIREMENTS FOR FIREARM INVESTIGATIONS

600.13.1 CALIFORNIA DOJ NOTICE OF LOCATION OF REPORTED LOST OR STOLEN FIREARM
When notification is received from the California Department of Justice (DOJ) that a firearm purchase matches an entry made into the Automated Firearms System by the Department as lost or stolen, the Detective Bureau supervisor shall assign an officer to retrieve the firearm and book the firearm into evidence in accordance with the Property and Evidence Policy. Recovery of the firearm shall be reported pursuant to Penal Code § 11108.2, Penal Code §11109.3, and Penal Code § 11108.5. If appropriate, arrangements may be made to have another state or local law enforcement agency retrieve the firearm on behalf of the Department (Penal Code § 28220).

600.13.2 RELINQUISHMENT OF FIREARMS VERIFICATION
The Detective Bureau supervisor shall designate a member to have access to the Armed Prohibited Persons System (APPS) to receive information regarding individuals in the jurisdiction of the Department who have become a prohibited possessor of a firearm registered in their name and have not provided proof of relinquishment. The member shall document steps taken to verify...
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that the individual is no longer in possession of firearms and provide the information to the Records Bureau for preparation of a quarterly report to the California DOJ (Penal Code § 29813) (see the Records Bureau Policy for additional guidance).
Sexual Assault Investigations

601.1 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 Senior and Disability Victimization policies.

601.1.1 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.

601.2 POLICY
It is the policy of the Beverly Hills 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.

601.3 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.
**Sexual Assault Investigations**

### 601.4 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.

### 601.5 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 appears 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 Detective Bureau 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.

### 601.6 VICTIM INTERVIEWS
The primary considerations in sexual assault investigations, which begin with the initial call to Communications Bureau, 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.

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.

#### 601.6.1 VICTIM RIGHTS
Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

(a) Prior to the commencement of the initial interview, 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, about any other rights of a sexual assault victim pursuant to the sexual assault victim card described in 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).
Sexual Assault Investigations

(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 the support person's presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

601.6.2 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).

601.7 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 (Penal Code § 680).

601.7.1 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
Sexual Assault Investigations

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 vendor 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 testing is complete, the statute of limitations has run, or the SAFE kit is exempt from the update requirement (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.

601.7.2 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 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).

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. 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) 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 confirmed 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.
Sexual Assault Investigations

3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank or the federal Department of Justice or Federal Bureau of Investigation CODIS database of case evidence.

4. To access the DOJ SAFE-T database portal consistent with Penal Code § 680.3(e) for information involving their own forensic kit and the status of the kit.

(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.

601.7.3 COLLECTION OF DNA REFERENCE SAMPLES
Reference samples of DNA collected directly from a victim of sexual assault, and reference samples of DNA collected from any individual that were voluntarily provided for the purpose of exclusion, shall be protected as provided in Penal Code § 679.12 (Penal Code § 680).

601.8 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 Detective Bureau Crimes Against Persons (CAPS) supervisor.

Classification of a sexual assault case as unfounded requires the Detective Bureau CAPS 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 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.

601.9 CASE REVIEW
The Detective Bureau 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.
Sexual Assault Investigations

601.10 TRAINING
Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:
   1. Initial response to sexual assaults.
   2. Legal issues.
   3. Victim advocacy.
   4. Victim’s response to trauma.
   5. 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.
Eyewitness Identification

604.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this Department employ eyewitness identification techniques (Penal Code § 859.7).

604.1.1 DEFINITIONS
Definitions related to the policy include:

Field Show Up - A procedure in which a suspect is detained shortly after the commission of a crime and who, based on his or her appearance, his or her distance from the crime scene, or other circumstantial evidence, is suspected of having just committed a crime. In these situations, the victim or an eyewitness is brought to the scene of the detention and is asked if the detainee was the perpetrator.

Live Lineup - A procedure in which a group of persons, including the person suspected as the perpetrator of an offense and other person not suspected of the offense, are displayed to an eyewitness for the purpose of determining whether the eyewitness is able to identify the suspect as the perpetrator.

Photographic Lineup - A procedure in which an array of photographs, including a photograph of the person suspected as the perpetrator of an offense and additional photographs of other persons not suspected of the offense, are displayed to an eyewitness for the purpose of determining whether the eyewitness is able to identify the suspect as the perpetrator.

604.2 POLICY
The Beverly Hills 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.

604.3 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.

604.4 PROCESS AND FORM FOR LIVE AND PHOTOGRAPHIC LINEUPS
The Detective Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting live or photographic lineups.

The process should include appropriate forms or reports that provide:
Eyewitness Identification

(a) The date, time and location of the eyewitness identification procedure.
(b) The name and identifying information of the witness.
(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 the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification (Penal Code § 859.7(a)(4)(A)/Penal Code § 859.7(a)(4)(B)).
(f) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as they did on the date of the incident.
(g) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness (Penal Code § 859.7(a)(4)(C)).
(h) A signature line where the witness acknowledges that they understand the identification procedures and instructions.
(i) A statement from the witness in the witness’s own words describing how certain they are of the identification or non-identification. This statement should be taken at the time of the identification procedure (Penal Code § 859.7(a)(10)(A)).
(j) Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 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.

The eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures. When it is not feasible to make a recording with both audio and visual representations, an audio recording should be made (Penal Code § 859.7).
Eyewitness Identification

604.6 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 (Penal Code § 859.7). 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 (Penal Code § 859.7).

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.

Investigating officers who plan to include a suspect in a live lineup must advise them of their right to have an attorney present as a witness at the lineup. If they are unable to afford or acquire an attorney, one will be appointed if they so desires. All live lineups shall be held at the designated Los Angeles County Sheriff's Department Jail facility and coordinated through the Los Angeles Sheriff's Department. Notwithstanding the suspect's choice of legal counsel the public defender shall be present at all live lineups per standard LASD procedures.

PHOTOGRAPHIC LINE-UP INSTRUCTIONS.pdf

604.6.1 OTHER SAFEGUARDS
Witnesses should be asked for suspect descriptions as close in time to the incident as possible and before conducting an eyewitness identification. No information concerning a suspect should be given prior to obtaining a statement from the witness describing how certain he/she is of the identification or non-identification. Members should not say anything to a witness that may validate or invalidate an eyewitness’ identification. In photographic lineups, writings or information concerning any previous arrest of a suspect shall not be visible to the witness (Penal Code § 859.7).

604.7 DOCUMENTATION
A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

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.
Eyewitness Identification

604.7.1 DOCUMENTATION RELATED TO RECORDINGS
The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

604.7.2 DOCUMENTATION RELATED TO BLIND ADMINISTRATION
If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).

604.8 FIELD SHOW UP CONSIDERATIONS
Field show-ups or may be helpful in certain cases, where circumstances make it impracticable to conduct a photo or live lineup identifications.

When initiating a field show up, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness prior to the field show up.
(b) Assess whether a witness should be included in a field identification process by considering:
   (a) The length of time the witness observed the suspect.
   (b) The distance between the witness and the suspect.
   (c) Whether the witness could view the suspect's face.
   (d) The quality of the lighting when the suspect was observed by the witness.
   (e) Whether there were distracting noises or activity during the observation.
   (f) Any other circumstances affecting the witness's opportunity to observe the suspect.
   (g) The length of time that has elapsed since the witness observed the suspect.
(c) Read witness the Witness Admonition for Field Identification prior to show up.
(d) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
(e) 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.
(f) The person who is the subject of the show-up should not be shown to the same witness more than once.
(g) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

Witness Admonition For Field Identification.PDF
Brady Material Disclosure

605.1 PURPOSE AND SCOPE
This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “Brady information”) to a prosecuting attorney.

605.1.1 DEFINITIONS
Definitions related to this policy include:

*Brady information* - Information known or possessed by the Beverly Hills Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY
The Beverly Hills 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 Beverly Hills 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.

605.3 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 attorney-client information, attorney work product), 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.

605.4 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:
Brady Material Disclosure

(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.

605.5 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.

605.6 TRAINING
Department members should receive periodic training on the requirements of this policy.
Unmanned Aerial System

606.1 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.

606.1.1 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.

606.2 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.

606.3 PRIVACY
The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers 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.

606.4 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, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- 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. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.
Unmanned Aerial System

- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- 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.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

606.5 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.

UAS operations should only be conducted consistent with FAA regulations.

606.6 PROHIBITED USE
The UAS video surveillance equipment shall not be used:
- To conduct random surveillance activities.
Unmanned Aerial System

- 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.

The UAS shall not be weaponized.

606.6.1 BEVERLY HILLS MUNICIPAL CODE 5-6-604

(a) No person shall use an unmanned aircraft to record or transmit any visual image or audio recording of any person or private real property located in the city under circumstances in which the subject person or owner of the subject real property has a reasonable expectation of privacy, including, but not limited to:
   1. Inside a private residence or office.
   2. Inside an enclosed yard.

(b) This section shall not prohibit the use of any model aircraft, which is flown in compliance with section 336 of the FAA modernization and reform act of 2012 and which does not transmit or record visual images or audio recordings of any person or real property located in the city.

(c) This section shall not prohibit the use of any unmanned aircraft by law enforcement or public safety agencies:
   1. If a warrant is issued authorizing the use of an unmanned aircraft.
   2. For the purpose of providing emergency management, fire or police protection services in response to a life-threatening emergency or for surveying the condition of persons or property during a duly declared state of emergency.
   3. Under circumstances where a warrant would not otherwise be required by law.

(d) For the purpose of this section, an unmanned aircraft is a device that flies and is operated without the possibility of direct human intervention from within or on the aircraft (Ord 14-O-2667, eff. 11-21-2014).

606.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.
Warrant Service

607.1 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 Incident 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.

607.2 POLICY
It is the policy of the Beverly Hills 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.

607.3 INCIDENT/OPERATIONS PLANNING
The SWAT Commander (see the Incident Planning and Deconfliction Policy) shall review all risk assessments with the involved supervisor to determine the risk level of the warrant service.

The SWAT Commander will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Incident Planning and Deconfliction Policy.

607.4 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 conduct a risk assessment, along with the warrant affidavit, to the appropriate supervisor and the SWAT Commander or the authorized designee for review and determination of risk (see the Incident Planning and Deconfliction Policy).

607.5 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 a risk assessment and submit it to the appropriate supervisor and the SWAT Commander for review and determination of risk (see the Incident Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the SWAT Commander or the authorized designee. 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.
Warrant Service

607.6 WARRANT PREPARATION
An officer who prepares a warrant should ensure the documentation in support of the warrant contains 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.

(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, including photographs of the location, if reasonably available.

(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).

607.7 HIGH-RISK WARRANT SERVICE
The SWAT Commander or the authorized designee shall coordinate the service of warrants that are determined to be high risk. The Special Operations Commander shall have the ultimate authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The supervisor responsible for directing the service should ensure the following as applicable:

(a) Site verification.

(b) 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 execution of a search warrant. The images should include the surrounding area and persons present.

(c) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

(d) 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
**Warrant Service**

designated members to the presence of potential evidence and not touch or disturb the items.

(e) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(f) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(g) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

(h) 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.

(i) A copy of the search warrant is left at the location.

(j) The condition of the property is documented with video recording or photographs after the search.

607.8 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.

607.9 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 timeline specified in the California Penal Code or local court rules.

607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The SWAT Commander or authorized designee 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
Warrant Service

- 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 SWAT Commander or the authorized designee. The SWAT Commander or the authorized designee should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The SWAT Coordinator or the authorized designee should ensure that members of the Beverly Hills Police Department are utilized appropriately. Any concerns regarding the requested use of Beverly Hills 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.

If the SWAT Commander or the authorized designee are unavailable, the Watch Commander should assume this role.

If officers intend to serve a warrant outside Beverly Hills Police Department jurisdiction, the SWAT Commander or the authorized designee 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 Beverly Hills Police Department when assisting outside agencies or serving a warrant outside Beverly Hills Police Department jurisdiction.

607.11 MEDIA ACCESS
No advance information regarding warrant service operations shall be released without the approval of the Chief of Police or the authorized designee. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

607.12 TRAINING
The Personnel and Training Sergeant should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.
Operations Planning and Deconfliction

608.1 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.

608.1.1 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.

608.2 POLICY
It is the policy of the Beverly Hills 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.

608.3 INCIDENT/OPERATIONS PLANNING DIRECTOR
The Chief of Police will designate the SWAT Commander to complete all high-risk incident/operations planning.

The SWAT Commander will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The SWAT Commander will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The SWAT Commander will also have the responsibility for coordinating operations that are categorized as high risk.

608.4 RISK ASSESSMENT

608.4.1 RISK ASSESSMENT PREPARATION
Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment.

When preparing the assessment, 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:
Operations Planning and Deconfliction

(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).

(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).

608.4.2 RISK ASSESSMENT REVIEW
Officers will present the risk assessment and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the SWAT Commander.

The supervisor and SWAT Commander 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.

608.4.3 HIGH-RISK OPERATIONS
If the SWAT Commander, after consultation with the involved supervisor, determines that the operation is high risk, the SWAT Commander 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)
2. Additional personnel
3. Outside agency assistance
4. Special equipment
5. Medical personnel
6. Persons trained in negotiation
7. Additional surveillance
Operations Planning and Deconfliction

8. Canines

9. Property and Evidence Unit 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.

608.5 DECONFLICTION

Deconfliction systems (e.g., L.A. Regional Criminal Information Clearinghouse (L.A. Clear)) 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.

608.6 OPERATIONS PLAN

The operations director 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:

1. 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)

2. 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,
Operations Planning and Deconfliction

availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids

3. 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)

4. 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.

(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, Senior and Disability Victimization, Child and Dependent Adult Safety, and Animal Control policies.

(k) Communications plan.

(l) Responsibilities for writing, collecting, reviewing, and approving reports.

608.6.1 OPERATIONS PLAN RETENTION
Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

608.7 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.
Operations Planning and Deconfliction

(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 should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The SWAT Commander shall ensure that all participants are visually identifiable as law enforcement officers.
   (a) Exceptions may be made by the SWAT Commander for officers who are conducting surveillance or working under cover. 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.

(d) The briefing should include details of the communications plan.
   (a) It is the responsibility of the SWAT Commander to ensure that Communications Bureau 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.

608.8 SWAT PARTICIPATION
If the SWAT Commander determines that SWAT participation is appropriate, the SWAT Commander and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

608.9 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 Media Relations Policy.

608.10 OPERATIONS DEBRIEFING
High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.
608.11 TRAINING
The Personnel and Training Sergeant should ensure officers and SWAT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.
Investigative Funds

609.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the use of city funds for investigative purposes. Annually, the Department budget requests funds for special, narcotic and vice investigations. These sensitive and confidential police matters may require the display and use of currency as part of the investigative process.

609.2 POLICY
It is the policy of the Beverly Hills Police Department to request, track and disperse funds for appropriate investigative purposes.

609.3 FUNDS
When the budget is adopted, the approved fund amounts are converted to cash and maintained in a department safe, to be accessed only by the Chief of Police or the authorized designee. As needed, the Detective Bureau Commander may issue currency from the safe to be used for investigative purposes. When funds are accessed or deposited by a designee, a log shall be signed after the money is counted by the officer conducting the count.

609.4 DETECTIVE BUREAU RESPONSIBILITIES
The Detective Bureau Lieutenant and Sergeants maintain the operating funds and ensure that formal records are kept to document the disbursement of funds:

1. A log/ledger shall be maintained in a secure location
2. Receipts (with signatures) shall be maintained for each transaction
3. An audit shall be conducted at least once per year; and anytime there is a new Detective Bureau Commander or Division Commander assigned with oversight responsibilities.

Detective Bureau funds may be expended for the following purposes:

- As payment to informants, when approved by the Chief of Police or the authorized designee.
- For expenditures associated with vice/narcotic, ABC violations or other investigations approved by the Division Commander.
- For expenditures which require confidentiality and therefore cannot be reimbursed via usual City channels.
- As "flash" or "buy/bust" money for investigations.
- Any other expenditure approved by the Chief of Police.

Following the close of each fiscal year, the Assistant Chief of Police and the Executive Officer shall conduct an audit of all funds and transactions. An after-action report shall be submitted to the Chief of Police by August 31st of each year.
Facial Recognition

610.1 PURPOSE AND SCOPE
This policy aims to establish procedures for the acceptable use of the images (probe and candidate), information, and tools within the facial recognition system. Facial recognition shall only be used when there is reasonable suspicion that such use will provide information relevant to an active investigation, imminent threat to health or safety ("at-risk") or help in the identification of deceased persons or persons unable to identify themselves. This policy applies to all law enforcement personnel who are granted direct access to the facial recognition system and the personnel permitted to request facial recognition searches. Any outside agency, or personnel from an outside agency, requesting facial recognition assistance with an investigation must also adhere to this policy and fill out a request form, which affirms adherence to these policies.

610.2 POLICY
This Beverly Hills Police Department Policy is intended to solely utilize facial recognition technology as an investigative tool during investigations while protecting the privacy of the public and civil liberties.

610.3 DEFINITIONS & TERMS
Los Angeles County Regional Identification System (LACRIS) - The California Department of Justice’s CAL-ID program, is responsible for providing biometric identification services to Los Angeles County law enforcement agencies.

Digital Mugshot System (DMS) – DMS is the repository of all criminal booking photos (mugshots) associated with criminal tenprint fingerprints and a criminal history record, including a Facial Recognition application.

Facial Recognition – The automated searching of a facial image (probe) against a known database(s), resulting in a list of candidates ranked by computer-evaluated similarity score. This is commonly referred to as a one-to-many comparison.

Facial Reviewer - A person who successfully completed facial recognition training by the Federal Bureau of Investigations (FBI) or LACRIS capable of performing comparisons of candidate images against probe images.

Probe - The facial image or template is searched against a known mugshot database in a Facial Recognition System.

Surveillance - Lawful close watch kept over someone or something.

Predictive Analysis - A type of data analysis which focuses on making predictions about the future based on data.
610.4 PROHIBITIVE USES
1. Members shall not use facial recognition to actively surveil members of the public through any camera or video device unless the person(s) are under an active criminal investigation or the surveillance is in response to an imminent threat of life.

2. Members shall not use facial recognition on live stream video unless there is an imminent threat to life or it involves at-risk individuals.

3. Members shall not use facial recognition for predictive analysis.

610.5 FIRST AMENDMENT ACTIVITY
Facial recognition must be used in accordance with all federal and state laws, and all Departmental policies.

This Department and its personnel will not perform or request facial recognition searches about individuals or organizations that will violate the First, Fourth, and Fourteenth Amendments of the US Constitution and shall not be based solely on any of the following:

1. Their religious, political, or social views or activities.

2. Their participation in a particular noncriminal organization.

3. Their race, ethnicity, citizenship, place of origin, age, disability, gender, gender identification, sexual orientation, or other protected classification.

610.6 DATABASE AND DATE LIMITATIONS
1. This Department will not maintain, utilize, or keep any database to conduct facial recognition searches.

   (a) If this agency purchases or utilizes a separate facial recognition system, (e.g., Vigilant Systems and Clearview), language will be added to this policy that clearly states which facial recognition system (other than LACRIS DMS) this agency will use or maintain. This Department will ensure the clear separation between the LACRIS DMS and any other system(s). I.e., Facial recognition systems shall be maintained separately with no interface between them, nor shall they share the same database.

2. This Department will utilize the LACRIS DMS facial recognition system to conduct facial recognition searches.

3. No non-mugshot databases, such as the California driver's license photo database, or publicly sourced image databases, are linked to or accessible via the LACRIS DMS.

4. Potential matches returned by the facial recognition system are to be considered investigative leads only and cannot be used as the sole basis for an arrest, detention, or identification. Investigative leads require investigative follow-up to corroborate the lead before any action is taken.
**Facial Recognition**

**610.7 DOCUMENTATION**
With any potential match where an investigative lead is generated on the facial recognition software, the facial reviewer and/or investigator should write a detailed report on the information they have obtained.

**610.8 INVESTIGATIVE SEARCHES**
1. Probe images will only be used from legally obtained sources.
2. Facial reviewers will determine if probe image(s) is suitable for facial recognition searches and may process images to conduct a facial recognition search.

**610.9 TRAINING**
Department personnel accessing the facial recognition system shall have successfully completed training provided by the FBI or LACRIS, which meets the Criminal Justice Information Services (CJIS) minimum training criteria for using facial recognition systems. Investigative searches shall only be conducted by trained facial reviewers. Trained Facial Reviewers are qualified to assess image quality and suitability for face recognition searches and to perform one-to-many and one-to-one face image comparisons.

**610.10 AUDITS**
The use of the LACRIS facial recognition system is controlled by state law pertaining to Criminal Offender Record Information (CORI). All use(s) of the LACRIS facial recognition system shall be performed on a right-to-know and need-to-know basis per CORI regulations. All use(s) of the LACRIS facial recognition system and search requests are subject to audit by the Cal-DOJ, LACRIS, and the local administrator from the Beverly Hills Police Department. In the event of an audit, the user will be required to provide appropriate justification for the use or request of a facial recognition search.

The local administrator must conduct monthly audits of all User activities within the Facial Recognition system as defined by LACRIS. Monthly audits shall be retained for a period of five (5) years and submitted to Cal-DOJ or LACRIS upon request.

Appropriate justification shall include a situation description and purpose for the search, including a detailed account of circumstances amounting to reasonable suspicion, a case/complaint number, and a file class/crime type, if available.
Chapter 7 - Equipment
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.

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.

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.
Department Owned and Personal Property

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.

700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

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.

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.

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.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.
Vehicle Maintenance

702.1 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.

702.2 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 the Vehicle Shop for repair.

702.2.1 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.

702.2.2 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 roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.2.3 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.

702.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 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:

- Emergency road flares.
- 1 Roll Crime Scene Barricade Tape.
- CPR mask, fully-charged AED.
- 1 Blood-borne pathogen kit, Incl. protective gloves, mask, spit hood.
- 1 Fire extinguisher.
Vehicle Maintenance

702.3.2 TRAFFIC CONTROL OFFICER (TCO) VEHICLES
TCOs shall inspect the traffic control vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Emergency road flares.
- 1 Roll Crime Scene Barricade Tape.
- Chalk.
- Barricades.
- Cones.
- Stop signs.
- Fire extinguisher.

702.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, officers driving patrol vehicles should not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles should generally, only be refueled at the authorized location.

702.5 WASHING OF VEHICLES
All units should be kept clean at all times and weather conditions permitting, should 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 should 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.

702.6 NON-SWORN EMPLOYEE USE
Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Non-sworn employees using marked black and white police vehicles, generally should prominently display the “out of service” placards or lightbar covers. Non-sworn employees shall not operate the "Code 3" emergency lights or siren of any vehicle unless expressly authorized by a supervisor.
Vehicle Use

703.1 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- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Beverly Hills to provide assigned take-home vehicles.

703.2 POLICY
The Beverly Hills 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.

703.3 USE OF VEHICLES

703.3.1 OTHER USE OF VEHICLES
Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Watch Commander. A notation will be made on the shift assignment roster indicating the member’s name and vehicle number.

This subsection does not apply to those who are assigned to vehicle transportation duties to and from the maintenance yard or carwash.

703.3.2 INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned 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.

703.3.3 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
Vehicle Use

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.

703.3.4 MDT
Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify Communications Bureau. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.3.5 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 by other than supervisors will require approval by the Chief of Police or the authorized designee.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.6 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.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member’s chain of command.

703.3.7 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.

703.3.8 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.
Vehicle Use

703.3.9 PARKING
Department vehicles should be parked in assigned stalls. Privately owned motorcycles shall be parked in designated areas.

703.3.10 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.

703.3.11 NON-SWORN MEMBER USE
Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members driving marked black and white police vehicles generally should prominently display the "out of service" placards or light bar covers. Non-sworn members shall not operate the "Code 3" emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 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.

703.4.1 ON-DUTY USE
Vehicle assignments shall be based on the nature of the member's duties, job description and 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.

703.4.2 UNSCHEDULED TAKE-HOME USE
Circumstances may arise where department vehicles must be used by members to drive to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

(a) The circumstances are unplanned and were created by the needs of the department.
(b) Other reasonable transportation options are not available.
(c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Beverly Hills City limits.
(d) Off-street parking will be available at the member's residence.
(e) Vehicles will be locked when not attended.
(f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.
Vehicle Use

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the Department's needs, the nature of the member’s duties, job description and essential functions, and employment or appointment status.

Department members shall be aware of the City’s Administrative Regulations (AR) regarding take-home vehicles. The AR outlines standards, including, but not limited to, how the vehicle shall be used and where it shall be parked when the member is not on-duty.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member.

Criteria for use of take-home vehicles include the following:

(a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander grants authorization.

(b) Vehicles may be used to transport the member to and from the member’s residence for work-related purposes.

(c) Vehicles will not be used when off-duty except:
   (a) In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.
   (b) When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or travelling to or from a work-related activity or function.
   (c) When the member has received permission from the Chief of Police or Division Commanders.
   (d) When the vehicle is being used by the Chief of Police, Assistant Chief of Police, Division Commanders or members who are in on-call administrative positions.
   (e) When the vehicle is being used by on-call members.
   (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
   (e) The two-way communications radio, MDT and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
   (f) Unattended vehicles are to be locked and secured at all times.
      (a) 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).
      (b) All weapons shall be secured while the vehicle is unattended, in accordance with the Firearms Policy.
**Vehicle Use**

(c) All department identification, portable radios and equipment should be secured.

(g) Vehicles are to be parked off-street at the member’s residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

(h) Vehicles are to be secured at the member’s residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.

1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.

2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.

(i) The member is responsible for the care and maintenance of the vehicle.

### 703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Beverly Hills Police Department or while off-duty, an officer should not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent.

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

### 703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. 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 anapproved facility.

(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 vehicle repair card explaining the service or repair, and leave it on the seat or dash.

(f) All weapons shall be removed from any vehicle left for maintenance.
Vehicle Use

(g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 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 also record the use with the Watch Commander on the shift assignment roster.

703.6 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, documented in an incident report and forwarded to the Watch Commander. The appropriate Division Commander or the authorized designee should determine if there has been any vehicle abuse or misuse.

703.7 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 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, in writing, the appropriate Division Commander prior to the end of their shift.

703.7 ATTIRE AND APPEARANCE
When operating any marked department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.
Military Equipment Use Policy

706.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS
Definitions related to this policy include (Government Code § 7070):

**Governing body** – The City Council of the City of Beverly Hills which oversees the Department.

**Military equipment** – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue weapons.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.
Military Equipment Use Policy

706.2 POLICY
It is the policy of the Beverly Hills Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR
The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

(a) Acting as liaison to the governing body for matters related to the requirements of this policy.
(b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
(c) Conducting an inventory of all military equipment at least annually.
(d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Department (Government Code § 7071).
(e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
   1. Publicizing the details of the meeting.
   2. Preparing for public questions regarding the department’s funding, acquisition, and use of equipment.
(f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
(g) Implementing the procedure for a person to submit a complaint, concern, or question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY
All military equipment maintained by the Beverly Hills Police Department shall be inventoried and logged with the following information:

(a) The description of each type, including the manufacture’s description of the equipment.
(b) The capabilities of the equipment.
(c) The purposes and authorized uses for which the Department proposes to use the equipment.
(d) The expected lifespan of the equipment.
(e) The fiscal impact of the equipment, both initially and for on-going annual maintenance.
(f) The quantity of the equipment, whether maintained or sought.
(g) The legal and procedural rules that govern the authorized use.
(h) The training that must be completed before use.
Military Equipment Use Policy

CURRENT MILITARY EQUIPMENT INVENTORY

Refer to attached for the Beverly Hills Police Department's Military Equipment Inventory.

Military Equipment Inventory 2023.pdf

MAINTENANCE OF MILITARY EQUIPMENT SUPPLY LEVELS

When stocks of military equipment have reached significantly low levels or have been exhausted, the Department may order up to the pre-authorized quantity approved by City Council, of stock in a calendar year in accordance with the annual military equipment report and this policy.

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment use policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment use policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment use policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

(a) Requesting military equipment made available pursuant to 10 USC § 2576a.
(b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
(c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
(d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
(e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
(f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
(g) Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this Department or operating in conjunction in a law enforcement capacity with this Department, shall comply with their respective military equipment use policies in rendering mutual aid.
Military Equipment Use Policy

706.7 ANNUAL REPORT
Upon approval of a military equipment use policy, the Chief of Police or the authorized designee should submit a military equipment use report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The governing body shall determine whether each type of military equipment identified in the annual report complies with findings at the time this policy was adopted. If it is determined that a type of military equipment in the annual report has not been compliant, City Council may either disapprove a renewal of the authorization or require that modifications be made.

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include, at minimum, all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

706.8 COMMUNITY ENGAGEMENT
Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

706.9 PUBLIC QUESTIONS, CONCERNS AND COMPLAINTS
In accordance with Government Code § 7070, a person may register a complaint or concern, or submit a question about the use of a type of military equipment.

Any member of the public may ask questions, register concerns, or make complaints by submitting a "Military Equipment Use Inquiry and Complaint Form" on-line via the Beverly Hills Police Department's website. The receipt, processing, investigation, and response will be handled by the Department's Professional Standards Unit.

706.10 COMPLIANCE
The designated Military Equipment Coordinator will ensure that all Department members comply with this policy. Any alleged violations of this policy will be investigated pursuant to Policy 1010 and may be subject to disciplinary action. The Beverly Hills City Manager has final oversight authority over the use of military equipment.
Chapter 8 - Support Services
Crime Analysis

800.1 PURPOSE AND SCOPE
Crime analysis should provide currently 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 range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

Additionally, quantitative and qualitative crime analysis processes are used in the analysis involving quality of life issues, traffic issues; internal police operations and its results support criminal investigation and prosecution; patrol activities, crime prevention and reductions strategies, problem solving and the evaluation of police efforts.

800.2 TYPES OF CRIME ANALYSIS
The types of crime analysis are organized around several factors, including the nature and source of the data; the techniques applied; the results of the analysis; the regularity and frequency of the analysis and the intended audience and purpose.

**Administrative crime analysis** - is analysis directed towards the administrative needs of the policy agency, its government and its community. As a broad category, it includes a variety of techniques and products, performed both regularly and on request, including statistics, data printouts, maps and charts. Examples include workload calculations by area and shift, officer activity reports, statistics for adjusting staffing levels, reports to community groups and cost-benefit analysis of police programs.

**Strategic crime analysis** - is analysis of data directed towards development and evaluation of long-term strategies, policies and prevention techniques. Its subjects include long-term strategies, policies and prevention techniques. Its subjects include long-term statistical trends, hot spots and problems. Although it often starts with data from police records systems, strategic analysis usually includes the collection of primary data from a variety of other sources through both quantitative and qualitative methods.

Process and techniques include:

- Hot-spot analysis
- Trend analysis
- Problem analysis
- Forecast analysis
- Data driven policing

**Tactical crime analysis** - is analysis of police data directed towards the short-term development of patrol and investigative priorities and deployment of resources. Its subject areas include the
Crime Analysis

analysis of space, time, offender, victim and modus operandi for individual high-profile crimes, repeat incidents and crime patterns, with a specific focus on crime series.

Process and Techniques include:

- Spatial and Temporal crime pattern analysis
- Repeat incident analysis
- Linking known offenders to past crimes

800.3 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
- Records Management System data
- Pawn data
- Law Enforcement databases
- Statewide Integrated Traffic Reporting System (SWITRS)

800.4 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

800.5 CRIME ANALYSIS DISSEMINATION
For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on 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.
Crime Analysis

800.6 SECURITY
Confidential materials will be maintained in the designated criminal intelligence office, a secured office with controlled access which is limited to authorized personnel only. Visitors are allowed, as long as they are escorted.
Communications Bureau

801.1 PURPOSE AND SCOPE
This policy establishes guidelines for the basic functions of Communications Bureau. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY
It is the policy of the Beverly Hills 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 Communications Bureau and police and fire department members in the field.

801.3 COMMUNICATIONS BUREAU SECURITY
The communications function is vital and central to all emergency service operations. The safety and security of the Communications Bureau, its members and its equipment must be a high priority.

Access to the Communications Bureau shall be limited to Communications Bureau members, the Watch Commander, command staff and department members with a specific business-related purpose. Access to the Communications Bureau for non-department members (e.g., tours, sit-alongs, maintenance) shall receive prior approval from the Communications Manager, Watch Commander or an authorized designee.

801.4 RESPONSIBILITIES

801.4.1 PUBLIC SAFETY COMMUNICATIONS MANAGER
The Chief of Police shall appoint and delegate certain responsibilities to the Public Safety Communications Manager. The Public Safety Communications Manager is directly responsible to the Administrative Services Division Commander or the authorized designee.

The responsibilities of the Public Safety Communications Manager or the authorized designee include, but are not limited to:

(a) Overseeing the efficient and effective operation of Communications Bureau 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 Communications Bureau information for release.

(f) Maintaining the Communications Bureau database systems.
Communications Bureau

(g) Maintaining and updating the Communications Bureau 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.

801.4.2 ADDITIONAL PROCEDURES
The Public Safety Communications Manager or the authorized designee 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) Safety check intervals.

(f) Emergency Medical Dispatch (EMD) instructions.

(g) Procurement of external services (e.g., aircraft, tow trucks, taxis).

(h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).

(i)

(j) Handling misdirected, silent and hang-up calls.

(k)

(l) Radio interoperability issues.

801.4.3 DISPATCHERS
Dispatchers report to the Public Safety Communications Manager or the authorized designee. 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.
Communications Bureau

(c) Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment and Text to 911.

(d) Radio communications with police and fire department members in the field and support resources (e.g., allied fire department, allied emergency medical services (EMS), allied agency law enforcement units).

(e) Text 9-1-1

(f) Other electronic sources of information (e.g., text messages, digital photographs, video).

(b) Documenting the field activities of police and fire department members and support resources (e.g., allied fire department, allied EMS, allied agency law enforcement units).

(c) Inquiry and entry of information through Communications Bureau, department and other law enforcement database systems (CLETS, DMV, NCIC).

(d) Monitoring city video surveillance systems (CCTV).

(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:

(a) Vehicle pursuits.

(b) Foot pursuits.

(c) Officer Involved Shootings/Significant use of force

(d) Assignment of emergency response.

801.5 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 four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, and the caller cannot perform Text to 911, 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).
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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 Communications Bureau, 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.

801.5.1 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 generally 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.

801.5.2 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.

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.

801.6 RADIO COMMUNICATIONS
The 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 Public Safety Communications 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.
801.6.1  FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE
Beverly Hills Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

801.6.2  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. 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 name.

801.7  DOCUMENTATION
It shall be the responsibility of the Communications Bureau 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 or call-for-service number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- 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.

801.8  CONFIDENTIALITY
Information that becomes available through the Communications Bureau may be confidential or sensitive in nature. All members of the Communications Bureau 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 police or fire personnel. Prior to transmitting confidential information via the radio, an
admonishment shall be made that confidential information is about to be broadcast. The dispatcher should verify the unit if they are able to receive confidential information; or ask the field unit to call the Communications Bureau to ensure confidentiality.

801.9 TRAINING AND CERTIFICATION
Dispatchers shall receive training consistent with minimum standards established by POST (Penal Code § 13510).
Property and Evidence

802.1 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.

802.2 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.

802.3 PROPERTY HANDLING
Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room. 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. A Field Property Receipt form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items.

802.3.1 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 property form 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) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.

(d) Place the case number in the upper right hand corner of the bag.
Property and Evidence

(e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.

(f) When the property is too large to be placed in a locker, the item may be retained in the bulk storage area. Submit the completed property record into a numbered locker indicating the location of the property.

802.3.2 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs shall be booked separately using a separate property record. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately.

802.3.3 EXPLOSIVES
Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The L.A. County Sheriff's Department Explosive Ordinance Detail (EOD) 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 fireworks that are considered stable and safe and road flares or similar signaling devices 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. The Property Officer is responsible for transporting to the Fire Department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

802.3.4 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) License plates found not to be stolen or connected with a known crime, should be booked into Property and Evidence. The Property Officers are responsible for mailing the license plate to the DMV..

(c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property shall be placed in the bicycle storage area until a Property Officer can log the property.

(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.
802.3.5 HAZARDOUS OR DANGEROUS ITEMS
Any item deemed to be hazardous or dangerous shall not be brought into the Police Department facility, rather these items will be placed in the exterior Hazardous Materials Storeroom on the east end of the police facility.

Inside the Hazardous Materials Storeroom is a temporary storage cabinet with materials necessary to book the suspected item(s) into evidence.

802.3.6 FORGERY RELATED PROPERTY
Credit cards, items of unusual nature, such as legal documents and documents with sensitive information shall not be retained in investigator's case files.

802.3.7 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 ensure the Records and Jail Manager or the authorized designee is notified of the relinquished firearm for purposes of updating 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).

802.4 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) Fireworks
802.4.1 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, and syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

802.4.2 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 an evidence locker.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the property and evidence room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

802.5 RECORDING OF PROPERTY
The Property Officer receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored in the evidence tracking software (ETS).

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and in ETS.

Any changes in the location of property held by the Beverly Hills Police Department shall be updated in the evidence tracking software (ETS).

802.6 PROPERTY CONTROL
Each time the Property Officer receives property or releases property to another person, they shall enter this information in the ETS. Officers desiring property for court should contact the Property Officer at least one day prior to the court day.

802.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry in ETS shall be completed to maintain the chain of evidence. No property or evidence is to be released without first receiving written authorization from a supervisor or detective, or their designee.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the Property Officer. This request may be filled out any time after booking of the property or evidence.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting person will check the evidence out of property, which records the chain of custody.
Property and Evidence

The Property Officer releasing the evidence must complete the request in Property Evidence Laboratory Information Management System (PRELIMS).

802.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be documented utilizing ETS.

The Property Officer shall obtain the signature of the person 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 ETS, which indicates the date, time and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY
The Detective Bureau shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

802.6.5 RELEASE OF PROPERTY
All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Release of all property shall be documented in the ETS.

With the exception of firearms, currency and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, authorized 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 auctioned at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in related reports.

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 original property form. If the property being released is a firearm, the property release request shall be forwarded to the Records Bureau for filing with the case. If some items of property have not been released those items will remain with the Property and Evidence Unit. Upon release, the proper entry shall be documented in ETS.
Property and Evidence

Under no circumstances shall any firearm, magazine, or ammunition 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.

The case handling detective 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, magazine or ammunition longer than 180 days after notice has been provided to the owner that such items are available for return. At the expiration of such period, the firearm, magazineor ammunition may be processed for disposal in accordance with applicable law (Penal Code § 33875).

Prior to releasing property to an agent representing an organization, they must have written authorization, on official stationery, which is signed by an official of the organization.

An agent representing an individual must have a notarized authorization, which is signed by the owner, prior to releasing property to the agent.

802.6.6 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)).

802.6.7 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 & Safety Code § 11364.

802.6.8 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS
Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm or ammunition, the Property Officer shall return the weapon or ammunition to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met, unless the firearm or ammunition is determined to be stolen, evidence in a criminal investigation, or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).

802.6.9 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).

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 Beverly Hills 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.

802.6.10 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 for a hearing regarding the return of a firearm or a weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the firearm or 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) that conforms to the provisions of Penal Code § 33865.

(b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the firearm or weapon is not retained as evidence, the Department shall make the firearm or weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ that conforms to the provisions of Penal Code § 33865.

(c) 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.

802.6.11 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.

802.7 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.

802.7.1 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)
- 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)

802.7.2 UNCLAIMED MONEY
If found or 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 and deposited into the City’s general fund. Money representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

802.7.3 RETENTION OF BIOLOGICAL EVIDENCE
The Property and Evidence Unit 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
Property and Evidence

(b) The defendant’s attorney
(c) The appropriate prosecutor and Attorney General
(d) Any sexual assault victim
(e) The Operations Division supervisor

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 and Evidence Unit Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is 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 appropriate file and a copy forwarded to the Operations Division supervisor.

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 Operations Division supervisor 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).

802.7.4 NON-EVIDENCE/FOUND PROPERTY
Property determined to be of no evidentiary value shall be released to the owner, or under the following conditions, the investigating officer shall authorize release to a finder who submits a claim: (Refer California Civil Code Division 3, Part 4, Title 6, Chapter 4, Article 1,Section 2080.6 and BHMC 3-3.202.)

(a) If the owner waives title to the property in writing.
(b) If the property has remained unclaimed for 90 days following notification of its availability.
(c) If ownership is not established within 90 days of the date booked.

EXCEPTION: If the property was found by an employee of the City or other public service agency, while acting within the scope of their employment, the property shall not be released to them.

Property determined to be of no evidentiary value shall be disposed of in accordance with the law, after it has been in Departmental custody for 90 days and has not been claimed.
802.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the Property and Evidence supervisor shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.

(c) An annual audit of evidence held by the Department shall be conducted by a Division Commander (as appointed by the Chief of Police) not routinely or directly connected with evidence control.

(d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.
Records Bureau

803.1 PURPOSE AND SCOPE
This policy establishes the guidelines for the operational functions of the Beverly Hills Police Department Records Bureau. The policy addresses Department file access and internal requests for case reports.

803.2 POLICY
It is the policy of the Beverly Hills Police Department to maintain Department records securely, professionally, and efficiently.

803.3 RESPONSIBILITIES

803.3.1 POLICE RECORDS MANAGER
The Chief of Police shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Administrative Services Division Commander or the authorized designee.

The responsibilities of the Records 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.

803.3.2 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).
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).
6. Anti-reproductive rights crime information required by Penal Code § 13777.

(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 California 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, surrendered in relation to a private party firearms transaction or registration, relinquished pursuant to a court order, or under observation, within seven calendar days of the precipitating event (Penal Code § 11108.2).

(i) Entering into the California DOJ automated property system descriptions of serialized property, or non-serialized property that has been uniquely inscribed, which has been reported stolen, lost, found, recovered, held for safekeeping, or under observation (Penal Code § 11108).

(j) Maintaining compliance with quarterly California DOJ reporting requirements regarding the department’s efforts to verify an individual listed in the Armed Prohibited Persons System is no longer in possession of a firearm (Penal Code § 29813).

(k) Maintaining compliance with the state and California 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)).

(l) Transmitting data to the Joint Regional Information Exchange System on any suspected multi-mission extremist crimes.
803.3.3 RECORDS BUREAU PROCEDURE MANUAL
The 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.

803.4 DETERMINATION OF FACTUAL INNOCENCE
In any case where a person has been arrested by officers of the Beverly Hills 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 Manager who will promptly contact the Detective Supervisor to review the case file. The Detective Supervisor should respond in writing to the Records Manager with an opinion regarding the petition.

Upon receipt of a written opinion from the Detective Supervisor, the Records Manager should promptly contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). After such review and consultation with the prosecuting attorney, the Detective Bureau Supervisor and the Administrative Services Division Commander shall decide whether a finding of factual innocence is appropriate, with final recommendation from from the Chief of Police.

Upon determination that a finding of factual innocence is appropriate, the Records Manager shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California DOJ and other law enforcement agencies (Penal Code § 851.8).

The Records Manager should respond to a petition with the Department's decision within 60 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

803.5 ARREST WITHOUT FILING OF ACCUSATORY PLEADING
The Detective Bureau Division Commander or the authorized designee 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.
803.6 FILE ACCESS AND SECURITY
The security of files in the Records Bureau must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a police department case, including field interview (FI) records, criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Bureau, accessible only by authorized members of the Records Bureau. Access to case reports or files when staff is not available is discouraged, however in exigent circumstances (e.g., urgent law enforcement agency request), may be obtained through the Watch Commander following records release protocol.

The Records Bureau will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

803.7 ORIGINAL CASE REPORTS
Generally, original arrests files shall not be removed from the Records Bureau. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Records Manager. All original case reports removed from the Records Bureau shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Bureau.

All original case reports to be removed from the Records Bureau shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Bureau. The photocopied report shall be shredded upon return of the original report to the file.

803.8 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.

803.9 CITY PERMITS, APPLICATIONS AND EMPLOYEES
The Records Bureau staff are responsible for the processing and maintaining of Investigative Application forms for persons obtaining permits and/or identification cards within the City for such occupations as follows:

(a) Taxicab Driver
(b) Valet Parking Attendant
(c) Caterer/Peddler
(d) Second Hand Dealer (processed through the Detective Bureau)
(e) Tow Truck Operator
The Records Bureau staff are also responsible for obtaining background information in regards to any appropriate wants, warrants, driving histories or restrictions, processing renewals, and maintaining files and indexes on all applicants processed for permits as specified above.
Records Maintenance and Release

805.1 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.

805.2 POLICY
The Beverly Hills Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 7920.000 et seq.).

805.3 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 § 7922.525; Government Code § 7922.530).

(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 § 7922.530).

(g) Determining how the Department's website may be used to post public records in accordance with Government Code § 7922.545.

(h) Ensuring public records posted on the Department website meet the requirements of Government Code § 7922.680 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.

(i) Ensuring a list and description, when applicable, of enterprise systems (as defined by Government Code § 7922.700) is publicly available upon request and posted in a prominent location on the Department’s website (Government Code § 7922.710; Government Code § 7922.720).

805.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any Department member who receives a request for any record shall route the request to the Records Bureau.
805.4.1 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 § 7922.530).

The processing of requests for any record is subject to the following (Government Code § 7922.530; Government Code § 7922.535):

(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 § 7923.655).

(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.

(a) 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 § 7922.600).

(b) 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 § 7922.570; Government Code § 7922.580).

(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 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. The written response shall also include the names, titles, or positions of each person responsible for the denial (Government Code § 7922.000; Government Code § 7922.540).

805.5 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 § 7922.200).

(c) Personnel records, medical records, and similar records that would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 7927.700; 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 shall not be disclosed to any arrested person or to any person who may be a defendant in a criminal action unless it is required by law (Government Code § 7923.615; Penal Code § 841.5).
   1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, elder and dependent 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, a copy of any accompanying or related photographs of the victim's injuries, property damage, or any other photographs that are noted in the incident report, and a copy of 9-1-1 recordings, if any, pursuant to the requirements and time frames of Family Code § 6228.
Records Maintenance and Release

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 § 7923.750.

(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 § 7923.605).

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 § 7923.605.

(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/County Attorney], the City Attorney, or the courts pursuant to Penal Code § 1054.5.

(h) Arrest reports are not releasable to interested person(s) and/or defendants except through court order, subpoena

(i) 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).

(j) 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).

(k) 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 § 7923.800).

(l) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

(m) Any record created exclusively in anticipation of potential litigation involving this Department (Government Code § 7927.200).

(n) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 7927.205).
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(o) Records relating to the security of the Department's electronic technology systems (Government Code § 7929.210).

(p) A record of a 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)(9)).

(q) 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 § 7927.705).

(r) 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 § 827.95; Welfare and Institutions Code § 831).

805.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact 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 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.

805.7 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.

805.8 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 Records Manager shall ensure that the required notations on local summary criminal history information and police investigative
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reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

805.8.1 SEALED JUVENILE ARREST RECORDS
Upon receiving notice from a probation department to seal juvenile arrest records pursuant to Welfare and Institutions Code § 786.5, the Records Manager should ensure that the records are sealed within 60 days of that notice and that the probation department is notified once the records have been sealed (Welfare and Institutions Code § 786.5).

805.9 SECURITY BREACHES
The 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 (Civil Code § 1798.29):

(a) Social Security number
   1. Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
   2. 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
   3. Medical information
   4. Health insurance information
   5. Information or data collected by Automated License Plate Reader (ALPR) technology
   6. Unique biometric data
   7. Genetic data
(b) A username or email address, in combination with a password or security question and answer that permits access to an online account
805.9.1 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 Beverly Hills 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 Beverly Hills 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 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 Beverly Hills 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.

805.9.2 MANNER OF NOTICE

(a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

1. Written notice.
2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.
3. 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.

4. 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.

805.10  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 § 7923.625).

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 § 7923.625).

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.

805.10.1  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 § 7923.625).
805.10.2 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 § 7923.625):

(a) 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.

(a) 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.

805.10.3 REDACTION
If the Custodian of Records, in consultation with the Chief of Police or the 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 § 7923.625).

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 § 7923.625).

805.10.4 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 § 7923.625):

(a) The person in the recording whose privacy is to be protected, or the person's 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 § 7923.625).

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 § 7923.625).
Protected Information

806.1 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 Beverly Hills 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.

806.1.1 DEFINITIONS
Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Beverly Hills 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.

806.2 POLICY
Members of the Beverly Hills 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.

806.3 RESPONSIBILITIES
The Records and Jail Manager shall 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.
Protected Information

806.4 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Beverly Hills 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.

806.4.1 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).

806.5 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 Records and Jail 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.

806.5.1 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).

806.6 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.

(d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

806.6.1 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).

806.7 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.

806.8 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).
Computers and Digital Evidence

807.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) 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.

807.2 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, running, and that the user is logged in to.
   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.
   3. Mobile devices should be placed in faraday containers.

(e) Label each item with case number, evidence sheet number, and item number.

(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) Book all computer items in the Property Room. 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.
   4. If it can be determined, how it was being used.
Computers and Digital Evidence

(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 and power cords. Accessories (printers, monitors, mouse, scanner, keyboard, software and manuals) should not be seized unless as a precursor to forfeiture.

807.2.1 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.

807.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer's hard drive 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) and a keyword list.
(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.

807.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media including hard drives, 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 the High Tech Crimes Unit 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.
(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.
Computers and Digital Evidence

807.4 SEIZING PCDS
Personal communication devices such as cell phones, PDAs 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. The device should be placed in a faraday bag, to prevent the device from sending or receiving information from its host network. It should then be attached to the power bank provided by Property and Evidence.

807.5 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.

807.5.1 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.

807.5.2 SUBMISSION OF DIGITAL MEDIA
The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) The recording media (smart card, compact flash card or any other media) shall be brought to the Property and Evidence Unit as soon as possible for submission into evidence.

(b) Officers are not authorized to review or copy memory cards. The evidence technicians are the only employees authorized to copy and/or distribute digital media made from the memory cards.

(c) As soon as possible following the collection of evidence, the camera operator is to remove the memory card from their digital camera and place the card into a plastic carrier. The card and carrier are then to be placed into a zip-lock type baggie. The camera operator shall write their name and the related case number on the outside of the baggie before placing in the film drop box along with the evidence form.

(d) Evidence technicians will make a copy of the memory card using appropriate storage media. Once they have verified that the images properly transferred to the storage media, the technicians will erase the memory card for re-use. The storage media will be marked as the original.

(e) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.
Computers and Digital Evidence

807.5.3 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.

(c) Files should be uploaded to Evidence.com

807.5.4 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.
Identification Bureau

809.1 PURPOSE AND SCOPE
This policy provides for the processing, collection, examination and testing of evidence collected at crime scenes.

809.2 POLICY
It is the policy of the Beverly Hills Police Department to maintain a functional Identification Bureau to meet the Department's needs to collect and process evidence; and aid in the identification of criminal perpetrators.

809.3 IDENTIFICATION BUREAU FUNCTIONS
The Identification Bureau is responsible for providing the following services:

- Crime scene investigation.
- Photography and videography.
- Evidence collection.
- Written and physical documentation.
- Arrestee identification.
- Examination of physical evidence.
- Technical expertise - courtroom testimony.
- Presumptive narcotic analysis.
- Number restoration.
- Liaison with Los Angeles County Sheriff's Department Crime Laboratory or contract crime laboratory.
- Latent fingerprint identification.
- DNA sample collection.

809.3.1 CRIME SCENE INVESTIGATION
The crime scene investigation responsibilities include:

- Documentation of crime scene or accident location by photography.
- Development and preservation of latent fingerprint evidence.
- Recognition, documentation, collection and preservation of physical evidence.
- Survey crime scene or accident locations and prepare maps or sketches, as required.
- DVR recovery.

809.3.2 PHOTOGRAPHY
The photographic responsibilities include:
Identification Bureau

- General investigative photography.
- Macro and micro (close-up) photography.
- Surveillance photography and videography.
- Victim injury photography and videography.
- Department personnel photography and videography.
- Maintenance of photograph negative film files and digital image files for crime scene, traffic accident and other related incidents.
- Maintenance of negative film and digital files of all department personnel.
- Maintenance of all department camera equipment.
- Supply department personnel with required photographic supplies.
- Production of photographic enlargements and digital media, as required.
- Maintenance of department photographs and video of crimes scenes, traffic collisions and general investigations.

809.3.3 ARRESTEE IDENTIFICATION
The arrestee identification responsibilities include:

- Maintenance of a 10-finger arrestee fingerprint file by the Henry Fingerprint Classification method.

809.3.4 EXAMINATION OF PHYSICAL EVIDENCE
The examination of physical evidence responsibilities include:

- Examination of items for a possible physical match.
- Examination of items for latent print impression evidence.
- Examination of items for trace evidence requiring further analysis.
- Examination of items for the presence of prior existence of a serial number.

809.3.5 SPECIAL DUTIES
The Identification Bureau is responsible for the following special duties:

- Maintenance of latent fingerprint file.
- Maintenance of fingerprints and palm prints of all sworn and civilian department personnel.
- Provide public relations photography assistance to other City departments, when requested.
- Provide department and outside training in related fields, when needed.

809.4 EVIDENCE MARKING
All items booked may be marked for later identification by the booking officer. This mark shall be:
Identification Bureau

- As small as practicable.
- Distinctive.
- Placed so as to prevent reduction of the item's marketable value.
- Placed so as not to interfere with any future examination.

An item shall not be marked for later identification when:

- It bears a serial number (watches shall not be dismantled for the purposes of locating a serial number).
- It would alter its evidentiary value.
- It is capable of being identified through distinctive markings and recorded information.
- It is the flag of the United States of America or of the State of California.
Chapter 9 - Custody
Temporary Custody of Adults

900.1 PURPOSE AND SCOPE
This policy provides guidelines to address the health and safety of adults taken into custody by members of the Beverly Hills Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

Pay to Stay individuals are addressed in the Pay to Stay Policy.

900.1.1 DEFINITIONS
Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Custody** - The time period an adult is in custody at the Beverly Hills Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY
The Beverly Hills Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in custody at the Department. Adults should be in custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY
Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Beverly Hills Police Department, but should be transported to a jail facility, a medical facility, or another type of facility as appropriate. These include:

(a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

(b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision, or medication while in temporary custody.

(c) Any individual who is seriously injured.
Temporary Custody of Adults

(d) Individuals who are a suspected suicide risk (see the Mental Illness Commitments Policy).
   1. If the officer taking custody of an individual believes that the individual may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or a transfer to an appropriate facility is completed (15 CCR 1030).

(e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.

(f) Individuals who are under the influence of alcohol, a controlled substance, or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.

(g) Any individual who has exhibited extremely violent or continuously violent behavior including behavior that results in the destruction of property or demonstrates an intent to cause physical harm to themselves or others (15 CCR 1053; 15 CCR 1055).

(h) Any individual who claims to have, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk (15 CCR 1051).

(i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to the individual’s health or safety.

(j) Any individual with an obvious developmental disability (15 CCR 1057).

(k) Any individual who appears to be a danger to themselves or others due to a behavioral crisis, or who appears gravely disabled (15 CCR 1052).

(l) Any individual who needs restraint beyond the use of handcuffs or shackles for security reasons (15 CCR 1058).

(m) Any individual obviously suffering from drug or alcohol withdrawal (15 CCR 1213).

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with the member's supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody has a hearing or speech impairment, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process (15 CCR 1027).
Temporary Custody of Adults

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present (Penal Code § 4021).

No individual in custody shall be permitted to supervise, control, or exert any authority over other individuals in custody.

900.3.3 STAFFING PLAN
The Chief of Police or the authorized designee shall ensure a staffing plan is prepared and maintained, indicating assigned personnel and their duties. The plan should ensure that at least one member who meets the training standards established by the Board of State and Community Corrections (BSCC) for general fire- and life-safety and is trained in fire- and life-safety procedures relating specifically to the facility is on-duty at all times (15 CCR 1028).

The staffing plan shall be available for biennial review by BSCC staff. The review and recommendations of the BSCC biennial review shall be forwarded to the City, as required by 15 CCR 1027.

900.3.4 ENTRY RESTRICTIONS
Entry into any location where a person is held in custody should be restricted to:

   (a) Authorized members entering for official business purposes.
   (b) Emergency medical personnel when necessary.
   (c) Any other person authorized by the Watch Commander.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY
The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease, or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate the individual for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication, or evidence surrounding the individual’s arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, the individual shall be transported to the appropriate mental health facility.

The officer should promptly notify the Watch Commander of any conditions that may warrant immediate medical attention or other appropriate action. The Watch Commander shall determine whether the individual will be placed in a cell, immediately released, or transported to jail or other facility.
Temporary Custody of Adults

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall (15 CCR 1050):

(a) Advise the Watch Commander of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).

(b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:

1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.

2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
   (a) Continuous, direct sight and sound supervision.
   (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.

3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).

4. Ensure males and females are separated by sight and sound when in cells.

5. Ensure restrained individuals are not placed in cells with unrestrained individuals.

(c) Ensure those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.

(d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Field Services Division Commander will ensure that the U.S. Department of State’s list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

(a) Inform the individual, without delay, that the individual may have the individual's consular officers notified of the arrest or detention and may communicate with them.

1. This notification should be documented.
**Temporary Custody of Adults**

(b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.

1. If the country is on the mandatory notification list, then:
   (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
   (b) Tell the individual that this notification has been made and inform the individual without delay that the individual may communicate with consular officers.
   (c) Forward any communication from the individual to the individual's consular officers without delay.
   (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.

2. If the country is not on the mandatory notification list and the individual requests that the individual's consular officers be notified, then:
   (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
   (b) Forward any communication from the individual to the individual's consular officers without delay.

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**900.5 SAFETY, HEALTH AND OTHER PROVISIONS**

**900.5.1 TEMPORARY CUSTODY LOGS**

Any time an individual is in temporary custody at the Beverly Hills Police Department, the custody shall be promptly and properly documented in a custody log, including:

   (a) Identifying information about the individual, including the individual's name.
   (b) Date and time of arrival at the Department.
   (c) Any charges for which the individual is in temporary custody and any case number.
   (d) Time of all safety checks (15 CCR 1027; 15 CCR 1027.5).
   (e) Any medical and other screening requested and completed.
   (f) Any emergency situations or unusual incidents.
   (g) Any other information that may be required by other authorities, such as compliance inspectors.
   (h) Date and time of release from the Beverly Hills Police Department.

The Watch Commander should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Watch Commander should make periodic checks to ensure all log entries and safety and security checks are made on time.
Temporary Custody of Adults

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

(a) Safety checks and significant incidents/activities are noted on the log.

(b) Individuals in custody are informed 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 individual is not aware.
   2. This does not apply to surreptitious and legally obtained recorded interrogations.

(c) There is reasonable access to toilets and wash basins.

(d) There is reasonable access to a drinking fountain or water.

(e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(f) There is privacy during attorney visits.

(g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
   (a) The supervisor should ensure there is an adequate supply of clean blankets.

(i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

(j) Adequate furnishings are available, including suitable chairs or benches.

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members (15 CCR 1220). At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, the person will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Beverly Hills Police Department. They should be released or transferred to another facility as appropriate.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the member supervising the individual has probable cause to believe the possession of the appliance presents a risk of bodily harm to any person or is a risk...
Temporary Custody of Adults

to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to the individual's health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Watch Commander shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists (Penal Code § 2656; 15 CCR 1207).

900.5.5 TELEPHONE CALLS
Immediately upon being booked and, except where physically impossible, no later than three hours after arrest, an individual in custody has the right to make at least three completed calls to an attorney, bail bondsman, and a relative or other person (Penal Code § 851.5). Additional calls may be made as reasonable and necessary (15 CCR 1067). In providing further access to a telephone beyond that required by Penal Code § 851.5, legitimate law enforcement interests such as officer safety, effect on ongoing criminal investigations, and logistics should be balanced against the individual’s desire for further telephone access.

(a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at the individual’s own expense.

1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).

2. The provisions of Penal Code § 851.5 concerning this issue shall be posted in bold, block type in a conspicuous place within the facility.

(b) The individual should be given sufficient time to contact whomever the individual desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use the member's judgment in determining the duration of the calls.

2. Within three hours of the arrest, the member supervising the individual should inquire whether the individual is a custodial parent with responsibility for a minor child, and notify the individual that the individual may make two additional telephone calls to a relative or other person for the purpose of arranging for the care of minor children (Penal Code § 851.5).

(c) Calls between an individual in temporary custody and the individual's attorney shall be deemed confidential and shall not be monitored, eavesdropped upon, or recorded (Penal Code § 851.5(b)(1); 15 CCR 1068).

(d) Individuals who are known to have, or are perceived by others as having, hearing or speech impairments shall be provided access to a telecommunication device which will facilitate communication (15 CCR 1067).
Temporary Custody of Adults

900.5.6 RELIGIOUS ACCOMMODATION
Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated (15 CCR 1072). Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual’s head and face may be temporarily removed during the taking of any photographs.

900.5.7 FIREARMS AND OTHER SECURITY MEASURES
CEDs and OC spray are permitted to be carried in secure areas of the jail. Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

900.5.8 REPORTING PHYSICAL HARM OR SERIOUS THREAT OF PHYSICAL HARM
In addition to a custody log entry, any incident that results in physical harm or serious threat of physical harm to a member, person in custody, or any other person shall be documented as stated in the Use of Force or Occupational Disease and Work-Related Injury Reporting policies, or other applicable reporting process. A copy of all reports generated regarding the above circumstances shall be submitted as soon as reasonably practicable. The Watch Commander will retain a record of these reports for inspection purposes (15 CCR 1044).

900.5.9 ATTORNEYS AND BAIL BONDSMEN
(a) An attorney may visit at the request of the individual in custody or a relative (Penal Code § 825).
(b) Attorneys and bail bondsmen who need to interview an individual in custody should do so inside a secure interview room.
(c) The individual in custody as well as the attorney or bail bondsman should be searched for weapons prior to being admitted to the interview room and at the conclusion of the interview.
(d) Attorneys must produce a current California Bar card as well as other matching appropriate identification.
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(e) Interviews between attorneys and their clients shall not be monitored or recorded (15 CCR 1068).

900.5.10 DISCIPLINE
Discipline will not be administered to any individual in custody at this facility. Any individual in custody who repeatedly fails to follow directions or facility rules should be transported to the appropriate jail, mental health facility or hospital as soon as practicable. Such conduct should be documented and reported to the receiving facility (15 CCR 1081).

900.6 PREGNANT ADULTS
Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

Pursuant to Section 402.6 of the Penal Code, all females held over 24 hours shall have the right to see a physician to determine whether or not she is pregnant. Cost of the physician's visit and security transportation will be at the individual's expense.

If a woman claims to be pregnant, and complains of problems and/or illness related to the pregnancy, the individual shall be transported to a hospital emergency room for evaluation by the medical staff. If the individual shows any of the following symptoms, immediately call paramedics:

(a) Contractions
(b) Bleeding
(c) Water breaks

900.6.1 LACTATING/NURSING ACCOMODATIONS
Individuals who are lactating/nursing should be transported to the custody of the Los Angeles County Sheriff's Department.

If available, individuals may utilize a breast pump.

900.6.2 POST-PARTUM PSYCHOSIS
All female arrestees who have given birth within the last 12 months and are charged with murder or attempted murder require a "Special Mental Disorder Assessment." The individual shall be transported to the Los Angeles County Sheriff's Department as soon as possible to be assessed for postpartum psychosis.

900.7 USE OF RESTRAINT DEVICES
Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in custody at the Beverly Hills Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.
Temporary Custody of Adults

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.8 PERSONAL PROPERTY
The personal property of an individual in temporary custody should be removed, inventoried, and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, the individual's items of personal property shall be compared with the inventory, and the individual shall sign a receipt for the property's return. If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The Watch Commander shall be notified whenever an individual alleges there is a shortage or discrepancy regarding the individual's property. The Watch Commander shall attempt to prove or disprove the claim.

900.9 HOLDING CELLS
A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when the individual is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

(a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.

(b) The individual shall constantly be monitored by an audio/video system during the entire custody.

(c) The individual shall have constant auditory access to department members.

(d) The individual's initial placement into and removal from a locked enclosure shall be logged.

(e) Safety checks by department members shall occur no less than every 15 minutes (15 CCR 1027.5).
   1. Safety checks should be at varying times.
   2. All safety checks shall be logged.
   3. The safety check should involve questioning the individual as to the individual's well-being.
Temporary Custody of Adults

4. Individuals who are sleeping or apparently sleeping should be awakened.

5. Requests or concerns of the individual should be logged.

900.9.1 USE OF SOBERING CELL
Individuals who are to be held in the temporary holding facility and who present a threat to their own safety or the safety of others due to their state of intoxication should be placed in a sobering cell until their condition allows for continued processing.

The following guidelines apply when placing any individual in a sobering cell (15 CCR 1056):

(a) Placement of an individual into the cell requires approval of the Watch Commander.

(b) A cell log shall be initiated every time an individual is placed in the cell. The log shall be maintained for the entire time the individual is housed in the cell.

(c) A safety check consisting of direct visual observation sufficient to assess the individual's well-being and behavior shall occur at least once every 30 minutes with no more than a 15-minute lapse between safety checks. Each safety check shall be documented in the cell log. Supervisors shall check the logs for completeness every two hours and document this action on the cell log.

(d) Under no circumstances shall an individual be held in a sobering cell for more than six hours without being evaluated by qualified medical personnel to ensure that the individual does not have an urgent medical issue.

(e) Individuals will be removed from the cell when they no longer pose a threat to their own safety and the safety of others, and are able to continue processing.

900.10 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY
The Records and Jail Manager will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Beverly Hills Police Department. The procedures are outlined in the Jail Bureau Medical Procedures manual section 903.20 and include the following notifications and actions:

(a) Immediate request for emergency medical assistance if appropriate.

(b) Immediate notification of the Watch Commander, Chief of Police and Operations Division Commander.

(c) Investigative response from the Detective Bureau.

(d) Notification of the spouse, next of kin or other appropriate person.

(e) Notification of the appropriate prosecutor.

(f) Notification of the City Attorney.

(g) Notification of the Coroner.

(h) Evidence preservation.

(i) In-custody death reviews (15 CCR 1046).
Temporary Custody of Adults

(j) Notification to the Attorney General within 10 days of any death in custody including any reasonably known facts concerning the death (Government Code § 12525).

900.11 RELEASE AND/OR TRANSFER
When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

(a) All proper reports, forms, and logs have been completed prior to release.
(b) A check has been made to ensure the individual is not reported as missing and does not have outstanding warrants.
(c) It has been confirmed the correct individual is being released or transported.
(d) All property, except evidence, contraband, or dangerous weapons, has been returned to, or sent with, the individual.
(e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of the individual’s property, warrant copies).
(f) The individual is not permitted in any nonpublic areas of the Beverly Hills Police Department unless escorted by a member of the Department.
(g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if the individual is being sent to another facility.

1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.

(h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.

(i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with the person’s personal needs as reasonable.

900.11.1 FORM REQUEST FOR PETITION TO SEAL RECORDS
Upon request, a detained arrestee released from custody shall be provided with the appropriate Judicial Council forms to petition the court to have the arrest and related records sealed (Penal Code § 851.91).

The Department shall display the required signage that complies with Penal Code § 851.91 advising an arrestee of the right to obtain the Judicial Council forms.

900.12 ASSIGNED ADMINISTRATOR
The Field Services Division Commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues (15 CCR 1029):

(a) General security
Temporary Custody of Adults

(b) Key control
(c) Sanitation and maintenance
(d) Emergency medical treatment (15 CCR 1200)
(e) Escapes
(f) Evacuation plans
(g) Fire- and life-safety, including a fire suppression pre-plan as required by 15 CCR 1032
(h) Disaster plans (e.g., natural disasters)
(i) Building and safety code compliance
(j) Civil and other disturbances including hostage situations
(k) Periodic testing of emergency equipment
(l) Emergency suspension of Title 15 regulations and notice to the BSCC as required in 15 CCR 1012
(m) Inspections and operations reviews
(n) Any other applicable requirements under 15 CCR 1029

Annual review and evaluation of security measures including internal and external security measures, sanitation, safety, and maintenance (15 CCR 1280).

These supplemental procedures shall be reviewed and updated no less than every two years and shall be available to all members (15 CCR 1029).

900.13 TRAINING
Department members should be trained and familiar with this policy and any supplemental procedures.

Department members responsible for supervising adults in temporary custody shall complete the Corrections Officer Core Course or eight hours of specialized training within six months of assignment. Such training shall include but not be limited to the following (15 CCR 1024):

(a) Applicable minimum jail standards
(b) Jail operations liability
(c) Separation of incarcerated persons
(d) Emergency procedures and planning, fire safety, and life safety
(e) Suicide prevention
(f) De-escalation
(g) Juvenile procedures
(h) Racial bias
(i) Mental illness

Eight hours of refresher training shall be completed every two years (15 CCR 1024).
Temporary Custody of Adults

The Personnel and Training Sergeant shall maintain records of all such training in the member's training file.
Custodial Searches

901.1 PURPOSE AND SCOPE
This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Beverly Hills 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 the individual's 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, rectal cavity, or vagina of an individual.

**Strip search** - A search that requires an individual to remove or rearrange some or all of the individual's 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 the individual's underclothing, buttocks, genitalia, or breasts are visible.

**Transgender** - A term used to refer to a person who is born with the genetic traits and anatomy of one sex (i.e., male or female) and self identifies as another gender (i.e., feminine or masculine). A transgender person can be pre-operative, post-operative, or non-operative.

**Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female.

**Cross Gender** - Across multiple genders; taking, or pertaining to, the traditional role of the opposite gender.

**Genital Status** - Sex assigned at birth

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.


**Custodial Searches**

### 901.3 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 officers 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.

(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. When feasible, the pat down search should be conducted by an officer of the sex as the genital status of the person being searched. If an officer of the opposite sex is conducting the pat down search, a witness officer shall be present and the pat down search should be recorded by both officers' body worn cameras. This should not preclude an officer of the opposite sex from conducting a pat down search when officer safety would be compromised. Whenever possible, consent should be obtained from the individual being subject to the pat down search.

### 901.4 FIELD AND TRANSPORTATION SEARCHES
An officer should conduct a custody search of an individual immediately after the individual's 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's genital status being searched. If an officer of the same sex is not reasonably available, a witnessing officer shall be present during the search and the search should be recorded on both officers' body worn cameras.

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

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

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

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

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

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

When booking an arrestee's money as evidence, the arresting officer(s) shall inform the arrestee that the money has been taken as evidence. The officer shall count the money with the Watch Commander. The Watch Commander will also initial the envelope, which the officer will book as evidence, following appropriate evidence booking procedures.

901.6 STRIP SEARCHES
No individual in temporary custody of the Beverly Hills Police Department 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.
Custodial Searches

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).

901.6.1 STRIP SEARCH PROCEDURES
Strip searches 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, documented on the Strip Search Record.

(b) All members involved with the strip search shall be of the same sex as the individual's genital status 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.
   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.
Custodial Searches

10. The facts upon which the member based their belief the individual was concealing a weapon or contraband.

(g) No member should view an individual's private underclothing, buttocks, genitalia or breasts while that individual is showering, performing bodily functions or changing clothes, unless the individual 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 the individual's 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.

Inmate Search Form

901.6.2 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 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 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.

Taking into consideration the challenges of conducting a strip search in the field, officers should take all reasonable measures to secure an area of privacy so the individual cannot be observed by those not participating in the search.

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 prior to the search taking place. The appropriate form should be filled out as soon as practicable following the search.

901.7 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
Custodial Searches

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.

901.8 BODY SCANNER SEARCH
If a body scanner is available, a body scan search should be performed on all persons in custody
upon entering the secure booking area of the facility. Members (Penal Code § 4030):

(a) Within sight of the visual display of a body scanner that is depicting the body during
a scan shall be of the same sex as the person being scanned, except for physicians
or licensed medical personnel.
Custodial Searches

(b) Should ask persons in custody if they are pregnant prior to a body scan and should not knowingly use a body scanner on a pregnant person.

901.9 TRAINING
The Personnel and 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.
(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

901.10 GENDER IDENTITY OR EXPRESSION CONSIDERATIONS
If an individual who is subject to a strip search or physical body cavity search has a gender identity or expression that differs from their sex assigned at birth, the search should be conducted by members of the same gender identity or expression as the individual, unless the individual requests otherwise.

901.11 JUVENILES
No juvenile should be subjected to a strip search or a physical body cavity search at the Department.

The Chief of Police or the authorized designee should establish procedures for the following:

(a) Safely transporting a juvenile who is suspected of concealing a weapon or contraband, or who may be experiencing a medical issue related to such concealment, to a medical facility or juvenile detention facility as appropriate in the given circumstances.
   1. Procedures should include keeping a juvenile suspected of concealing a weapon under constant and direct supervision until custody is transferred to the receiving facility.
(b) Providing officers with information identifying appropriate medical and juvenile detention facilities to which a juvenile should be transported for a strip or body cavity search.

Nothing in this section is intended to prevent an officer from rendering medical aid to a juvenile in emergency circumstances (see the Medical Aid and Response Policy for additional guidance).
Prison Rape Elimination

902.1 PURPOSE AND SCOPE
This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse, harassment, and retaliation against detainees or prisoners in the Beverly Hills Police Department Jail Facility (28 CFR 115.111; 15 CCR 1029).

902.1.1 DEFINITIONS
Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the detainee, prisoner, or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
Prison Rape Elimination

- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above
- Any display by a staff member, contractor, or volunteer of his/her uncovered genitalia, buttocks, or breast in the presence of a detainee, prisoner, or resident
- Voyeurism by a staff member, contractor, or volunteer

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one detainee, prisoner, or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a detainee, prisoner, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

902.2 POLICY
The Beverly Hills Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Beverly Hills Police Department will take immediate action to protect detainees and prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029).

902.3 PREA COORDINATOR
The Chief of Police shall appoint the ASD Commander or an authorized designee with sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards in the Beverly Hills Police Department Jail Facility (28 CFR 115.111). The PREA Coordinator’s responsibilities shall include:

(a) Developing and maintaining procedures to comply with the PREA Rule.
(b) Ensuring that any contract for the confinement of detainees or prisoners includes the requirement to adopt and comply with applicable PREA and the PREA standards, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
(c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees and prisoners from sexual abuse (28 CFR 115.113; 15CCR 1029). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
(d) Developing methods for staff to privately report sexual abuse and sexual harassment of detainees and prisoners (28 CFR 115.151).
Prison Rape Elimination

(e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).

(f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Jail Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):

1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice’s (DOJ) Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents” or a similarly comprehensive and authoritative protocol.

2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.

3. A process to document all referrals to other law enforcement agencies.

4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.

5. In accordance with security needs, provisions to permit, to the extent available, detainee and prisoner access to victim advocacy services if the detainee or prisoner is transported for a forensic examination to an outside hospital that offers such services.

(g) Ensuring that detainees and prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).

1. The agency shall not rely on other detainees or prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee’s or prisoner’s safety, the performance of first-response duties under this policy, or the investigation of a prisoner’s allegations of sexual abuse, harassment or retaliation.

(h) Publishing on the department’s website:

1. Information on how to report sexual abuse and sexual harassment on behalf of a detainee or prisoner (28 CFR 115.154).

2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).

(i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse (28 CFR 115.121; 28 CFR 115.122).
Prison Rape Elimination

abuse at facilities under this agency’s direct control (28 CFR 115.187; 34 USC 30303; 15 CCR 1041).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.

2. The data shall be aggregated at least annually.

(j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Jail Facilities used to house detainees or prisoners overnight (28 CFR 115.193).

(k) Ensuring contractors or others who work in the Jail are informed of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

(l) Ensuring that information for uninvolved inmates, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029)

902.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Detainees or prisoners may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):

- Sexual abuse
- Sexual harassment
- Retaliation by other detainees or prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all detainees and prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward detainee or prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the detainee or prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

902.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from detainees, prisoners and third parties and shall promptly document all reports (28 CFR 115.151; 15 CCR 1029).

All members shall report immediately to the Watch Commander any knowledge, suspicion or information regarding:

(a) An incident of sexual abuse or sexual harassment that occurs in the Jail Facility.

(b) Retaliation against detainees or the member who reports any such incident.
Prison Rape Elimination

(c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander shall report to the Administrative Services Division Commander all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Watch Commander shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee or prisoner was sexually abused while confined at another facility, the Watch Commander shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Watch Commander shall document such notification (28 CFR 115.163).

If an alleged detainee or prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner’s potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS
The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS
The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

(a) Separate the parties.
(b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
(c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
(d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
Prison Rape Elimination

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

(a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.

(b) Interview alleged victims, suspects and witnesses.

(c) Review any prior complaints and reports of sexual abuse involving the suspect.

(d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

(e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a detainee or a member of the Beverly Hills Police Department.

(f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.

(g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe a detainee or prisoner sexually abused another detainee or prisoner in the Jail Facility (28 CFR 115.178).

(h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No detainee or prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Detainee or prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).
902.5.5 CONCLUSIONS AND FINDINGS
All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees or prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with detainees or prisoners by a contractor or volunteer.

902.6 RETALIATION PROHIBITED
All detainees, prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Watch Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for detainee or prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for detainees, prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Watch Commander or the authorized designee shall identify a staff member to monitor the conduct and treatment of detainees, prisoners or members who have reported sexual abuse and of detainees or prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of detainees or prisoners, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS
902.7.1 INCIDENT REVIEWS
An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).
The review shall (28 CFR 115.186):

(a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.

(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.

(d) Assess the adequacy of staffing levels in that area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS
The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

(a) Identification of any potential problem areas.

(b) Identification of any corrective actions taken.

(c) Recommendations for any additional corrective actions.

(d) A comparison of the current year’s data and corrective actions with those from prior years.

(e) An assessment of the Department’s progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Jail Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Beverly Hills Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making
aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

**902.8 RECORDS**

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

**902.9 TRAINING**

All employees, volunteers and contractors who may have contact with detainees or prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The ASD Commander or the authorized designee shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department’s zero-tolerance policy and the right of detainees and prisoners to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which detainees and prisoners are most vulnerable.
- The right of detainees, prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all detainees and prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The ASD Commander or the authorized designee shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they
understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees or prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.
Pay-to-Stay Program

903.1 PROGRAM AVAILABILITY
The operation of the Pay-to-Stay program is based on the availability of space in suitable jail accommodations and current law enforcement circumstances. In the event of a law enforcement emergency, natural disaster or other exigent situation, the Pay-to-Stay program may be suspended without notice.

903.2 ELIGIBILITY FOR PROGRAM
Any sentenced prisoner may serve his/her court ordered jail time in the department's jail facility if he/she meets the following qualifications:

(a) Has the approval of the sentencing court to serve the jail time in a municipal facility in Los Angeles County.
(b) Meets the department's standard booking requirements.
(c) Meets the department's standard housing requirements.
(d) Able to provide proof of general good health.

Additionally, a sentenced inmate who has a "work furlough" authorization is also eligible for this program.

The department operates a Type 1 jail facility which has no on-site medical staff and is subject to a number of legal and operational restrictions. Due to these restrictions, individuals with any one of the following conditions shall not be accepted into the Pay-to-Stay program:

- Drug or alcohol addiction.
- Drug or alcohol withdrawal or tremors or the possibility of experiencing drug or alcohol withdrawals or tremors during confinement.
- Requiring drug rehabilitation or alcoholic program involvement during confinement.
- Diagnosis of epilepsy or a history of epileptic seizures.
- Diagnosis of mental illness requiring the attention of a medical or psychiatric professional.
- History of suicide attempts or suicidal tendencies.
- Requiring multiple types of prescription medications.
- Requiring psychotropic medications.
- Contagious disease.
- Diabetes, hypoglycemia or hyperglycemia, whether medication is required or not.
- Pregnancy.
- Physically disabled and/or unable to care for their own personal needs.
Pay-to-Stay Program

- History of violent behavior.
- History of committing sex offenses.
- Have traveled outside the continental United States within six months from date of application.
- Any condition or specific circumstance that may endanger the health and safety of other Pay-to-Stay program inmates, the general jail population, jail personnel or other department members.

In addition to the above restrictions, any individual who is a registered sex, arson or drug registrant will not be accepted in the Pay-to-Stay program. The Department maintains the sole discretion to reject any application to participate in the Pay-to-Stay program.

903.3 MAXIMUM NUMBER OF SENTENCED PRISONERS
The number of sentenced prisoners to be incarcerated in the Jail facility under this program shall not exceed ten per calendar day. Prisoners in this program who are authorized for work furlough will be included in this count. However, at the discretion of the Jail Supervisor, the number of the Pay to Stay inmates may be restricted to fewer than ten per calendar day in order to ensure the effective and safe operation of the Jail facility.

903.4 PROGRAM FEES
The fees for the Pay to Stay program are established each fiscal year by resolution of the City Council of the City of Beverly Hills and are listed in the City’s Schedule of Taxes, Fees and Charges. Any application fees for the Pay to Stay program will be paid with a cashier’s check or money order by the sentenced inmate at time of application. All other Pay to Stay fees will be paid pursuant to the payment schedule developed by the Jail Supervisor or the authorized designee based on the type and length of sentence of the inmate.

903.5 MEDICAL EXPENSES
The City of Beverly Hills will not be responsible for any medical treatment costs of any sentenced inmate that are incurred while the inmate was participating in the Pay to Stay program. Such expenses will be the sole responsibility of the sentenced inmate who has been accepted into the Pay to Stay program. A signed waiver relieving the City of Beverly Hills of any expenses associated with medical treatment will be required of all inmates prior to their acceptance into the Pay to Stay program. In the event that a sentenced inmate needs medical attention, he/she will be released from custody in order to obtain his/her own medical care.

903.6 APPLICATION PROCESS
Sentenced individuals who wish to serve court-ordered jail time in the Pay to Stay program must adhere to the following process:

(a) Contact the Jail Supervisor or the authorized designee to obtain the Pay to Stay information packet, application and related forms. Applications should be submitted at least 30 days prior to the desired start date for the jail time.
Pay-to-Stay Program

(b) Complete the Pay to Stay Application thoroughly, answering all questions. Any omissions or unanswered questions will result in a delay of the processing of the application or a denial.

(c) Submit the following documents with the Pay to Stay application and any applicable fees to the Jail Supervisor:

1. A certified copy of the Court docket that details initial charges and conviction information.
2. A certified copy of the Court Order requiring jail time and the authorization to perform jail time in a municipal jail, and if applicable work furlough authorization.
3. A legible copy of the applicant’s driver’s license or legal identification.
4. Medical clearance from a physician.
5. Documents showing proof of negative TB screening, dated no earlier than 14 days before application submitted.
7. Signed and dated Agreement to Follow All Rules and Conditions of Confinement.

Upon receipt of the completed application, forms and applicable fees, the Jail Supervisor will timestamp the application and review the application and related forms. The Jail Supervisor or Records Bureau personnel will conduct a records check for wants and warrants and to determine the individual’s criminal history. Upon completion of the records check, the Jail Supervisor will determine if the sentenced individual is eligible to participate in the Pay to Stay program. The Jail Supervisor will contact the sentenced individual and advise him/her of this determination and, if the individual is accepted into the program, proceed with scheduling the jail time to be served.

The Jail Supervisor will maintain a master schedule of all Pay to Stay inmates which will be assessable by jail personnel, the Watch Commander and Records personnel.

903.7 SURRENDER TO SERVE TIME

Upon acceptance of the sentenced individual into the Pay to Stay program, the Jail Supervisor will provide written instructions regarding the date and time that the individual is to report to the jail facility to begin serving his/her court-ordered sentence. The sentenced individual shall bring the Jail Supervisor’s written instructions when reporting to the jail.

Upon arrival, the sentenced individual will contact the on-duty jail personnel via the jail telephone in the Records Bureau lobby. The on-duty jail personnel will then respond to the Records Bureau lobby and escort the sentenced individual, while following security protocols, to the jail for booking.

If the sentenced individual does not report to the jail facility on the date and time as directed by the Jail Supervisor’s written instructions, the sentenced individual may be refused and all posted fees will be forfeited.

When reporting to serve time for in the Pay to Stay program, sentenced inmates will be allowed to bring the following items into the Jail facility:
Pay-to-Stay Program

(a) Clean clothing.
   1. Jeans.
   2. T-shirts (plain, no designs; color T-shirts are acceptable).
   3. White socks.
   4. Underwear.
   5. Sweat shirts/pants (plain, no designs, no hoods, no strings).
   6. Business/work attire for those inmates on work furlough, to be approved by Jail Supervisor.

(b) Personal items:
   1. Inexpensive watch.
   2. Glasses/contact lenses.
   3. Pillow case and pillow.
   4. Toothpaste/toothbrush.
   5. Deodorant.
   6. Lotion.
   7. Contact lens solution.
   8. Appropriate reading material.

(c) Currency:
   1. No more than $50.00 at any given time.

Sentenced inmates will not be allowed to bring jewelry into the jail facility.

903.8 BOOKING AND PROCESSING OF PAY TO STAY INMATES
Upon arrival on the jail floor, the sentenced inmate will be booked in the following manner:

(a) Inmate will be searched.
(b) Booking card will be completed for the sentenced inmate.
(c) Medical screening form will be completed.
(d) Classification form will be completed.

The Inmate will be escorted to the assigned cell and provided bedding and linens.

All property of the sentenced inmate will be inventoried, documented and placed in an assigned locker. Currency will be held in a property bag and stored in an inmate property locker. Personal items will be provided to the inmate as requested by the inmate, but at the convenience of jail personnel.

The processing Jailer will also complete Record Management System entries for the sentenced inmate.
Pay-to-Stay Program

903.9 PROGRAM HOUSING
All Pay to Stay inmates will be segregated from the pre-arraignment inmate population in a semi-private cell block designated for sentenced inmates. Housing requirements for male and female inmates per Title 15 and Department policy/procedures shall be observed.

903.10 WORK ASSIGNMENTS
Sentenced inmates may be required to perform housekeeping and meal service duties on a regular basis, during their confinement, under the direction and supervision of the on-duty jail staff.

903.11 CONTACT WITH PRE-ARRAIGNMENT INMATES
Except in the performance of meal service duties, sentenced inmates shall have no direct contact with pre-arraignment inmates.

903.12 VISITATION
Sentenced inmates will be allowed a limited number of visitors on Saturdays, Sundays and holidays, contingent on the safe operation of the jail facility. Visiting hours for sentenced inmates will be established by the Jail Supervisor and the Administrative Services Division Commander. Visitation information will be provided to sentenced inmates prior to the commencement of their scheduled incarceration.

903.13 MEALS AND DIET
With the approval of the Jail Supervisor or the authorized designee, sentenced inmates may supply their own food in the form of commercially pre-packaged and sealed frozen meals.

903.14 WORK FURLOUGH
Work furlough is the authorization from the sentencing Court that permits a sentenced inmate to be released from the jail facility on a regular basis to report to his/her place of employment for the workday and then return to the jail facility when the workday is complete to continue serving their time. Time served is only accrued when an inmate is in the jail facility. Time served is not accrued when an inmate is at his/her place of employment.

All court orders that allow work furlough will be specific in the days of the week and times that the inmate is granted the furlough. Jail personnel will release inmates on work furlough pursuant to the Court Order. Inmates must return to the jail facility as required by the Court order and specified in the Work Furlough Conditions agreement. Failure to return to the jail facility as required by the Court Order will result in the inmate’s immediate removal from the Pay to Stay program and the forfeiture of all posted fees.

Sentenced inmates on work furlough may be required by jail personnel to take a breath test or drug test upon return to the jail facility if the inmate exhibits outward signs of intoxication or jail personnel suspect that the sentenced inmate has consumed alcohol or taken drugs during the furlough period. If the breath test or drug test is positive, the sentenced inmate will be removed from the program and all fees will be forfeited.
Pay-to-Stay Program

903.15  RELEASE DUE TO MEDICAL REASONS
In the event that a sentenced inmate is released from custody due to a documented emergency or non-emergency medical reason, posted fees will be applied to subsequent jail time if the time served is completed within six months from the date of the release from custody. In order to return to the department’s Pay to Stay program, the sentenced individual shall submit the following:

(a) A medical clearance from his/her physician; the release must be without restrictions of follow-up treatments.
(b) A new court order authorizing the individual to return to the program.

If the inmate does not return to complete his/her jail sentence or formally request a refund of fees within six months from the date of his/her release from custody due to medical reasons, all fees will be forfeited and no refund will be made.

If the sentenced individual is unable to return to the program, a refund of the unused portion of the Pay to Stay fees may be obtained by written request from the sentenced inmate, the inmate’s attorney of record or an authorized representative within six months from the date of the individual’s release from custody due to medical reasons. Valid proof that the inmate is unable to return within six months, or is no longer required to complete his/her sentence, must accompany the request for refund.

903.16  REMOVAL FROM PAY TO STAY PROGRAM
At the discretion of jail personnel, a sentenced inmate who is serving time in the jail facility may be removed from the Pay to Stay program if he/she:

(a) Fails to follow the directions of on-duty jail personnel.
(b) Fails to follow the Rules and Conditions of Confinement.
(c) Fails to follow the Work Furlough Conditions.
(d) Becomes disruptive to jail operations, including the making of unreasonable or frequent demands.

All fees posted by sentenced inmates who are removed from the Pay to Stay program will be forfeited and no refund will be made.

903.17  COMPLETION OF JAIL TIME AND PROGRAM DOCUMENTS
When a sentenced inmate successfully completes the required court-ordered jail sentence, the inmate will be released from the jail facility and issued a completion document, signed and certified by the Jail Supervisor or the authorized designee.

All Pay to Stay forms and documents will be maintained in accordance with the City of Beverly Hills’ Records Retention Schedule.
Bail Bond Advertising Program

904.1 PURPOSE AND SCOPE
The Bail Bond Advertising program allows for licensed bail bond companies to pay a fee to be included on an advertisement board near the inmate pay phones in the jail facility. The City has not designated the advertisement board as a forum for unlimited public expression, and this policy is intended to preserve the non-public forum status of the advertising board. This program facilitates an inmate’s right to bail by providing a list of licensed bail agents who have intentionally identified themselves as ready and willing to assist persons arrested in the City of Beverly Hills.

904.2 ELIGIBILITY FOR PROGRAM
Any bail bond company currently licensed with the California Department of Insurance may participate in this program. Participants may only submit one advertisement for each licensed business name.

904.3 PROGRAM FEES
The fees for the Bail Bond Advertising program are established each fiscal year by resolution of the City Council of the City of Beverly Hills and are listed in the City’s Schedule of Taxes, Fees and Charges. Fees shall be paid in six month increments. Participants in the program must pay their fees at least 30 days prior to the commencement of the six month period they desire to be placed on the advertisement board.

904.4 ADVERTISEMENT CONTENT STANDARDS
Program participants must use their name as approved by the California Department of Insurance on their advertisements. Per Insurance Code Section 1725.5(b), the word “insurance” and the participant’s license number must be included on the advertisement. Non-commercial advertisements (e.g. text or images that promote or relate to the election or defeat of any candidate, to the passage or defeat of any ballot measure, or to any religious faith, organization, or tenet.) are prohibited. Advertisements shall not contain any text or images that are derogatory towards law enforcement or depict any obscene matter. The Department maintains the sole discretion to reject any advertisements that do not conform to these standards.

904.5 APPLICATION PROCESS
Bail bond companies that wish to participate in the Bail Bond Advertising program must adhere to the following process:

(a) Contact the Jail Supervisor or the authorized designee to obtain a Bail Bond Advertising information packet, application and related forms.

(b) Complete the Bail Bond Advertising application thoroughly, answering all questions. Any omissions or unanswered questions will result in a delay of the processing of the application or a denial.

(c) Submit the Bail Bond Advertising application and a check payable to the City of Beverly Hills for the applicable fees to the Jail Supervisor.
Bail Bond Advertising Program

(d) Email a copy of the image for the advertisement to the Jail Supervisor. Applications must be submitted at least 30 days prior to the commencement of the six month period of desired advertising.

Upon receipt of the completed application and applicable fees, the Jail Supervisor will time stamp the application and review the application and related materials. The Jail Supervisor will verify that the applicant is currently licensed with the California Department of Insurance as a Bail Agent and that the advertisement conforms to the Advertisement Contents Standards. If the Jail Supervisor approves the application, the applicant will be placed on the list of eligible participants in the program. If the application is denied, the Jail Supervisor will give the applicant written notice that includes the reason(s) for the denial, and will and refund the deposited fees. The Jail Supervisor’s decision shall be final.

904.6 POSITIONING ON ADVERTISEMENT BOARD
No earlier than 30 days prior to the commencement of the six month period, the Jail Supervisor shall conduct a lottery drawing to determine the positioning of participants’ advertisements on the advertisement board at the outset of the six-month period. For each of the remaining months, lottery drawings will be conducted no earlier than 15 days prior to the beginning of the next month to determine the positioning on the advertisement board during the next month.

The lottery process will be documented and witnessed by at least one person designated by the Administrative Services Division Commander. After conducting the lottery drawing, the Jail Supervisor will notify all participants of the results. The participants’ advertisement positions on the advertising board, as determined by the lottery, will remain constant for one month. This process will ensure that the positions on the advertisement board are refreshed every month.
Jail Medical Services

905.1 PURPOSE AND SCOPE
This policy is to provide members with information related to contracted medical services provided for persons confined in the jail and DUI blood draws.

905.2 POLICY
It is the policy of the Beverly Hills Police Department to provide appropriate medical services to persons confined in the jail and blood draws for DUI arrests.

905.3 JAIL FACILITY MEDICAL CLEARANCES
The Beverly Hills Police Department has contracted a private vendor to provide immediate medical services typically offered by a physician as well as non-life threatening medical services offered in a hospital emergency room environment, in the event an arrestee is in need of non-emergent medical attention. The contract medical professionals will be available to jail facility personnel on an on-call basis 24-hours per day, and will generally have a response time within 30 minutes upon notification by department personnel.

Examples of medical treatment and pre-booking examinations conducted by contracted medical staff include the following:

- Medical clearance for arrestees who are taking prescription medications (e.g., asthma inhalers, birth control and psychiatric/seizure/high blood pressure medications).
- Evaluation and treatment of open wounds (e.g., minor lacerations or staph infections).
- Scabies.
- Facial abrasions or contusions.
- Inmate requests for medical treatment (complaints of pain or injury).
- Pregnancy testing.
- Blood draws (at Department-approved locations).

Contracted medical personnel shall not be contacted nor used for emergent medical conditions, such as:

- Shortness of breath.
- Chest pain.
- Contact with a Department canine during arrest.
- Any other medical condition or emergency that would normally require the immediate assistance of paramedic personnel.
- Any injury or condition resulting from use of force or sustained during an arrest.

In the event an arrestee requires non-emergent medical attention or requires an 'OK to book' clearance, Dispatch personnel shall contact the contracted vendor. Dispatch personnel shall log
**Jail Medical Services**

the inmate's name, time the contract vendor was called and other pertinent information on the Medical Calls for Service Log.

Upon arrival of the contracted medical vendor, Jail Facility personnel shall handcuff the inmate requiring medical treatment and escort them to the Jail's Medical Exam Room for examination and/or treatment. If an arrestee is uncooperative and may compromise officer safety, a minimum of two jailers/officers shall provide assistance and stand-by during the examination and/or treatment.

At no time shall contract medical personnel be left alone with an arrestee during examination and/or treatment. A jailer or police officer shall be present at all times.
Arrestee Transportation

906.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the safe and efficient transportation of detainees.

906.1.1 DEFINITION
For purposes of this policy, "transporting officer" includes Beverly Hills Police Department sworn personnel as well as jail staff responsible for transportation.

906.2 POLICY
The transporting officer is responsible for the safety and custody of any arrestee being transported. The transporting officer shall search any arrestee being placed into the transporting officer's custody, including transporting from the field to the jail or from the jail to another detention facility, court, or medical facility.

906.3 DETAINEE SEARCHES
Transporting officers shall search all arrestees prior to transporting the arrestee. If the transporting officer is different from the arresting officer, the transporting officer shall also conduct a full search of the arrestee prior to the transportation. The transporting officer shall not assume another officer has searched the arrestee and shall conduct another search even if the transporting officer has witnessed the arresting officer's search of the person.

906.4 VEHICLE SEARCHES
Prior to transport, the transporting officer shall search the transport vehicle to ensure no weapons or contraband are present. This shall be done in addition to the pre-shift examination to ensure no opportunity has existed for the introduction of weapons, contraband, or other items.

Once a arrestee has been removed from the vehicle, a thorough vehicle search shall be conducted by the transporting officer as soon as practicable, but in all cases, before the vehicle is reused. The search is to ensure the detainee has left nothing in the vehicle and if items are found, to link them to detainee in a timely manner.

906.5 TRANSPORTING PROCEDURES
Vehicles used primarily for transporting arrestees must have a safety barrier to separate the driver from the prisoner. Officers may transport no more than two arrestees in a patrol vehicle. All arrestees shall be transported in the rear seat, with a lone arrestee in the right rear seat and a second arrestee in the left rear seat. The arrestees shall be properly restrained and secured in their seat by a seatbelt unless other safety considerations prevent the use of the seatbelt. If the seatbelt is not used, the reason shall be properly documented.

While transporting an arrestee, uniformed and plainclothes officers should wear their authorized uniformed duty belt with all force options. Plainclothes officers shall wear a ballistic vest (clearly identifiable with a badge and a police insignia) and their Body Worn Camera (BWC).
Arrestee Transportation

Transport vehicles should contain a WRAP Restraint System if one is available.

906.5.1 RESTRICTIONS

All arrestee transports are subject to the following restrictions:

(a) Misdemeanor arrestee, when the nature of the offense is nonviolent, may be transported by one officer, subject to the following restrictions:
   1. Male officers may not transport female arrestee alone.
   2. Female officers may not transport male arrestee alone.
   3. Juvenile arrestees shall not be transported by one officer.
   4. When an officer is transporting alone, if deemed necessary, a back-up officer may follow the transporting officer in a second vehicle.

(b) Violent misdemeanor and all felony arrestees shall be transported by two officers. Exceptions must be approved by the Watch Commander prior to transport.

(c) In following situations, the transporting officers shall advise communications, via their radio, of their location, starting mileage and destination, and upon reaching their destination, their ending mileage.
   1. Two male officers are transporting a female arrestee.
   2. Two female officers are transporting a male arrestee.
   3. Juvenile arrestees are being transported.

(d) All arrestees shall be retrained with a seatbelt.

(e) Juveniles shall not be transported in the same vehicle with an adult detainee.

(f) Transporting officers shall not initiate or participate in a vehicle pursuit while transporting an arrestee.

(g) Transporting officers shall not respond Code-3 for any reason other than necessary for the safety of the arrestee.
   1. A field supervisor or Watch Commander shall be notified of the reason, destination, and estimated arrival time by the transporting officer via the radio.

(h) Restroom stops for prisoners shall not be made when the transport is within the City of Beverly Hills due to the short distance involved. During lengthy transports, if a arrestee requests to use a restroom while being transported, officers shall consider a nearby law enforcement agency for the stop.
   1. Officers shall advise Communications of the stop.

(i) Officers shall not stop for a meal or coffee break when transporting a arrestee.

Any deviation while transporting shall be documented.
Arrestee Transportation

906.6 UNMARKED VEHICLES (WITHOUT SAFETY BARRIERS)
If a vehicle with a safety barrier is not available, the decision to transport an arrestee in another vehicle or without a safety barrier should be made only after consideration of relevant factors and must have approval by a supervisor. Some consideration include, but are not limited to:

(a) The type of offense the arrestee is suspected of committing.

(b) The arrestee's criminal history.

(c) Other exigent circumstances, such as the location of arrest, the existence of large crowds, or other environmental factors that necessitate immediate transport of the arrestee out of the area.

Should the decision be made to transport an arrestee in another vehicle without a safety barrier, the following shall occur:

(a) Request another local agency to provide a vehicle with a safety barrier for transportation to their local jail facility until a Beverly Hills Police vehicle equipped with a safety barrier is available.

(b) If the local agency cannot provide a vehicle with a safety barrier in a reasonable time and based on the seriousness of the crime, a minimum of three officers in the vehicle with the arrestee should strongly be considered,

1. No more than one arrestee should be transported in a vehicle without a safety barrier.

2. The arrestee shall be properly restrained and secured in the rear seat by a seatbelt.

3. An officer shall be seated with the arrestee in the rear seat.

906.7 DETAINEE COMMUNICATION
The arrestee’s right to communicate with an attorney or others should not be permitted during the period that the arrestee is being transported.

906.8 INTERRUPTION OF TRANSPORT
The primary duty of a transporting officer is the safe delivery of an arrestee. Officers should not interrupt the transportation of an arrestee before reaching the intended destination. Only when the risk to a third party in the immediate area is both clear and grave requiring immediate action and the risk to the arrestee is minimal should an officer consider interrupting a transport. In such cases, the transporting officer shall notify Communications for the reason for the interruption.

For minor accidents or offenses, the transporting officer shall report the incident and location to Communications via the radio and shall continue the transport.

906.9 TRANSPORT DESTINATION PROCEDURES

1. When arriving at a detention facility other than the Beverly Hills Police Department Jail, officers shall secure their weapons prior to entering the secure area of the detention facility. Weapons should be secured in designated lockers or in the absence of such lockers, securely in the trunk of the vehicle.
Arrestee Transportation

2. Restraints shall only be removed when two officers are present and when directed by personnel of the receiving facility. Restraints may be adjusted or removed if requested by medical personnel to render emergency aid to the arrestee and only if it is safe. In such cases, two officers must always be present with the arrestee.

3. Transporting officers shall deliver the necessary documentation to receiving personnel.

4. Transporting officers shall advise the receiving personnel of any potential medical or security risk.

5. Transporting officers shall obtain documentation confirming the transfer of custody (if applicable).

906.10 ESCAPES
The following guidelines shall be followed in case of an escape of an arrestee:

(a) The transporting officers shall immediately notify Communications of their location and the circumstances.

(b) Officers shall make every reasonable effort to regain custody of the arrestee.

(c) If escape occurs outside the City of Beverly Hills, the transporting officer(s) shall immediately notify Communications or the local agency within whose jurisdiction the escape occurred to request assistance. The transporting officer shall contact the Beverly Hills Watch Commander as soon as possible of the escape.

(d) The transporting officers shall document the escape, efforts made to regain custody and the outcome in a crime report.

906.11 SPECIAL TRANSPORT SITUATIONS
If an arrestee becomes sick or injured, the transporting officer shall immediately take the arrestee to a medical facility for treatment and medical assistance. As soon as practicable, the arresting or transporting officers shall notify their direct supervisor or the Watch Commander. If the sickness or injury is life threatening or debilitating the transporting officers shall request paramedics to their location.

When a sick or injured arrestee needs to be transported to a medical facility via ambulance, appropriate restraints shall be employed and at least one officer shall accompany the arrestee in the ambulance.

Officers shall fully document the circumstances of the injury or illness in a report.

Officers shall use good judgment when transporting arrestee who have mobility or other disabilities to ensure officer and arrestee safety.

(a) The extent of the disability shall be considered when determining the method of transportation.

(b) Items necessary for the arrestee's disability should be transported with the arrestee.

1. Arrestees shall not have access to or control of the items during the transportation except for prosthetic devices and only when safe.
Arrestee Transportation

(c) Officers shall assist arrestees into and out of the transporting vehicle.

906.11.1 HOSPITAL SECURITY AND CONTROL
When an arrestee is transported to a medical facility and is admitted, the transporting officer shall notify their supervisor or the Watch Commander as soon as practicable. The field supervisor or Watch Commander shall consider the following to ensure control and security of the arrestee:

(a) Release the arrestee from custody, if appropriate.
(b) If the arrestee cannot be released, the Field Services Division Commander shall be notified.

1. Officers and/or security personnel shall be scheduled to guard the arrestee.
2. If medical conditions permit, the arrestee will be restrained.
3. If medical conditions require restraints to be removed, two officers shall be assigned to guard the arrestee.
4. Once released from the medical facility, the arrestee shall be searched prior to transport.

906.12 DETAINEE IDENTIFICATION, PROPERTY, AND DOCUMENTATION
Officers transporting arrestee from the Beverly Hills Police Jail to another facility shall confirm the identity of the arrestee prior to the transport. The transporting officers shall be responsible for ensuring all appropriate documentation is in their possession.

Officers who receive an arrestee from another custody facility shall count the arrestee’s money and confirm receipt of all property. Any discrepancy in the amount of currency or property shall be brought to the attention of the facility supervisor. Officers shall only receive an arrestee when all discrepancies are corrected or properly documented.

906.13 WARRANT VERIFICATION
Officers assigned to a warrant pick up at another custody facility shall review the booking documentation to ensure the arrestee is the person described upon the warrant. Identifying physical descriptors, marks, scars, tattoos, documents in the arrestee’s possession and statements from the arrestee shall all be considered in making a determination whether the arrestee is the person described in the warrant. If a reasonable doubt exists, the officers should contact their supervisor or the Watch Commander prior to accepting and transporting the arrestee.

906.14 OTHER SITUATIONS
The Beverly Hills Police Department will not transport a detainee to attend a funeral, visit another in a hospital, visit critically ill persons, or attend a reading of a will unless ordered by a court.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 PURPOSE AND SCOPE
This policy provides a 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 Beverly Hills Police Department and are promulgated and maintained by the City Human Resources Department.

1000.2 POLICY
In accordance with applicable federal, state, and local law, the Beverly Hills 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.

1000.3 RECRUITMENT
The Personnel and Training Bureau should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

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 Personnel and Training Bureau shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Personnel and Training Bureau 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.
Recruitment and Selection

1000.4 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)
   1. The personnel records of any applicant with prior peace officer experience in this state shall be requested from the appropriate law enforcement agency and reviewed prior to extending an offer of employment (Penal Code § 832.12).
   2. This includes review of prior law enforcement employment information maintained by POST (Penal Code § 13510.9).

(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) Polygraph examination (when legally permissible) (Labor Code § 432.2)

(i) Medical and psychological examination (may only be given after a conditional offer of employment)
   1. The Medical Suitability Declaration (POST form 2-363) provided by the evaluating physician shall be maintained in the candidate’s background investigation file (11 CCR 1954).
   2. The Psychological Suitability Declaration (POST form 2-364) provided by the evaluator shall be maintained in the candidate’s background investigation file (11 CCR 1955).

(j) Review board or selection committee assessment

1000.5 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 Beverly Hills Police Department (11 CCR 1953).
Recruitment and Selection

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).

1000.5.1 NOTICES
Background investigators shall ensure 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).

1000.5.2 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).

1000.5.3 REVIEW OF SOCIAL MEDIA SITES
All peace officer candidates shall be subject to a social media search for statements, postings, and/or endorsements made by the candidate that are relevant to suitability for peace officer employment, including bias-relevant information consistent with the requirements of 11 CCR 1955(d)(3) and any public expression of hate made in an online forum, as defined in Penal Code § 13680(g) (11 CCR 1953(e)(12)).

Due to the potential for accessing unsubstantiated, private, or protected information, the Administrative Services Division Commander shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Administrative Services Division Commander 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 Administrative Services Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.4 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 include sections that summarize relevant Background Investigation Dimensions and include any findings of behaviors, traits, and/or attributes relevant to bias per the Bias Assessment Framework as described in the POST Background Investigation Manual. The report shall identify the data sources reviewed for...
Recruitment and Selection

the findings, regardless of weight given. The report shall include narrative information in the format described in 11 CCR 1953(g)(1). The report shall also include whether the candidate has engaged or is engaging in membership in a hate group, participation in hate group activity, or advocacy or public expressions of hate, pursuant to Penal Code § 13680 et seq. (11 CCR 1953).

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 including relevant documentation of bias-related findings and documentation obtained through the social media search shall be included in the candidate’s background investigation file (11 CCR 1953).

The background investigator shall document proof of verification of qualification for peace officer appointment on the Verification of Qualification for Peace Officer Appointment form and forward to the Administrative Services Division Commander for final review and submission to POST (11 CCR 1953).

The background investigation file shall be made available during POST compliance inspections (11 CCR 1953).

1000.5.5 RECORDS RETENTION
The background report and all supporting documentation shall be maintained according to the established records retention schedule and at a minimum as follows (Government Code § 12946; 11 CCR 1953):

(a) Reports and documentation for candidates hired by the Department shall be retained for the entire term of employment and a for a minimum of four years after separation from the Department.

(b) Reports and documentation for candidates not hired by the Department for a minimum of four years.

1000.5.6 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 Beverly Hills Police Department or is transferred to a different department within the City as provided in 11 CCR 1953(f).

1000.5.7 INVESTIGATOR TRAINING
Background investigators shall complete POST-certified background investigation training prior to conducting investigations (11 CCR 1953; 11 CCR 1959).

1000.5.8 CONFIDENTIAL POST RECORDS
Records released to the Department from POST that were previously withheld from the candidate by POST shall be kept confidential as provided in Penal Code § 13510.9.
Recruitment and Selection

1000.6 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators and 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.

1000.7 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; Penal Code § 13510.1; 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 Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Job-related and nondiscriminatory 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 and Training Bureau should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS
Candidates shall meet the minimum standards established by POST or required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

(a) Free of any felony convictions
(b) Be legally authorized to work in the United States under federal law
(c) At least 21 years of age except as provided by Government Code § 1031.4
(d) Fingerprinted for local, state, and national fingerprint check
(e) Good moral character as determined by a thorough background investigation (11 CCR 1953)
Recruitment and Selection

(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, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)

(h) Free of hate group memberships, participation in hate group activities, or advocacy of public expressions of hate within the previous seven years, and since 18 years of age, as determined by a background investigation (Penal Code § 13681)

(i) 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)

(j) POST certification that has not been revoked, denied, or voluntarily surrendered pursuant to Penal Code § 13510.8(f)

(k) Not identified in the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training or similar federal government database that reflects revoked certification for misconduct or reflects misconduct that would result in a revoked certification in California.

In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

1000.7.2 STANDARDS FOR DISPATCHER
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)

1000.8 PROBATIONARY PERIODS
The Administrative Services Division Commander should coordinate with the Beverly Hills Personnel and Training Bureau to identify positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.
(b) Assessing the level of performance required to complete probation.
(c) Extending probation.
(d) Documenting successful or unsuccessful completion of probation.
Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Beverly Hills Police Department.

1002.2 PROMOTIONAL SPECIFICATIONS
Specifications for promotional opportunities are on file with the Beverly Hills Human Resource Department.

1002.3 POLICY
The Beverly Hills Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1002.4 SPECIAL ASSIGNMENT POSITIONS
The following positions are considered special assignments and not promotions:

(a) Intelligence Unit
(b) Detective
(c) Crime Impact Team
(d) Motorofficer
(e) Canine handler
(f) Traffic/Accident Investigator
(g) Commercial Investigation and Enforcement
(h) Field Training Officer
(i) Community Relations
(j) School Resource Officer
(k) Personnel and Training Bureau Sergeant
(l) Background Investigator
(m) Professional Standards Unit
(n) Special Projects Detail
(o) DUI Team
(p) MHET Team

1002.4.1 COLLATERAL DUTIES
The Department maintains several collateral duty assignments and committees. Participation in these assignments are collateral in nature and do not provide for bonus pay.
Special Assignments and Promotions

1002.4.2 GENERAL REQUIREMENTS
The following requirements should be considered when selecting a candidate for a special assignment:

(a) Off probation
(b) Possession of or ability to obtain any certification required by POST or law
(c) Exceptional skills, experience, or abilities related to the special assignment

1002.4.3 EVALUATION CRITERIA
The following criteria will be used in evaluating candidates for a special assignment:

(a) Presents a professional, neat appearance.
(b) Maintains a physical condition that aids in his/her performance.
(c) Expressed an interest in the assignment.
(d) Demonstrates 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 skills
   6. Initiative
   7. Adaptability and flexibility
   8. Ability to conform to Department's goals and objectives in a positive manner

1002.4.4 SELECTION PROCESS
The selection process for special assignments will be made by following the procedure indicated below.

(a) When an opening for a special assignment is available or imminent, the Chief of Police or designee shall request interested police personnel to submit a memorandum requesting appointment to the special assignment.

(b) Police personnel submitting requests shall indicate their reasons and qualifications for the special assignment in memorandum form to their immediate supervisor.

(c) Supervisors shall review requests after which they shall attach a memorandum of their own, which includes any comments they have and a recommendation of the employee for the special assignment.

(d) After reviewing all requests for a special assignment the Chief of Police or designee will have the option of
   1. Making the selection based on the information submitted or
Special Assignments and Promotions

2. Establishing an oral board for the purpose of interviewing all candidates and receiving recommendations from the oral board and then making a selection.

   (e) Notwithstanding the above, the Chief of Police shall retain the right to assign employees to special assignments without following the above procedures when the Chief of Police feels such action is in the best interest of the Department.

   (f) Within 10 days after an employee is informed that he/she was not chosen for a special assignment, the employee may ask the supervisor who effectively made the selection, for the reason the employee was not selected. The supervisor shall respond within 10 working days.
Grievance Procedure

1003.1 PURPOSE AND SCOPE
It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department’s philosophy is to promote a free verbal communication between employees and supervisors.

For additional information related to grievances, see the Grievance Procedure in the City's Administrative Regulations and/or the current collective bargaining agreement (CBA). If there is a conflict between this policy and the City’s Grievance Procedure or the current CBA, the City's procedure or current CBA shall supersede this policy.

1003.1.1 GRIEVANCE DEFINED
A grievance is any difference of opinion concerning terms or conditions of employment or the dispute involving the interpretation or application of any of the following documents by the person(s) affected:

• The employee bargaining agreement (Memorandum of Understanding)
• This Policy Manual
• City rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected employee or by a group representative.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in the Discriminatory Harassment Policy, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in the Personnel Complaint Policy.

1003.2 PROCEDURE
Except as otherwise required under a collective bargaining agreement, if an employee believes that he or she has a grievance as defined above, then that employee shall observe the following procedure:

(a) Attempt to resolve the issue through informal discussion with immediate supervisor.
(b) If after a reasonable amount of time, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with their Division Commander or the Chief of Police.
(c) Refer to the City's Grievance AR for grievance procedure details.
Grievance Procedure

1003.3 EMPLOYEE REPRESENTATION
Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.
Anti-Retaliation

1004.1 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 nondiscriminatory 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.

1004.2 POLICY
The Beverly Hills Police Department has a 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.

1004.3 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.
Anti-Retaliation

1004.4 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 City Human Resources Department.

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.

1004.5 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.
Anti-Retaliation

1004.6 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.

1004.7 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) Any family members who have 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.

1004.7.1 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).

1004.8 RECORDS RETENTION AND RELEASE
The Professional Standards Unit supervisor shall ensure that documentation of investigations are maintained in accordance with the established records retention schedules.
Anti-Retaliation

1004.9 TRAINING
The policy will be provided to every member.

All members should receive periodic refresher training on the requirements of this policy, as established by the Human Resources Department.
Reporting of Employee Convictions

1005.1 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.

1005.2 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.

1005.3 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 contendere 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.

1005.4 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 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.
**Reporting of Employee Convictions**

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. Any retired officer who fails to provide prompt written notice pursuant to this policy shall be subject to revocation of the Department-issued identification card and/or their CCW endorsement.

1005.5  **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. Employees 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 or ammunition as a part of the individual's 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.

1005.5.1  **NOTIFICATION REQUIREMENTS**

The Administrative Services Lieutenant or authorized designee shall submit within 10 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a 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 Lieutenant or authorized designee shall submit within 10 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).
Drug- and Alcohol-Free Workplace

1006.1 PURPOSE AND SCOPE
The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1006.2 POLICY
It is the policy of this department to provide a drug- and alcohol-free workplace for all members. See the City’s policy related to drug and alcohol use for further information.

City Drug-Free Workplace Policy Statement and Drug and Alcohol Policy.pdf

1006.3 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.

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 the member 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, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1006.3.1 USE OF MEDICATIONS
Members should not use 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 the member's 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 the member's abilities, without a written release from the member's physician.

1006.3.2 CANNABIS
Possession, use, or being under the influence of cannabis on-duty is prohibited and may lead to disciplinary action.

1006.4 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.
Drug- and Alcohol-Free Workplace

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.

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).

1006.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program 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 Human Resources, 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.

1006.6 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.

1006.7 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any of 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 the employee's ability to perform duties safely and efficiently.

(b) The employee discharges a firearm in the performance of the employee's duties (excluding training or authorized euthanizing of an animal).

(c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.

(d) The employee drives a motor vehicle in the performance of the employee's duties and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.
Drug- and Alcohol-Free Workplace

1006.7.1 SUPERVISOR RESPONSIBILITY
The supervisor shall prepare a written record documenting the specific facts that led to the decision to require 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.
(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.

Notification should be made to the employee's chain of command.

The appropriate BlueTeam entry will be made by the supervisor.

1006.7.2 DISCIPLINE
An employee may be subject to disciplinary action if the employee:

(a) Fails or refuses to submit to a screening test as required.
(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 the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

1006.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT
No later than 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).

1006.9 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 in the member's confidential medical file in accordance with the Personnel Records Policy.
Sick Leave

1007.1 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.), the California Family Rights Act, leave for victims of crime or abuse, or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1007.2 POLICY
It is the policy of the Beverly Hills Police Department to provide eligible employees with a sick leave benefit.

1007.3 USE OF SICK LEAVE
Sick leave is intended to be used for qualified absences. 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 (see Outside Employment Policy).

1007.3.1 NOTIFICATION
All members shall notify the Watch Commander on a department-recorded line, 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 Watch Commander, every effort should be made to have a representative for the member contact the Watch Commander (Labor Code § 246). The Watch Commander should contact the on-duty supervisor of the affected bureau for mandatory staffing positions (i.e. Communications, Records).

Employees are responsible for accurately documenting their use of sick leave in accordance with the Payroll Records Policy.

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.

Once having reported off sick, the employee shall keep the Watch Commander or appropriate supervisor advised as to his/her daily status and expected return to duty.
Sick Leave

1007.4 EXTENDED ABSENCE
Members absent from duty for three or more consecutive days shall 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 contact the designated administrative Sergeant (Office of the Chief) and/or Human Resources 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, consistent with the City administration rules.

1007.5 REQUIRED NOTICES
The Personnel and Training Sergeant in coordination with the City’s Human Resources 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.

1007.6 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 and city rules and regulations.

(b) Attempting to determine whether an absence of three or more days may qualify as family medical leave.

(c) Addressing absences and sick leave use (excluding FMLA or other protected leave) 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, peer support or department dedicated psychologist/psychiatrist when appropriate.
Communicable Diseases

1008.1 PURPOSE AND SCOPE
This policy provides general guidelines to assist in minimizing the risk of Department members contracting and/or spreading communicable diseases.

1008.1.1 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 Beverly Hills Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY
The Beverly Hills 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.

1008.3 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):
Communicable Diseases

(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 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).

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 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.
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(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 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.

1008.4.2 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).

1008.4.3 EXPOSURE CONTROL PLAN
Exposure control plan:
Hepatitis A Infection Prevention and Control.pdf

1008.5 POST EXPOSURE

1008.5.1 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.

1008.5.2 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
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(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 requirements that may apply.

1008.5.3 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.

1008.5.4 COUNSELING
The Department shall provide the member, and their family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1008.5.5 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.
Communicable Diseases

(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).

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 they refuse.

1008.6 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.

1008.7 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 their 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.
Smoking and Tobacco Use

1009.1 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 Beverly Hills 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.

1009.2 POLICY
The Beverly Hills Police Department recognizes that tobacco use is a health risk and can expose others to second hand smoke.

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).

1009.3 SMOKING AND TOBACCO USE
Smoking and tobacco use by members is prohibited anytime members are in public view representing the Beverly Hills 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 to include vehicles rented for Department business.

Department members shall also abide by City Administrative Regulations and the Beverly Hills Municipal Code regarding smoking and tobacco use.

1009.4 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.).

1009.4.1 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).
Personnel Complaints

1010.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Beverly Hills 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.

1010.2 POLICY
The Beverly Hills 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 the community can report misconduct without concern for reprisal or retaliation.

1010.3 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.

1010.3.1 COMPLAINT CLASSIFICATIONS
Personnel complaints shall be classified in one of the following categories:

Citizen Inquiry - Inquiries about conduct or performance that, if true, would not violate Department policy or federal, state or local law, policy or rule shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

Informal - A matter in which the complaining party is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.
Personnel Complaints

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Professional Standards Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1010.3.2 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 a complaint 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.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS
Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the Department website. Forms are also available at the City Clerk's Office, the City Auditor's Office and the Community Services Office.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE
All complaints will be courteously accepted by any Department member and promptly given to the appropriate 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 a 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.

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.

A complainant shall be provided with a copy of the complaining party's statement at the time it is filed with the Department (Penal Code § 832.7).
Personnel Complaints

1010.4.3 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).

1010.4.4 HATE COMPLAINTS AGAINST PEACE OFFICERS
Internal complaints or complaints from the public shall be accepted and investigated in accordance with this policy where it is alleged that an officer has in the previous seven years, and since 18 years of age, engaged in membership in a hate group, participated in a hate group activity, or advocated any public expression of hate (Penal Code § 13682).

1010.5 DOCUMENTATION
Supervisors shall ensure that all formal and informal complaints are documented on a Citizen Complaint form and all other complaints are documented as a Citizen Inquiry. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

1010.6 ADMINISTRATIVE INVESTIGATIONS
Allegations of misconduct will be administratively investigated as follows.

1010.6.1 SUPERVISOR RESPONSIBILITIES
In general, the primary 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 completed.
   • The original complaint form will be directed to the Executive Officer, via the chain of command, who will determine who will have responsibility for the investigation.
   • 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 member's Division Commander or the Chief of Police, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.
   • Follow-up contact with the complainant should be made as soon as practical, but no longer than 7 days after the Department received the complaint.
Personnel Complaints

- If the matter is resolved and no further action is required, the supervisor will note the resolution on an Informal Complaint or a Citizen Inquiry entry and forward to the Watch Commander.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Commander, Executive Officer, and the Chief of Police are notified via the chain of command as soon as practicable.

(e) Promptly contacting a higher-ranking member and/or the Watch Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Executive Officer, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator's name and the complaint number as soon as practicable.

(h) Investigating a complaint as follows:

1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring 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.

1010.6.2 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, they shall be compensated.

(b) Unless waived by the member, interviews of an accused member shall be at the Beverly Hills Police Department or other reasonable and appropriate place.

(c) Members shall not be permitted to have a firearm on their person or in their immediate possession while being interviewed during any administrative investigation.

(a) Members shall not be permitted to have a firearm on their person or in their immediate possession during any subsequent part of the disciplinary process up to and including:

(a) Intent to discipline

(b) Notice of discipline
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(c) Skelly hearing

(d) No more than two interviewers should ask questions of an accused member.

(e) 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.

(f) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.

(g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

(h) 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.

(i) 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.

(j) 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.

(k) All members shall provide complete and truthful responses to questions posed during interviews.

(l) 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
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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).

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the complainant, employee(s), and witness(es), the identity of the assigned investigators, the initial date and source of the complaint, the date, time and location of the related incident, the date the investigation was assigned and completed.

Summary - Provide a brief summary of the facts giving rise to the investigation.

Allegation(s) - List the allegations separately, including applicable policy sections.

Investigation - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section. A separate recommended finding should be provided for each allegation.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

Informal investigations of personnel complaints and Citizen Inquiries should follow this format:

Complaint - Brief summary of the complaint.

Summary - Include pertinent facts, statements and a description of any related audio or video recordings.

Conclusion - Include the resolution and/or actions taken.

1010.6.4 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 the alleged act occurred but the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses 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).
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If an investigation discloses misconduct or improper job performance was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 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 an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1010.7 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.

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).

1010.7.1 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

1010.8 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.
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(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.

(d) May be restricted from accessing Department facilities and Department email accounts.

1010.9 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 Beverly Hills 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.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES
Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1010.10.1 DIVISION COMMANDER RESPONSIBILITIES
Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander 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 Division Commander 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 Division Commander 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.

1010.10.2 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
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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 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 five days of receiving the notice.

1. 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.

2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

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.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINTANT

The assigned investigator shall ensure the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint. 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)).

1010.10.4

1010.11 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.

(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.
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(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.

1010.12 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 (Penal Code § 13510.8).

1010.13 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).

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS
At-will and 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 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.
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1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES
All personnel complaints shall be maintained in accordance with the established City’s records retention schedule and as described in the Personnel Records Policy.

1010.16 REQUIRED REPORTING TO POST
The Chief of Police or the authorized designee shall notify POST on the appropriate POST form within 10 days of certain officer personnel events, including but not limited to (Penal Code § 13510.9):

(a) Termination or separation from employment or appointment. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.
   1. A POST affidavit-of-separation form shall be executed and maintained by the Department and submitted to POST as required by Penal Code § 13510.9 and 11 CCR 1003.

(b) Events that could affect an officer’s POST certification, such as:
   1. Complaints, charges, or allegations of serious misconduct (as defined by Penal Code § 13510.8).
   2. Findings of civilian review boards.
   3. Final dispositions of any investigations.
   4. Civil judgments or court findings based on conduct, or settlement of a civil claim against an officer or the Beverly Hills Police Department based on allegations of conduct by an officer.

The Chief of Police or the authorized designee shall be responsible for providing POST access to or duplication of investigation documentation (e.g., physical or documentary evidence, witness statements, analysis, conclusions) within the applicable timeframe provided in Penal Code § 13510.9.

1010.16.1 NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT
The Chief of Police or the authorized designee shall report allegations of serious misconduct by an officer to POST and the report shall include the following (11 CCR 1207):

(a) Name of the Department
(b) Administrative case number
(c) Name, current address, and phone number of the complainant, if available
(d) Name, POST ID, current address, and phone number of the involved officer
(e) A summary of the alleged misconduct including:
   1. A narrative of the allegations
   2. Date and time of incidents
   3. Location of occurrence

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4. Any witness information, if available
5. Summary of arrest or indictment of involved officer
   (f) A change in employment status of the involved officer (e.g., administrative leave, suspension, termination)
   (g) Name and contact information of the assigned investigator

The Chief of Police or the authorized designee shall provide updates of the investigation to POST every 90 days until the final disposition in the method designated by POST (11 CCR 1207).

Upon completion of the investigation, the Chief of Police or the authorized designee shall submit to POST the final disposition of the investigation as well as investigation materials and the officer's service record as provided by 11 CCR 1207.

1010.16.2 ADDITIONAL NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

Additional notification shall be made to POST (11 CCR 1207):
   (a) If the imposed disciplinary action is pending appeal or other review through an administrative or judicial proceeding:
       1. The Department shall provide the name of the body conducting the proceeding.
       2. The status of the proceeding, if known.
   (b) If criminal charges are pending:
       1. The name of the court having jurisdiction over the criminal charges against the officer.
       2. The status of the criminal case, if known.
Seat Belts

1011.1 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).

1011.1.1 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.

1011.2 POLICY
It is the policy of the Beverly Hills Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1011.3 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.

1011.4 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).

1011.5 TRANSPORTING PERSONS IN CUSTODY
Persons who are in custody should be in a seated position and secured in the rear seat of any department vehicle with a restraint system or, when a restraint system is not available, by seat


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belts provided by the vehicle manufacturer. The restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

An incarcerated person in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1011.6 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 express 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.

1011.7 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.

1011.8 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.
Body Armor

1012.1 PURPOSE AND SCOPE
The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor. The Beverly Hills Police Department utilizes three types of body armor: internally worn soft body armor, soft body armor in an outer vest carrier, and plate carriers.

1012.2 POLICY
It is the policy of the Beverly Hills 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.

1012.3 ISSUANCE OF BODY ARMOR
The Personnel and Training Sergeant shall ensure body armor is issued to all officers when the officer begins service at the Beverly Hills Police Department and when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Personnel and Training Sergeant shall establish a body armor replacement schedule and ensure replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point its effectiveness or functionality has been compromised.

1012.3.1 USE OF SOFT BODY ARMOR
Generally, the use of body armor is subject to the following:

(a) Officers shall only wear agency-issued body armor.
(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take law 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 law enforcement action.
(d) Body armor shall be worn when an officer is working in uniformed field duty including court appearances and extra duty assignments.
(e) An officer may be excused from wearing body armor when they are involved in undercover or plainclothes work their supervisor determines could be compromised by wearing body armor, or when a supervisor determines other circumstances make it inappropriate to mandate wearing body armor.

1012.3.2 INSPECTIONS OF BODY ARMOR
Supervisors should ensure body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections.

1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR
Soft body armor should never be stored for any extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g.,
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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 surface of each ballistic panel. The carrier should also have a label containing 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 allowed to air dry.

Officers should conduct regular inspections of their body armor for fit, cleanliness, and signs of damage, abuse and wear. Any noted damage or excessive wear should be promptly reported to the Personnel and Training Sergeant via chain of command.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1012.3.4 OUTER VEST CARRIERS
As a supplement to the traditional Sam Browne equipment belt, Beverly Hills Police Department sworn personnel may be issued and are authorized to wear outer vest carriers purchased from a Department approved vendor. Members shall receive Department approved training prior to wearing the outer vest in the field.

The outer vest carrier is optional. Employees who choose to wear an outer vest shall ensure that it fits properly, is maintained in a professional manner, is regularly cleaned and is not damaged or excessively worn.

The outer vest authorized for use in Field Services Division will match the color of the officer's uniform shirt. It will have the appearance of a uniform shirt with added equipment pockets on the bottom, front and back. The word "POLICE" shall be centered on the back. The Department issued metal badge will be pinned above the left chest pocket and the officer's metal nameplate will be pinned above the right chest pocket flap.

EQUIPMENT

Only authorized equipment shall be worn on the outer vest:

- Radio
- Handgun magazines
- Rifle magazines
- Handcuffs
- OC
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- Collapsible Baton
  - Shall be carried in the support-side position.
  - Due to space limitations and in order to avoid overcrowding on the outer vest, the collapsible baton may require positioning on the duty belt.

- The Body Worn Camera
  - Shall be carried in a central location on the front of the outer vest.

- Utility Pockets
  - Equipment pockets must be sufficient to securely carry required equipment (handcuffs, handgun magazines, radio, etc) and optional equipment if desired (flashlight, keys, cell phone, etc).
  - The equipment pockets shall be limited to nine (9) total pockets on the front, side straps and a maximum of two (2) handcuff cases on the back.
  - Other than the baton, placement of equipment pockets on the outer vest is the choice of each individual officer.

- Taser
  - The Taser shall be carried on the side opposite the duty weapon.

- Handguns
  - Shall not be carried on the outer vest.

Officers should not wear outerwear in a manner that would prevent them from having access to any of their equipment on the vest.

It is understood that on occasion it will be necessary for officers to wear their traffic vests over their outer vests for short periods of time while directing traffic. In these situations, officers should:

- Remain aware of their access limitations to equipment on their outer vest and remove the traffic vest if they become involved in a situation that might require some type of law enforcement action.
- If officers anticipate wearing this type of clothing for an extended period of time, officers shall utilize their “Sam Browne” belt instead of the outer vest.

The outer vest is not authorized for wear at events where Class A Formal uniform is designated.

Outer vests worn by K9 officers, SWAT operators, Detectives/Crime Impact Detectives do not fall under the guidelines of this section.

1012.3.5 PLATE CARRIERS
Plate carriers shall be equipped with Department issued armor plates capable of defeating a variety of rifle and large caliber handgun rounds.

Plate carriers shall not be used as a substitute for soft body armor. Soft body armor shall be worn as an additional layer under the plate carrier.
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Plate carriers shall only be worn for tactical situations and during Department training days. They are not meant to be worn for routine patrol/traffic operations.

The word "POLICE" in white letters shall be displayed on plate carriers. No unauthorized patches may be displayed on the plate carrier.

Ammunition pouches and BWC are authorized for wear.

1012.4 PERSONNEL AND TRAINING SERGEANT RESPONSIBILITIES

The Personnel and Training Sergeant should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) In conjunction with the Rangemaster and other appropriate subject matter experts, assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training which educate officers about the safety benefits of wearing body armor.
Personnel Records

1013.1 PURPOSE AND SCOPE
This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1013.2 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).

1013.3 DEPARTMENT FILE
The department file shall be maintained as a record of a person's employment/appointment with this department. The department file may contain:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information.

(b) Election of employee benefits.

(c) Historic personnel action forms reflecting assignments, promotions, and other changes in employment/appointment status. Current personnel action forms are electronic records maintained by Human Resources.

(d) Historic performance evaluations. Current performance evaluations are electronic records maintained by Human Resources.

(e) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1013.4 BUREAU FILE
Bureau files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Bureau 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.

1013.5 TRAINING FILE
An individual training file shall be maintained by the Personnel and 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 (METR records).

(a) The involved member is responsible for providing the Personnel and Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.
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(b) The Personnel and Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member's physical or electronic training file.

1013.6 PROFESSIONAL STANDARDS UNIT FILE

Professional Standards Unit files are maintained electronically and 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.

The Professional Standards Unit file contains the following records:

1. Adverse comments such as supervisor notes or memos.
   (a) 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).
   (a) Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).
   (a) 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 not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).

2. Discipline records including copies of sustained personnel complaints.
   (a) 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 four years (Government Code § 12946).
   (b) Disciplinary action resulting from a sustained civilian's complaint involving misconduct shall be maintained pursuant to the established records retention schedule and at least 15 years (Penal Code § 832.5).
   (c) A civilian's complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5)

The complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's Department file but will be maintained in the Professional Standards Unit file:

(a) Not sustained
(b) Unfounded
(c) Exonerated

Investigation files arising out of sustained civilian's complaints involving misconduct shall be maintained pursuant to the established records retention schedule and for a period of at least
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15 years. Investigations that resulted 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 pursuant to the established records retention schedule and for at least four years (Government Code § 12946).

Investigation files arising out of a civilian complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and for at least five years (Penal Code § 832.5).

1013.7 MEDICAL FILE
A medical file shall be maintained separately from all other personnel records and shall contain documents relating to the member's medical condition and history that have been provided to the Department, 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.

In cases where the medical documents were provided to the Human Resources Department, the files are maintained by Human Resources.

1013.8 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.

1013.8.1 REQUESTS FOR DISCLOSURE
Any member receiving a request for a personnel record shall promptly notify the Office of the Chief's Custodian of Personnel Records or other person charged with the maintenance of such records.
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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.

All requests for disclosure that result in access to a member’s personnel records shall be logged in the corresponding file.

1013.8.2 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).

1013.8.3 RELEASE OF LAW ENFORCEMENT GANG INFORMATION
Information relating to the termination of an officer from this department for participation in a law enforcement gang shall be disclosed to another law enforcement agency that is conducting a pre-employment background investigation except where specifically prohibited by law (Penal Code § 13670).

1013.8.4 RELEASE OF PEACE OFFICER RECORDS RELATING TO HATE COMPLAINTS
Records relating to an officer for an investigation of a hate complaint described in Penal Code § 13682 with a sustained finding that the officer engaged in membership in a hate group, participated in a hate group activity, or advocacy of public expressions of hate are not confidential and shall be made available for public inspection though a public records request (Penal Code § 13683).

Records disclosed may be redacted as provided in Penal Code § 13683.

1013.9 MEMBERS’ ACCESS TO THEIR PERSONNEL RECORDS
Any member may request access to the member’s own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from the member’s 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 that have not been sustained against the member.

(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.

(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.

1013.10 RETENTION AND PURGING
Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the City’s 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.
Personnel Records

1013.11 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 Office of the Chief Custodian of Personnel Records is responsible for 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)(3)):

- 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, whether the officer's action was consistent with law and 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)(8) or other law, the following records (hereinafter qualifying records) shall be made available for public inspection no later than 45 days from the date of a request (Penal Code § 832.7(b)(1)):

(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.
   3. A sustained finding involving a complaint that alleges unreasonable or excessive force.
   4. A sustained finding that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.

(b) Records relating to an incident where a sustained finding was made by the Department or oversight agency regarding:
Personnel Records

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 false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.

3. An officer engaged in conduct including but not limited to verbal statements, writings, online posts, recordings, and gestures involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

4. An officer made an unlawful arrest or conducted an unlawful search.

Qualifying records will be made available regardless of whether the officer resigns before the Department or an oversight agency concludes its investigation (Penal Code § 832.7(b)(3)).

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)(4)).

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)(5). 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 finding of the qualified allegation against another officer that is subject to release (Penal Code § 832.7(b)(5)).

1013.11.1 REDACTION
The Office of the Chief Custodian of Personnel Records, in consultation with the Chief of Police or authorized designee, shall redact the following portions of qualifying records made available for release (Penal Code § 832.7(b)(6)):

(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 whistleblowers, complainants, victims, and witnesses

(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 possible misconduct and 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
**Personnel Records**

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)(7)).

**1013.11.2 DELAY OF RELEASE**

Unless otherwise directed by the Chief of Police, the Office of the Chief Custodian of Personnel Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of qualifying records 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 misconduct or 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 engaged in misconduct or used the force.

(b) **Filed criminal charges**

1. When charges are filed related to an incident in which misconduct occurred or 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:

   (a) There is a determination from the investigation whether the misconduct or use of force violated law or department policy, but no longer than 180 days after the date of the department’s discovery of the misconduct or use of force or allegation of misconduct or use of force

**1013.11.3 NOTICE OF DELAY OF RECORDS**

When there is justification for delay of disclosure of qualifying records, 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.
Personnel Records

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 misconduct or use of force by officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 7923.000, 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)(8)).
Police Explorer Program

1014.1 PURPOSE AND SCOPE
The purpose of the Police Explorer Program is to provide juveniles who may be interested in a career in law enforcement with a comprehensive volunteer experience, including training, competition, service and practical experiences. Through their involvement in the program, Explorers develop an awareness of the purpose, mission and objectives of law enforcement agencies. The program is designed to promote self-confidence, leadership skills and responsibility as well as to provide specific services to the community.

1014.2 EXPLORER POST REQUIREMENTS
The Police Explorer Program is open to juveniles ages 14 (and in their last semester of eighth grade) through the end of high school. Explorers must meet the minimum requirements to participate in and remain in the program. Eligibility standards include:

(a) A hold harmless and release from for this Department and Learning for Life must be signed by the parents or legal guardian and/or the Explorer if of legal age to sign.

(b) Must have no prior convictions for a criminal offense or serious traffic offense.

(c) Must have and maintain a minimum of a 2.0 cumulative grade point average (GPA) in high school to remain in the Post.

(d) Must complete the Police Explorer Academy within one year of appointment and the six-month introductory period.

(e) Must undergo a thorough background review which includes a criminal background check and a school visit to check records as well as speak with teachers, counselors, etc.

(f) Must have no physical handicaps that could cause injury to himself/herself or jeopardize other program participants.

An Explorer Advisor shall complete a background investigation on all applicants. The background will ensure the applicant meets the Explorer Post minimum program requirements as stated above. If a candidate fails to meet these requirements, the advisor should contact the candidate and parent/legal guardian to explain membership denial. Any candidate failing the background requirements may reapply for membership after a period of six months if they feel they now qualify for membership.

All new Explorers shall be on a probationary status for minimum of six months upon their entry into the post. Probationary Explorers must attend all training sessions and meeting during this initial period, unless excused in advance by an Explorer Advisor. Introductory Explorers shall attend one of the next scheduled Basic Explorer Academies. If a probationary Explorer cannot complete the training as described, he/she must apply for an extension period in writing to the advisory staff, including their plan on completion of the required training. The Explorer Coordinator will determine when an Explorer's introductory training period has been completed.
Police Explorer Program

Upon entering the Explorer program, a Police Explorer Portfolio will be prepared. The Portfolio will include:

(a) Application and background investigation
(b) Oral interview evaluation forms
(c) Parental consent forms and waivers
(d) Commendations and discipline memos
(e) Semester or quarterly grades from school

1014.3 ORGANIZATION AND COMMAND STRUCTURE
The Explorer Coordinator will be assigned by the Chief of Police. The Post may have as many Explorer Advisors as deemed necessary to effectively operate the Post. The Explorer Coordinator and all Advisors will report to the Executive Officer.

The Explorer Post chain of command will follow a traditional rank structure. The chain of command is generally as follows:

(a) Chief of Police
(b) Executive Officer (Lieutenant)
(c) Explorer Coordinator
(d) Explorer Advisors
(e) Explorer Captain
(f) Explorer Lieutenant
(g) Explorer Sergeant
(h) Explorer,
(i) Probationary Explorer

Generally, Explorers should follow the chain of command to communicate information. In instances where the Explorer needs to report violations of discriminatory harassment, any crime, or any serious policy violation, the Explorer should contact at a minimum, two people in the Explorer chain of command immediately.

1014.4 SCOPE OF ACTIVITIES
Patrol operations, calls for service and other law enforcement assistance that trained Explorers can provide with relatively minimal risk include, but are not limited to:

(a) Crime prevention services
(b) Citizen tours of police facilities
(c) Agency information booth at career fairs and community events
(d) Assistance as needed at other community events
Police Explorer Program

Law enforcement officers who are responsible for Explorers must use their best professional judgment with respect to the safety and security of the Explorer and should never intentionally place an Explorer in a high risk or legally precarious situation.

1014.5 EXPLORER SAFETY
The following provisions have been adopted to provide security for youth; in addition, they serve to maintain proper and appropriate boundaries between Explorers and Department employees.

(a) Two-deep leadership: Explorer Advisors are required on all trips and outings.
(b) No one-on-one contact: One-on-one contact between Explorer Advisors and Explorers is not permitted, except for authorized ride-alongs.
(c) Respect of privacy: Adult leaders must respect the privacy of participants and intrude only to the extent that health and safety require.
(d) Separate accommodations: No youth is permitted to sleep in the same tent or room with an adult other than their parents or guardians, or with a member of the opposite sex.
(e) Proper preparation for high-adventure activities: Activities with elements of risk should never be undertaken without proper preparation, equipment, supervision, and safety measures.
(f) No secret organizations: There are no secret organizations allowed and all aspects of the Explorer program are open to observation by parents and sworn department members.
(g) Appropriate attire: Proper clothing for activities is required.
(h) Constructive discipline: Discipline in the Explorer Program should be constructive and reflect the program's underlying values. Corporal punishment is never permitted.
(i) Hazing prohibited: Physical or emotional hazing and initiations are prohibited.
(j) Youth Leader Training and Supervision: Explorer Advisors must monitor and guide the leadership techniques used by youth leaders.

Police Explorers (whether or not in uniform) are not permitted to drive marked police vehicles or other motorized police conveyances. The exception to this policy is when Explorers are participating in an authorized training program or competition and are under the direct, onsite, supervision of a law enforcement officer or Explorer Advisor/Coordinator.

Outings or trips that occur at places other than the usual Post meeting location may require preplanned transportation. Two adults should be assigned to each transportation vehicle. If you cannot provide two adults, the minimum required is one adult and two or more youth participants, never one on one.

No fewer than two adults shall attend any overnight or extended outing. Additional adult leadership requirements must reflect an awareness of group size, environmental conditions and the overall degree of challenge.
Police Explorer Program

(a) Male and female leaders require separate sleeping facilities. Married couples may share the same quarters if appropriate facilities are available.

(b) Male and female youth participants will not share the same sleeping facility.

(c) Youth and adults, other than the participant's parent(s), must have separate sleeping quarters.

(d) If separate shower and bathroom facilities are not available, separate times for male and female use should be scheduled and posted.

1014.6 CODE OF CONDUCT
Explorers must remember that both their on or "off-duty" actions reflect upon the Beverly Hills Police Department and the community. Explorers shall carry themselves in a possessional manner.

(a) Explorers will be orderly, attentive and will exercise patience and discretion when dealing with the public.

(b) Explorers will obey all laws. Violation of any law may be cause for disciplinary action including dismissal.

(c) Explorers shall not impersonate a police officer or imply through appearance or action that they have any law enforcement authority beyond that of a private person.

(d) Explorers will immediately report any type of "off duty" contact with any law enforcement officer to an advisor. This includes contacts for traffic violations, criminal investigations, field interviews and any time the explorer is a reporting party or witness in any police matter. Any failure to notify an advisor is cause for immediate dismissal from the Post.

1. During regular hours, Explorers must contact an advisor by telephone.

2. Between 2300 and 0600, Explorers must send an email to all of the advisory staff.

(e) Explorers will not use or have in their possession any controlled substance except when legally prescribed by a licensed physician. When an Explorer is taking prescribed medication that could affect performance the advisory staff shall be notified before the event/shift begins. Explorers are not allowed to use any tobacco products while on duty or at explorer social events.

1. Any Explorer who is issued a "Medicinal Marijuana" prescription or recommendation must notify the advisory staff immediately.

2. Explorers are never permitted to be present in a situation where drugs are being used illegally. Furthermore, Explorers shall never be present in a situation where legal medications are being improperly used.

(f) Explorers shall address all Department personnel in a courteous manner, using rank or title and their last name, unless otherwise instructed by the individual Department member.
Police Explorer Program

1. In some circumstances, the advisory staff may allow the Explorers to call them by their first name. However, Explorers shall avoid treating Advisors like their peers and be respectful at all times.

   (g) Explorers will perform their assigned duties to the best of their abilities.

   (h) Explorers will arrive at their assignments on time, dressed in proper attire and ready for the activity at hand.

   (i) Explorers will promptly obey any lawful orders of a superior officer. Any Explorer who refused to obey a lawful order will be considered insubordinate.

   (j) Explorers will not directly or indirectly solicit or accept any gratuities, loans, gifts, rewards, merchandise, or any other thing of value in connection with their official position. Any items of value, which the Advisory staff obtains as a form of compensation to the Post, shall not be considered gratuities. Explorers shall not accept these items unless they have been specifically approved by the advisory staff.

   (k) Explorers are never permitted to utilize an Explorer identification card or badge to identify themselves when off duty for any reason including a traffic stop.

   (l) Fraternization: Close social relationships, such as dating, between adult leaders and Explorers are prohibited. Explorers are encouraged to keep personal relationships and dating outside of the Explorer Post and the Department. Explorers shall not display affection toward one another while on duty or attending any Explorer activity.

1014.7 HARASSMENT IN THE WORKPLACE

Explorers shall be courteous to the public and fellow Explorers. Explorers shall be tactful in the performance of their duties, shall control their tempers, and exercise patience and discretion. Explorers shall not use coarse, violent, profane or insolent language or gestures. Explorers shall not express any prejudice or engage in harassment of discrimination based upon race, creed, color, national origin, ancestry, sex, gender identity or expression, age, physical or mental disability, medical condition, genetic information, religion, martial status or sexual preference. Harassment includes, but is not limited to verbal, physical and visual harassment.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature constitute sexual harassment when any of the following exist:

   (a) Submission to such conduct is made either explicitly or implicitly a term, or condition of an individual's participation as a volunteer in the Explorer program;

   (b) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting such individual;

   (c) Submission to such conduct has the purpose or effect of unreasonably interfering with an individual's performance as an Explorer or creating an intimidating, hostile or offensive environment. Sexual harassment may include any of the following behaviors:

      1. **Verbal Harassment:** Repeated, unsolicited, derogatory comments or slurs, or continued requests for social or sexual contact after being advised such is unwelcome.
Police Explorer Program

2. **Physical Harassment**: Physical interference or contact which impedes normal work movement when directed at an individual.

3. **Visual Harassment**: Derogatory posters, cartoons, or drawings, staring or leering.

4. **Sexual Favors**: Sexual advances which condition an employment benefit in exchange for sexual favors, or which may reasonably be perceived as such.

1014.7.1 REPORTING HARASSMENT

Any Explorer who believes he or she has been the subject of harassment should report the alleged act immediately to his/her Advisor or Sergeant. The Explorer does not need to follow the chain of command to report harassment incidents.

1014.7.2 EXPLORER RESPONSIBILITIES

All Explorers have a responsibility and obligation to enforce a zero tolerance sexual harassment and discrimination policy. If Offensive or hostile type behavior occurs, all Explorers present have the obligation to attempt to stop the action in progress and report it to their Advisor.

There is no intent by this Department to regulate or control any relationship or social interactions of Explorers which are freely entered into by both parties and which do not impact Explorer performance.

The following are suggestions for all Explorers to help establish and maintain a professional and healthy environment, while at the same time preventing sexual harassment from occurring.

(a) It is this Department's philosophy that Explorers must set an example of acceptable conduct by not participating in or provoking behavior that is offensive.

(b) When appropriate and possible, the Explorer should warn the harasser that the particular behavior is offensive and unwelcome. Make it absolutely clear that you are neither interested in, nor flattered by, uninvited sexual advances. Be specific in advising that person about what conduct is offensive and unwelcome. Make it clear that you will take official action if it continues. If you foresee a problem, document the incident thoroughly.

(c) If the harassing behavior continues, or if you were unable or unwilling to confront the harasser directly, you must notify your immediate Advisor or any Advisor, including the Chief’s office and document the notification. It is the Explorer's responsibility to bring sexual harassment behavior to the attention of an Advisor to ensure proper follow-up action.

(d) The Department will take steps necessary to prevent retaliation against the complaining party or witnesses and support that individual. Appropriate sanctions will be imposed on any individual subjecting any party involved in this process of retaliation.

1014.7.3 ADVISOR'S RESPONSIBILITIES

The Advisors and Department supervisors have the responsibility and obligation to enforce a zero tolerance harassment policy.
Police Explorer Program

(a) Individual advisors are responsible to report and/or handle harassment incidents where the advisor knows or should have known of the incident by nature of his/her advisory position.

(b) Regardless of whether the complaining party requests action, the advisor shall follow through, either by the formal complaint or by verbally warning the harasser and documenting the admonishment in writing.

(c) Any Advisor who fails to take corrective action can and will be disciplined by this Department.

(d) It is the responsibility of all advisors to establish and maintain a working environment, which is free from discriminatory intimidation, ridicule and insult.

1014.7.4 INVESTIGATION OF HARASSMENT
It is the Advisor’s obligation to document all incidents and any action taken involving allegations of harassment. All such incidents must be reported to the supervisor in charge of the Explorer Post. At which time, it would be determined whether an internal affairs investigation is required. An investigation may be conducted whether or not an involved party elects to pursue a complaint.

If, based upon the facts and circumstances presented, a decision is made to proceed, then a full and complete investigation will be conducted by an individual selected by the Chief of Police. The investigation will be conducted as quickly as possible, and based upon that investigation a decision will be made regarding whether disciplinary action is necessary.

The identity and statements of the complaining party will be kept confidential to the fullest extent possible, but disclosure may occur in some circumstances including, but not limited to counseling, discipline or litigation.

Discipline up to and including dismissal from the Explorer program may result from behavior found to constitute a violation of this directive.

1014.8 RIDE ALONGS
The purpose of the Explorer Program is to provide comprehensive training, competition, service, practical, and recreational experience for young adults interested in a career in law enforcement or a related field. The objectives of the Ride-Along program are to offer qualified Explorers the opportunity to accompany a police officer on patrol to observe and gain practical experience with regard to the methods and techniques used in patrol operations and related services. This program also provides Explorers with valuable knowledge of the challenges and benefits of patrol operations and a better understanding of the importance of police services within the City of Beverly Hills.

Refer to Lexipol Policy 1035 - Police Explorer Ride-Along Program for further regarding Explorer Ride-Alongs.
Police Explorer Program

1014.9 UNIFORMS
Explorers shall only wear their department provided uniforms during approved Department functions, during Explorer meetings, while on a ride-along, or when instructed to by an Explorer Advisor.

1014.10 DISCIPLINE AND DISMISSAL
Any Explorer, who fails to abide by these policies, or any other rule, policy, standard or expectation of the Department, may be disciplined or dismissed from the Explorer Program at the sole discretion of the Department. Employees who are dismissed from the program may submit a letter of appeal to the Executive Officer who oversees the Explorer Program, whose decision to uphold or overturn the dismissal will be final and binding.
Fitness for Duty

1016.1 PURPOSE AND SCOPE
All members 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).

1016.2 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.

1016.3 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.
(f) If an employee is relieved of duty, they will be on paid status until otherwise determined by the Chief of Police or City Human Resources.
Fitness for Duty

1016.4 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.

1016.5 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.

1016.6 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 the City Human Resources 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.
Fitness for Duty

(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.

1016.7 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 8 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, holdover, training, general overtime and any other work assignments.
Meal Periods and Breaks

1017.1 PURPOSE AND SCOPE
This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all City employees that has been established by the City Manager and/or as outlined in a Memorandum of Understanding (MOU).

1017.1.1 MEAL PERIODS
Sworn employees and dispatchers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed by a supervisor or as outlined in their respective association MOU.

Uniformed patrol and traffic officers shall request clearance from Dispatch prior to taking a meal period.

The time spent for the meal period shall not exceed the authorized time allowed in the member’s respective MOU.

1017.1.2 15 MINUTE BREAKS
Each employee is entitled to two 15 minute breaks during their assigned shift.

Field officerson their breaks shall remain subject to call and shall monitor their radios.
Lactation Break Policy

1018.1 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).

1018.2 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).

1018.3 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 their 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.

1018.4 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; Labor Code § 1031).

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.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

The department maintains a private and secure room within the police station dedicated for lactation breaks.
Lactation Break Policy

1018.5 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.

1018.5.1 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).
Payroll Records

1019.1 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.

1019.2 POLICY
The Beverly Hills Police Department maintains timely and accurate payroll records.

1019.3 RESPONSIBILITIES
Employees are responsible and will be held accountable for the accurate and timely electronic submission of their own payroll records.

Supervisors are responsible and will be held accountable for reviewing payroll records for accuracy for all employees under their supervision, for submitting payroll records for employees who are away on extended leave or otherwise unable to submit their own payroll records and for approving all payroll submissions by the payroll cut-off time.

Exceptions to this policy shall be at the discretion of the Chief of Police or the authorized designee.

1019.4 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 as established by the City payroll procedures.

1019.5 RECORDS
The Administrative Services 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).
Outside Employment

1021.1 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.

This policy does not apply to special jobs coordinated through the City, Guidelines for special jobs are covered in the Special Job Assignment Policy.

1021.1.1 DEFINITION
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.

1021.2 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 and the Assistant Director of Administrative Services 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 fiscal year (July 1 through June 30) 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)).

1021.2.1 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.
Outside Employment

If the employee’s appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current City Administrative Regulations or the respective association Memorandum of Understanding (MOU).

1021.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked, suspended or modified 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 a 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.

(e) When an employee is on administrative leave.

(f) When there is a conflict of interest.

1021.3 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
Outside Employment

1021.3.1 OUTSIDE SECURITY 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 employment as a private security guard, private investigator or other similar private security position without the written approval of the Chief of Police.

(a) The member shall be required to comply with any restrictions outlined in their Outside Employment Permit.

(b) The member shall be required to comply with the requirements of the California Bureau of Security and Investigative Services (BSIS), including, but not limited to, obtaining a Guard Card.

(c) Should such a request be approved, any employee working outside security shall be subject to the following conditions:
   1. The officer(s) shall not 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. 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.

1021.3.2 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.

1021.3.3 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.

1021.4 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.

1021.5 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 channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.
Outside Employment

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.

1021.6 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 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.

(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 Beverly Hills Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.
Personal Appearance Standards

1023.1 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.

1023.2 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.

1023.2.1 HAIR
Hairstyles of all members shall be neat in appearance. For male non-sworn and sworn uniformed members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female non-sworn and sworn uniformed members, hair must be no longer than the top of the shoulders when the employee is standing erect, otherwise it shall be up above the collar. When a female sworn uniformed member is required to wear a helmet during the course of her duties (including riot helmets and motor helmets), the officer is permitted to wear her hair in a neat braid that extends past the shoulders in order to safely and comfortably wear their helmet and allow for quick donning and doffing.

All employees, regardless of assignment shall maintain hair which is clean, professionally styled, and colored in a manner that does not diminish their professional appearance.

1023.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend 1/4" below the corners of the mouth or beyond the natural hairline of the upper lip.

1023.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.2.4 FACIAL HAIR
Effective December 1, 2022, the Chief of Police has authorized facial hair, other than sideburns, mustaches, and eyebrows, to be permitted for personnel wearing class A and B uniforms. The following restrictions shall be adhered to:

1. Beards or goatees shall not be longer than 3/8 of an inch, shall be trimmed and clean, not in poor taste, and shall not be dyed.

2. Beards or goatees must be worn with a mustache and must not extend in length beyond the normal contours of the face. The neck shall be kept clean shaven.
3. Beards or goatees shall not interfere with the gas mask or the gas mask fit test.
4. Beards or goatees are not allowed to be worn by any employee on probation.
5. Beards and goatees may not be worn by any member of the honor guard while performing their official duties as a member of the detail.
6. Lieutenants and above will not be allowed to participate in the program.
7. Employees wishing to participate, must apply in writing (via e-mail) to their direct supervisor. Once in the program, employees may opt out, by notifying their supervisors by e-mail.

1023.2.5 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 not more than 1/4" of the nail extends beyond the tip of the finger.

1023.3 JEWELRY
No visible necklaces, bracelets, anklets, earrings or gages shall be worn while in uniform. Female officers and other female uniformed personnel with pierced ears are permitted to wear a single stud earring, no larger than 3/8 of an inch in diameter, in each ear lobe. All other visible jewelry shall be limited to rings and watches.

Medical alert necklaces and bracelets shall be exceptions to the above standards.

1023.4 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. 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.
(e) Nose and eyebrow piercings.

1023.5 TATTOOS
While on duty and wearing any Department approved uniform or appropriate business attire, employees shall not exhibit any tattoo, branding, or other form of body art that may be seen by another person.

Tattoos are strictly prohibited on any portion of the body above the neckline of a standard uniform shirt or below the wrist.

Employees who have a tattoo(s) shall ensure it is completely covered with an approved uniform either short sleeve or long sleeve as appropriate or with appropriate business attire.
Personal Appearance Standards

1. If an employee has a visible tattoo(s) the employee may wear a black or flesh-colored sleeve or bandage. This shall be worn in such a manner that the tattoo is not visible.

2. If an employee has only one tattoo covering an area three-inch square or less that is visible on the arm above the elbow, that employee may, instead of wearing a long-sleeved shirt, cover the area with only one patch, of a color as close to the employee’s skin color as is reasonable available. The patch used for this purpose may not exceed three-inch square in size. However, if the tattoo is below the elbow area the employee shall wear the long-sleeved uniform shirt or business attire, as appropriate for the assignment.

3. Employees who have tattoos that can be seen while wearing approved uniform shorts shall completely cover them with long uniform pants unless an employee has only one tattoo covering an area three-in square or less. In this case a patch may be used.

Employees working in an undercover capacity may display their tattoos. However, these employees are strictly prohibited from displaying:

1. A tattoo that is sexually graphic and/or explicit in nature.
2. A tattoo that may be perceived as indicative of harassment or discrimination based on race, religion, creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex or age.
3. A tattoo that indicates or advocates membership in a law enforcement gang.
4. A tattoo that indicates or advocates membership in a criminal gang.

Additionally, tattoos shall not be displayed to other City and Department employees while on or in property and/or facilities owned, operated or under the dominion and control of the City/Department, where the content of the tattoo may be perceived by a reasonable City/Department employee as indicative of harassment or discrimination based on race, religion, creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex or age or otherwise creating a Department environment having a negative impact.

1023.6 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 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.
Police Cadets

1025.1 PURPOSE AND SCOPE
Cadets work under direct supervision, perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1025.2 EDUCATION REQUIREMENTS
Cadets are required to maintain a minimum grade point average of 2.5 ("C" grade) for all courses taken. Cadets shall be enrolled in at least 9 semester units per semester.

1025.3 PROGRAM COORDINATOR
The Personnel and Training Lieutenant will serve as the Program Coordinator. This manager will be responsible for tracking the educational and job performance of cadets as well as making their individual assignments throughout the Department. They will also monitor the training provided for all cadets and review all decisions affecting job assignments, status for compensation, school attendance and performance evaluations.

1025.4 ORIENTATION AND TRAINING
Newly hired cadets will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted. Training sessions will be scheduled as needed to train cadets for as many assignments as possible. In addition to job-specific training, information will be offered to prepare cadets to compete successfully in the police officer selection process, as well as the academy training. All training will focus on improving job performance, as well as preparation to become police officers. These meetings will also offer an opportunity to receive continuous feedback regarding progress of the program.

1025.5 CADET UNIFORMS
Each cadet will be provided two uniforms meeting the specifications described in the Uniform Manual for non-sworn employees.

1025.6 ROTATION OF ASSIGNMENTS
Rotating job assignments should occur on a regular basis to enhance the career development for each cadet. Department needs and concerns will take precedence over individual considerations with the final decision resting with the Personnel and Training Lieutenant.

In general, experienced cadets will be assigned to positions requiring more technical skill or responsibility, as well as serving to train cadets for new assignments or those newly hired.

1025.7 RIDE-ALONG PROCEDURES
All cadets are authorized to participate in the Ride-Along Program on their own time and as approved by their immediate supervisor and the appropriate Watch Commander. Applicable waivers must be signed in advance of the ride-along. Cadets shall wear their uniform while participating on a ride-along.
Police Cadets

1025.8 PERFORMANCE EVALUATIONS
Performance evaluations for all cadets shall be completed monthly during their first year on probation. Upon successful completion of probation, cadets will be evaluated on a yearly basis to assess their current job performance and their potential as police officers.
Department Badges

1027.1 PURPOSE AND SCOPE
The Beverly Hills Police Department badge and uniform patch as well as the likeness of these items and the name of the Beverly Hills Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1027.2 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.

1027.2.1 FLAT BADGE
Sworn officers will be issued 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 exchange or transfer the flat badge to another officer within the Beverly Hills 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 obtain a retired flat badge upon retirement.

(d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1027.2.2 NON-SWORN 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.

1027.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement and with permission of the Chief of Police, 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. Employees may not sell their badge under any circumstances.
Department Badges

1027.3 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 non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department 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.

1027.4 PERMITTED USE BY EMPLOYEE GROUPS

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they have the express permission of the Chief of Police and are used in a clear representation of the association and not the Beverly Hills Police Department.

(b) The likeness of the department badge for endorsement of political candidates shall not be used.
Temporary Modified-Duty Assignments

1028.1 PURPOSE AND SCOPE
This policy establishes procedures for providing temporary modified-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.

1028.2 POLICY
Subject to operational considerations, the Beverly Hills Police Department may identify temporary modified-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.

The Chief of Police shall assign an Injury On-Duty (IOD) Coordinator who will identify and coordinate temporary modified duty assignments.

1028.3 GENERAL CONSIDERATIONS
Priority consideration for temporary modified-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 Beverly Hills Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee’s ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-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.

1028.4 PROCEDURE
Once an employee provides written notification from the treating medical professional which places the employee on temporary duty with restrictions, their immediate supervisor will notify the IOD Coordinator and their Division Commander regarding their restrictions.
Temporary Modified-Duty Assignments

The Division Commander will make a recommendation via the chain of command, to the Chief of Police regarding temporary modified duty assignment based on the needs of the department and the limitations of the employee. After a temporary modified duty assignment is identified, the supervisor will complete the Modified Duty Form and review the form with the employee. Both the supervisor and the employee will sign the form.

Sample Modified Duty Letter.pdf

1028.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-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 Commander.

1028.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified 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 modified duty.
(d) Submitting a written status report to the Division Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1028.5.2 SUPERVISOR RESPONSIBILITIES

The employee’s immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

(a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty.
(b) Notifying the Division Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
(c) Ensuring that employees returning to full duty have completed any required training and certification.

Modified Duty Instructions for Supervisors SEPT2017.pdf
Temporary Modified-Duty Assignments

1028.6 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.

1028.7 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.

1028.8 NOTIFICATION
Any employee with a medical condition who is requesting a temporary modified-duty assignment, should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying the medically-related job restrictions or limitations. If at any point 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.

1028.9 PROBATIONARY EMPLOYEES
Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1028.10 MAINTENANCE OF CERTIFICATION AND TRAINING
Employees assigned to temporary modified 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 modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.
Employee Speech, Expression and Social Networking

1030.1 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.

1030.1.1 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.

1030.2 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 Beverly Hills 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.

1030.3 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 Beverly Hills 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:
Employee Speech, Expression and Social Networking

- 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.

1030.4 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 Beverly Hills 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 Beverly Hills Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Beverly Hills 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 transportsations 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 Beverly Hills 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 Beverly Hills Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.
Employee Speech, Expression and Social Networking

Accessing websites for non-authorized purposes, or use of any personal communication device, whether personally or department-owned, for personal purposes while on-duty, 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).

1030.4.1 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 Beverly Hills Police Department or identify themselves in any way that could be reasonably perceived as representing the Beverly Hills 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 Beverly Hills 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).

1030.5 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,
Employee Speech, Expression and Social Networking

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).

1030.6 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.
Line-of-Duty Deaths

1032.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of the Beverly Hills 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.

1032.1.1 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 non-sworn 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.

1032.2 POLICY
It is the policy of the Beverly Hills 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.

1032.3 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 Communications Bureau.

1. 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 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.
Line-of-Duty Deaths

(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).

1032.4 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.
Line-of-Duty Deaths

(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 Beverly Hills Police Department members may be apprised that survivor notifications are complete.

1032.4.1 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.

1032.5 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, 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.
1032.6 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) Wellness Support Liaison.
(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.

1032.6.1 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 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.
Line-of-Duty Deaths

(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1032.6.2 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, any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Beverly Hills Police Department members (except for members who may be guarding the suspect).

(c) Ensure 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 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, the survivors are not asked to sign as guarantor of payment for any hospital treatment and 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 their actions at the conclusion of their duties.

1032.6.3 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:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
Line-of-Duty Deaths

- 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 Wellness Support Liaison to ensure 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.

(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
Line-of-Duty Deaths

(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 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.

1032.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison 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 wellness support 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 members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive wellness support.

(c) Ensuring wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) 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 wellness support and counseling services and assisting with arrangements as needed.

(e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.
Line-of-Duty Deaths

1032.6.5 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:
   1. Honor Guard
      (a) Casket watch
      (b) Color guard
      (c) Pallbearers
      (d) Bell/rifle salute
   2. Bagpipers/bugler
   3. Uniform for burial
   4. Flag presentation
   5. 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.

1032.6.6 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 Beverly Hills Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform the coordinator's duties in accordance with the Outside Agency Assistance Policy.

1032.6.7 BENEFITS LIAISON
The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:
Line-of-Duty Deaths

(a) Confirming the filing of workers' compensation claims and related paperwork.

(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, such as:
   (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.

1032.6.8 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:

(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.

1032.7 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 department members are instructed to direct any media inquiries to the PIO.
   (c) Prepare necessary press releases.
       (a) Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
       (b) Ensure 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 the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure media are notified when survivor notifications have been made.

1032.8 DEPARTMENT CHAPLAIN
The Department chaplain may serve a significant role in line-of-duty deaths. Their duties may include, but are not limited to:
**Line-of-Duty Deaths**

- 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.

**1032.9  INVESTIGATION OF THE INCIDENT**

The Chief of Police shall ensure 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.

**1032.10  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.

**1032.11  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.
Peer Support and Assistance Program

1033.1 PURPOSE AND SCOPE
The Beverly Hills Police Department recognizes the value of providing an "in-house" resource for members and their families to support them in managing both professional and personal crisis. The purpose of this policy is to establish an in-house Peer Support and Assistance Program and the implementation of a Peer Support Team for Department members and their families.

The Peer Support Team may be utilized to support other City Departments and personnel and should work in cooperation with peer support teams of other agencies and/or city departments during multi-agency and/or multi-department incidents. The Peer Support Team may also be utilized to support the community in situations of critical incidents, such as school shootings and natural disasters.

The role of the Beverly Hills Police Department Peer Support Team is to be available to listen, support, refer and assist members and their families during professional or personal, stressful or difficult periods in their lives.

1033.1.1 DEFINITIONS
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 unusual strong reactions.

Critical Incident Stress Management - A comprehensive, systematic and multi-component approach to managing traumatic stress within an organization.

Critical Incident Stress Response - A partnership between mental health professionals and emergency services employees in preventing and mitigating the negative impact of acute stress on them and their peers.

Peer Support Program - offers assistance and appropriate support resources to members when personal or professional problems negatively affect their work performance, family unit or self. These communications are confidential, providing it does not violate any law or Department regulation. The program is designed to:

(a) Provide emotional support during and after times of personal or professional crisis to members who need assistance

(b) Promote trust, promote anonymity and preserve confidentiality for members using Peer Support, within the guidelines of the program

(c) Develop members who can identify personal conflicts and provide guidance or referral to professional or alternate resources

(d) Maintain an effective peer support training and response program

(e) Check on the well-being of members out with illnesses/IODs and provide support where desired and needed
**Peer Support and Assistance Program**

(f) Provide access to a licensed mental health professional who has specific expertise, experience, education, and training in the field of trauma services with special emphasis on police personnel.

1033.2 POLICY

It is the policy of the Beverly Hills Police Department to maintain and promote a Peer Support Team for the mental health benefit of our department members and their families.

1033.3 ACCESSING PEER SUPPORT

The Peer Support Team is available 24 hours per day, 7 days per week to all members. Contact information for the Peer Support Team will be made available to all department members.

1033.4 PEER SUPPORT TEAM RESPONSIBILITIES

The Peer Support Team is intended to be a resource available to the Department in the event of a critical incident or crisis situation. Peer Support Team members are available to:

(a) Listen to another member's feelings after a critical incident or crisis situation
(b) Facilitate or assist supervisors in diffusing critical incidents
(c) Respond to a members request for peer support or assistance
(d) Conduct Critical Incident Stress Management (CISM) debriefings and/or defusings
(e) Provide information on other resources available (e.g., Employee Assistance Program (EAP), Alcoholics Anonymous, financial support)

Members who may be involved in conducting any administrative or criminal investigation or administrative discipline relating to a member seeking assistance shall avoid any conflict of interest.

Peer Support Team members shall also be available for support and assistance at the discretion of the Chief of Police or the Assistant Chief of Police. Peer Support Team members may be utilized to support the community following a critical incident (e.g., school shootings, natural disasters).

**TEAM STRUCTURE**

1033.4.1 ROLE OF PEER SUPPORT TEAM MEMBERS

Peer Support Team members provide support and assistance to Department members in times of stress and crisis. The role of a Peer Support Team member includes:

- Conveying trust and anonymity and assuring confidentiality within the guidelines of this policy to Department members who seek assistance from the Peer Support Program
- Attending assigned peer support training and seminars
- Providing assistance and support
- Assisting Department members by referring them to the appropriate outside resource when necessary
- Being available to Department members for additional follow-up and support
Peer Support and Assistance Program

- Maintaining contact with the Program Coordinators regarding program activities
- Agreeing to be contacted, and if necessary, respond at any hour to assist a member of this Department

DEBRIEFING/DEFUSING

1033.5 CRITICAL INCIDENTS
A critical incident is any event that causes an unusually intense stress reaction. The distress people experience after a critical incident limits their ability to cope, impairs their ability to adjust and negatively impact the work environment.

Critical incidents that may require a Peer Support Team or Post Trauma Counseling response may include, but are not limited to:

- Officer-involved shootings.
- Death or serious injury.
- Where a member is taken hostage.
- Where a member is witness to a suicide.
- Where a member is witness to a violent death or serious injury.
- Following an infant or child death or serious injury.
- Investigations involving child pornography
- Any incident that is likely to affect the member's ability to interact with the public and carry out their job functions.
- Any other incident deemed appropriate by any member and approved by a supervisor.

1033.6 POST-TRAUMA COUNSELING PROGRAM
Mandatory monthly Post-Trauma Counseling is necessary due to critical incidents employees may be exposed to while working in this profession, especially cases involving child pornography. It is important to note that an individual's reaction to a traumatic event is individual specific based on the totality of circumstances in that individual's life.

We must immediately recognize cases involving employees exposed to critical incidents, especially cases involving child pornography that deem Post-Trauma Counseling by a mental health professional (Critical Incidents are outlined in Lexipol Policy 1033.5). If such cases are recognized, the following steps should be taken:

(a) Supervisor/Peer Support is notified about the investigation involving a critical incident that meets the criteria.

(b) Notify the Executive Officer about the investigation and the specifics of the case that warrants a Critical Incident Stress Response. In all cases involving child pornography, it is mandatory that the employee sees a mental health professional until released by professional staff.
Peer Support and Assistance Program

(c) The Executive Officer contacts the mental health professional and sets up the first mandatory meeting for the employee.

(d) Employee attends the Post-Trauma Counseling monthly until the mental health professional releases the employee from treatment.

(e) The Executive Officer will check in with the mental health professional to make sure the employee progresses or if additional sessions are needed.

Although Post-Trauma Counseling is mandatory, at no time will an employee be placed off work when they see a mental health professional unless the mental health professional feels it is necessary. The employee receiving treatment will be compensated per the guidelines outline in Lexipol Policy 1033.7

1033.7 CONFIDENTIALITY
All conversations between Peer Support Team members and other members of the Department are not privileged communications under the Evidence Code. The Department will respect the confidentiality of conversations between Peer Support Team members and other Department members with the following exceptions:

(a) Information concerning the commission of a crime

(b) The member or a third party is a danger to themselves or others

Disclosures under these exceptions will be made directly to the Chief of Police or the Assistant Chief of Police.

CONFIDENTIALITY

1033.8 PAY AND COMPENSATION
When members of the Peer Support Team are notified to respond or attend a debriefing, the following pay and compensation policies will be in effect. Whenever possible, overtime will be pre-approved by the Program Coordinator(s).

(a) If the member(s) are on-duty they will be paid as hours worked

(b) If the member(s) are off-duty they will submit for overtime through their immediate supervisor, all overtime will be approved by the Program Coordinator

(c) The pay/compensation will be the same as the guidelines set forth in the applicable Memorandum of Understanding for the involved team member

(d) There is no pay/compensation for being on a call-out roster

(e) Selection of members on the Peer Support Team is considered a collateral duty assignment, and members on the team are considered at will and can be removed at the discretion of the Program Coordinator

Generally, when a member is on-duty, meetings and follow-up contacts by a Peer Support Team member will be coordinated with that member's immediate supervisor. Consideration should be given to the member's position, minimum staffing levels, calls for service and availability to attend meetings.
Peer Support and Assistance Program

1033.9 TRAINING
Peer Support Team members should receive training in the following areas:

• Effective listening.
• Critical incident stress.
• Debriefing and defusing techniques.
• Post-traumatic stress.
• Problem-solving skills.
• Relationship termination.
• General assessment skills.
• Referral follow-up.

The suggested minimum training consists of:

• 24-hour Basic Peer Support Course.
• Basic Critical Incident Stress Management (CISM) Course.
• Any additional training as deemed necessary by the Chief of Police, Program Coordinator or Program Advisor.
• California Peer Support Association Annual Training Conference, as budget constraints allow.
Special Job Assignments

1034.1 PURPOSE AND SCOPE
City Ordinance 07-O-2541 authorizes the Police Department to assign off-duty personnel to various types of functions within the City for the purpose of providing traffic and/or crowd control, security or other special enforcement which has been deemed necessary due to the function having significant impact upon the normal and everyday occurrences within the City.

1034.2 POLICY

1034.3 INITIATION OF SPECIAL JOBS
The Traffic Bureau Commander or the authorized designee has the primary responsibility for the approval and assignment of members to special jobs.

1034.4 SPECIAL JOB STATUS AND ENFORCEMENT
In all cases involving the request for off-duty officers, particularly those situations involving City permits wherein law enforcement personnel are required to be in attendance, only Beverly Hills Police Department Officers are authorized to perform the law enforcement duties in the City. Members assigned to a special job are on-duty working for the Beverly Hills Police Department, not for the person or organization requesting the services of the member(s). Their assignment at the location is to accomplish those tasks and duties outlined by the supervisor who authorized the special job and to enforce the requirements of the City-issued permit, if applicable.

1034.5 SPECIAL JOB PROTOCOL
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 Traffic Bureau Commander or the authorized designee 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, if required by permit.

(b) The applicant will further be required to provide for the compensation as provided by the current fee schedule (four-hour minimum) for such outside security services.

(c) Should such a request be approved, any employee working a special job shall be subject to the following conditions:

1. The officer(s) shall wear the departmental uniform/identification, unless specifically requested to wear civilian clothing.
2. The officer(s) shall be subject to the rules and regulations of this department
3. Compensation for such approved special jobs shall be pursuant to normal overtime procedures.
Special Job Assignments

1034.5.1 SPECIAL JOB ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in a special job 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 may be considered incidental to the outside overtime assignment, depending upon circumstances.

1034.5.2 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 a special job in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

1034.6 ASSIGNMENT OF SPECIAL JOBS
Each officer who takes a special job assignment shall personally sign the original request form. When the situation dictates the Watch Commander fill a position by telephone, the Watch Commander will place his/her initials adjacent to the officer's name on the original request form.

1034.7 REPORTING FOR A SPECIAL JOB
Officers assigned to a special job will report in person to the Watch Commander far enough in advance to allow travel time to the job location. The officer will record his/her name, location and assigned hours on the deployment summary board in the Watch Commander's office. The officer will also advise Dispatch of the special job location and hours. At the end of the special job, the officer will report to the Watch Commander and remove his/her name and related information from the deployment summary board.

Before reporting to a special job, the Watch Commander should inspect the officer's appearance. The officer is required to keep their radio on and monitor it during the special job assignment. Failure to report or being late for a special job assignment will subject the officer to discipline.

1034.8 SUPERVISOR RESPONSIBILITY
The on-duty field supervisor should be responsible for at least one on-site inspection of the officers and location if the duration of the special job exceeds four hours. The exception to this would be if a supervisor is assigned to the detail.

1034.9 CANCELLATION OF A SPECIAL JOB
In the event a special job is canceled or postponed by the requesting party, the Traffic Bureau Commander or the authorized designee, being notified by the requesting party shall be responsible to notify the assigned officer(s) and handle any alternative request made by the party.

In the event an officer is unable to work a special job assigned that he/she signed up for, it is that officer's responsibility to find a replacement and to submit a written request to the Traffic Bureau Commander or the authorized designee, or in their absence, to the Watch Commander. Emergency situations and deviations from this procedure will be evaluated by the Traffic Bureau Commander on a case by case basis.
Career Enhancement Policy

1036.1 CAREER ENHANCEMENT
The career enhancement program focuses on exposing employees to other assignments within the police department. The program will be available to all employees who are off probation. Openings will be determined by each manager in consultation with the Office of the Chief and will be designated for all members of the department.

1036.2 PROGRAM GOALS
The primary goal is for succession planning and provide exposure to different assignments and build job knowledge in specialized areas. The selected employee(s) will be expected to work a minimum of two (2) ten hour shifts per month. Additionally, in order to provide consistency for both the employee and the work unit, a defined work schedule for the employee will be entered into POSS. Most training plans will be on the job with some exceptions based on the proposed assignment.

Employees selected for a career enhancement position will have six months exposure to the new assignment and may only participate in one six-month program every two years. At the discretion of the Chief, an employee's term may be extended for an additional six months. The two-year period will begin the first day of the employee's assignment.

1036.3 SELECTION PROCESS
Managers who desire to offer a career enhancement opportunity to other employees will submit an interest memo through the chain of command. Once the memo is complete and the number of available positions has been approved, Personnel and Training will publish the Career Enhancement Memorandum and accept memorandums of interest. P&T will also ensure that an employee has not participated in the program in the last 24 months from the beginning date of the last career enhancement assignment.

Selections will be based on a written memo not to exceed one page in length explaining the desire to participate in the advertised position. In addition, current supervisors will be consulted and those participating must not adversely affect their current position. Those that are assigned may also participate in training related to the new job field on an approved basis. An eligibility list will only last six months unless extended by the Chief of Police for an additional six months.

1036.4 COMPENSATION
The position is not subject to an assignment bonus. Any compensation for work outside of normal work hours or a mutually agreeable schedule adjustment will be handled in accordance with the affected employees' memorandum of understanding.
Authority and Responsibility of Supervisors

1037.1  AUTHORITY AND RESPONSIBILITY
Supervisors will direct their efforts toward the efficient performance of the functions of the police department and will require their employees to do the same. Supervisors are responsible for the proper performance of their employees under a variety of conditions and circumstances.

Supervisors will:

(A) Actively direct and supervise employees of lesser rank to ensure that they perform their assigned duties efficiently. All personnel in a supervisory position are accountable for the actions of subordinates under their command, whether they are in a permanent or temporary assignment.

(B) Monitor the situations in which subordinates are involved and ensure that proper actions are taken.

(C) Assume command of any situation coming to the supervisors attention that requires his/her involvement.

(D) Respond to emergencies as necessary or directed. The first supervisor to arrive at the scene of an emergency will take charge and issue such commands and order as necessary to bring the situation under control or containment as quickly as possible until or unless relieved by the patrol bureau supervisor, or a supervisor of higher rank. Note: For the purpose of this paragraph, an emergency will be defined as a crime in progress, a life threatening situation, a serious police equipment accident, or any other unusual occurrence normally requiring the control and coordination of a police supervisor.

(E) Ensure subordinates make all required reports promptly, accurately and completely.

(F) Ensure proper maintenance and care of department equipment through periodic inspections and audits.

(G) Promptly obey orders of superiors and ensure subordinates do the same.

(H) Inform an employee’s immediate supervisor, as well as their own supervisor, of any neglect of duty or misconduct by an employee not under their supervision.

(I) Investigate reports of policy violations or illegal conduct of subordinates and report the findings, actions or recommendations to the next higher level within the chain of command.

(J) Use counseling as a tool designed to help develop skills. Counseling is an informal and continuous process. Counseling covers many purposes, one of which may relate to disciplinary action. In that sense, counseling would be any discussion between an employee and supervisor, or authorized person. Counseling is designed to improve performance or behavior on the job. Such discussions may take various forms and have varying objectives. They may clarify standards, point out the employees' unique strengths and weaknesses and include a formal commitment by either party on steps to be taken to bring the employees' performance or behavior to acceptable standards.
Wellness Program

1038.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for Department members.

The wellness program is intended to be a holistic approach to a member’s well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1038.1.1 DEFINITIONS
Definitions related to this policy include:

**Critical incident** – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

**Critical Incident Stress Debriefing (CISD)** – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

**Peer support** – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

1038.2 POLICY
It is the policy of the Beverly Hills Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for Department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1038.3 WELLNESS COORDINATOR
The Chief of Police should appoint a trained wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., Personnel and Training Bureau, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

(a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).

1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
Wellness Program

2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.

(b) Developing management and operational procedures for Department peer support members, such as:

1. Peer support member selection and retention.
2. Training and applicable certification requirements.
3. Deployment.
4. Managing potential conflicts between peer support members and those seeking service.
5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
6. Using qualified peer support personnel from other public safety agencies or outside organizations for Department peer support, as appropriate.

(c) Verifying members have reasonable access to peer support or licensed psychotherapist support.

(d) Establishing procedures for CISDs, including:

1. Defining the types of incidents that may initiate debriefings.
2. Steps for organizing debriefings.

(e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).

(f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:

1. Obtaining a written description of the program services.
2. Providing for the methods to obtain program services.
3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.

(g) Assisting members who have become disabled with application for federal government benefits such as those offered through the Public Safety Officers’ Benefits Program (34 USC § 10281 et seq.).

1. The coordinator should work with appropriate Department liaisons to assist qualified members and survivors with benefits, wellness support, and counseling.
Wellness Program

services, as applicable, when there has been a member death (see the Line-of-Duty Deaths Policy for additional guidance).

1038.4 DEPARTMENT PEER SUPPORT

1038.4.1 PEER SUPPORT MEMBER SELECTION CRITERIA
The selection of a Department peer support member will be at the discretion of the coordinator. Selection should be based on the member’s:

- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

1038.4.2 PEER SUPPORT MEMBER RESPONSIBILITIES
The responsibilities of Department peer support members include:

(a) Providing pre- and post-critical incident support.
(b) Presenting Department members with periodic training on wellness topics, including but not limited to:
   1. Stress management.
   2. Suicide prevention.
   3. How to access support resources.
(c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
   1. Referrals should be made to Department-designated resources in situations that are beyond the scope of the peer support member’s training.

1038.4.3 PEER SUPPORT MEMBER TRAINING
A Department peer support member should complete Department-approved training within the first year of appointment.

1038.5 CRITICAL INCIDENT STRESS DEBRIEFINGS
A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

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.
Wellness Program

Attendance at the debriefing should only include peer support members, the Department's contracted psychologist and those directly involved in the incident.

1038.6 PEER SUPPORT COMMUNICATIONS
Peer Support members will sign a confidentially agreement.

Confidentiality Form.pdf

Although the Department will honor the sensitivity of communications with peer support members, there is no legal privilege to such communications, unless authorized by law (e.g., peer support communications pursuant to a Law Enforcement Peer Support and Crisis Referral Service Program).

1038.7 PHYSICAL WELLNESS PROGRAM
The coordinator is responsible for establishing guidelines for an on-duty physical wellness program, including the following:

(a) Voluntary participation by members
(b) Allowable physical fitness activities
(c) Permitted times and locations for physical fitness activities
(d) Acceptable use of department-provided physical fitness facilities and equipment
(e) Individual health screening and fitness assessment
(f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
(g) Ongoing support and evaluation

1038.8 TRAINING
The coordinator or the authorized designee should collaborate with the Personnel and Training Sergeant to provide all members with regular training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.
Wellness Program

Training materials, curriculum, and attendance records should be forwarded to the Personnel and Training Sergeant as appropriate for inclusion in training records.
Support K9 Program

1039.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the use and management of therapy dog(s) for a Support K9 Program, which should not be confused with a service dog. This policy is intended to be a guide for those persons or staff interacting with the K9 assigned to the Department including supporting the interaction between the K9 and community members. The safety of the employees and civilian visitors and the proper care of the K9 must be insured.

The Support K9 Program will be under the administrative and operational control of the Beverly Hills Police Department. Direct supervision will be through the supervisor of the program.

1039.1.1 DEFINITIONS
Therapy Dog - A dog trained to provide affection, comfort, and love to people in a facility setting. These dogs are defined but not covered or protected under the Federal Housing Act or the Americans with Disabilities Act. They do not have public access rights, with the exception of the specific places they are visiting and working.

Service Dog - A dog trained to provide a specific service for a person with special needs.

Police Canine - A dog trained for use in police work. The Support K9 Program should not be confused with the Beverly Hills Police Department's Police Canine Program.

1039.2 PROGRAM OVERVIEW
The Support K9 Program is intended to strengthen comradery and to enhance our relationship with the public. It was developed to place highly trained therapy dogs into a new career where they can provide emotional support for first responders and staff, along with victims and/or witnesses of crime during interviews. These dogs can be used to reduce stress and improve morale in the station, as well as be deployed in the field at Community Engagement events and Critical Incidents, or as determined by the program supervisor.

The BHPD’s certified Support K9 will be able to support staff and community members during day to day business operations. This type of temperament is essential to the Support K9 Program.

1039.3 FUNCTION AND UTILIZATION
The primary function of a Support K9 is to be part of the workforce on a daily basis. The K9 shall be available for all staff to interact with, even when there is no handler around. Therefore, this creates an environment where anyone can walk or pet the dog.

1039.4 SUPPORT K9 SUPERVISOR RESPONSIBILITIES
A department member appointed by the Chief of Police or the authorized designee will serve as the Support K9 Supervisor. The responsibilities of the Support K9 Supervisor will include overseeing the following:

○ To ensure that the Support K9 has veterinary care as needed.
Support K9 Program

- The Support K9 is fed twice a day, once in the morning and once in the evening. After the feeding, the Support K9 would only require a water bowl. The Support K9 shall not be feed any other food except less than a handful of training treats approved by the Program Supervisor during the work day.

- The XL Dog crate is a place for the Support K9 to rest and be secured during a critical incident or a station tour where someone could be startled by a dog loose within the building. The area surrounding the crate shall be open and good air circulation where the dog can be observed.

- The Support K9 shall have a designated area away from the public eye to relieve itself. Each personnel walking the Support K9 has the responsibility to clean up after the dog has relieved itself, and to dispose of the waste appropriately.

- Proper hygienic measures shall be implemented to ensure the cleanliness of the Support K9 in order to minimize any dander or residual hair that may be left by the dog. This shall include:
  - Establishing a "No Dog Zone" within the Beverly Hills Police Department. Staff will be made aware of this area. This is usually a break room or where staff eats.
  - Shampooing the Support K9 regularly with safe, dander treating products.
  - Daily and thorough brushing of the dog's coat to minimize hair left behind by the dog.
  - Special pet wipes will be used to refresh the dog's coat in between bathing.
  - Regular vacuuming of areas frequented by the dog.
  - Pads and/or bedding utilized by the dog shall be laundered in hot water on a regular basis.

The Support K9 Supervisor will have been trained to recognize the signs of distress that the staff and/or public may exhibit when there is a concern regarding the dog's presence. The Support K9 Supervisor will take appropriate actions to minimize contact with those who express their fear and/or show distress in the dog's presence.

It is important to note, that though the above mentioned duties will fall under the responsibilities of the Support K9 Supervisor, the therapy dog does not have a designated handler. Therefore, in order for the program to succeed, the program relies on the efforts and contributions of all who volunteer to assist.

1039.5 ACCOMMODATIONS FOR PERSONS WITH FEAR OR ALLERGIES OF DOGS

Signs will be posted at the entrance of the Beverly Hills Police Department to inform visitors of the presence of the Support K9. Signs will provide the main telephone number to the Beverly Hills Police Department so that anyone with questions about the Support K9 Program can call and/or questions about this program will be referred to the Support K9 Supervisor.

In the event that a staff or visitor enters the office and expresses that they have a fear of dogs or an allergy to the therapy dog, the dog shall be crated during the duration of that person's time in the office. This will minimize contact with the dog.

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Support K9 Program

1039.6 PLAYTIME, BREAKS, FOOD AND SOCIALIZATION
The Support K9 should not play in work areas. The Support K9 is to be used as an emotional support system for department personnel and the public. This K9 is trained and allowed to play when not in work mode.

The Support K9 should be kept on his/her bed at the workplace. The Support K9 may get up off his/her bed only when asked, to be pet, bathroom breaks, or for walks.

The Support K9 must be on leash when walked outside.

No food should be offered to the Support K9 without the Support K9 Supervisor's permission.

The Support K9's assignment is for personnel and victims and should not socialize with the public without authorization from the Support K9 Supervisor.
Attachments
Hepatitis A Infection Prevention and Control.pdf
Hepatitis A Infection Prevention & Control

Hepatitis A is a highly contagious liver infection caused by the hepatitis A virus. The hepatitis A virus is usually transmitted through the fecal-oral route, either through person-to-person contact or consumption of contaminated food or water. Contamination can occur when infected persons don’t wash their hands properly after using the bathroom and then touching other objects or food items. Surfaces that are frequently touched should be cleaned and sanitized often including:

- Toilet Room Surfaces
- Kitchen Surfaces
- Light Switch Plates
- Phones
- High Chairs
- Tables and Chairs
- Doorknobs
- Computer Keyboards
- Wheelchairs and Walkers
- Recreation Equipment
- Railings
- Remote Controls

Effective Disinfectants

Chlorine Bleach: Mix and use the chlorine solution within 20 minutes. Allow 1 minute of contact time and then rinse with water.

- **5000 ppm:** 1 and 2/3 cups bleach in 1 gallon water. Use for stainless steel, food/mouth contact items, tile floors, nonporous surfaces, counters, sinks and toilets.

Other Disinfectants:

Other disinfectants may be approved for use if they are effective against hepatitis A. This must be clearly indicated on specification sheets or product label.

**Note:** Most Quaternary Ammonium disinfectants are not effective against hepatitis A. They may only be used if specifically stated on their label or specification sheets they are effective against hepatitis A.

Specific Cleaning Methods

**Wear Gloves and Protect Your Clothing.**

- **Hard Surfaces**
  - Disinfect surface with bleach, or other approved disinfectant ensuring 1 minute of contact time. If surface is in a food preparation area, make sure to rinse with water after.

- **Surfaces that are Corrodible or Damageable by Bleach**
  - Use registered products effective against hepatitis A.

Steps to Clean Spills of Vomit or Feces

- Use personal protective equipment such as gloves, masks and gowns.
- Block-off area immediately.
- Clean up visible debris using disposable absorbent material (paper towels or other type of disposable cloths) and minimize aerosols.
- Discard soiled items carefully in an impervious plastic bag.
- Thoroughly clean affected area.
- Disinfect area and objects surrounding the contamination with an appropriate disinfectant effective against hepatitis A. See box to the left “Effective Disinfectants” for 5000 ppm sanitizing solution.
- Take off gloves, gown and mask, in that order, and discard before exiting contaminated clean-up area.
- Place discarded PPE in an impervious plastic bag.
- Re-glove and transport bag to a secure trash container; do not allow the bag to come into contact with clothing.
- Always wash your hands after handling any contaminated material, trash or waste.

Proper Handling

- Use chemicals in well-ventilated areas.
- Avoid contact between incompatible chemicals.
- Prevent chemical contact with food during cleaning.
- Handle contaminated material as little as possible and with minimal agitation to reduce aerosols.
- Manage waste safely and dispose in a secure trash container.

For more information on cleaning and infection control for Hepatitis A, call Environmental Health: 888-700-9995
To report a suspected or confirmed hepatitis A case, contact Morbidity: Phone: (888) 397-3993
Fax: (888) 397-3778
Website: [www.publichealth.lacounty.gov/acd/edr5.htm](http://www.publichealth.lacounty.gov/acd/edr5.htm)

Adapted from the County of San Diego Health and Human Services Agency
APPROVED ALTERNATIVES PRIMARY DUTY WEAPON

The list of approved alternatives primary duty weapon systems and manufactures are as follows.

A semi-automatic, striker-fired handgun from the following (7) approved manufactures:

1. CZ
2. Glock
3. Sig Sauer
4. FN
5. Heckler & Koch
6. Smith & Wesson
7. Springfield Armory

Which meet the following criteria:

- Caliber: 9mm or .45acp
- Minimum Barrel Length: 4 inches for uniformed details and 3 inches for non-uniformed details
- Color/Finish: Black or blue steel, dark gray or satin brushed stainless steel, or any combination of the above. No high luster or nickel finishes.
- Minimum Magazine Capacity: should hold a minimum of (7) cartridges (uniformed details). Magazines will be deployed to full capacity.
  - Uniformed Details: Minimum of (3) fully loaded magazines: one inside pistol and additional two magazines in magazine pouches on gun belt.
  - Non-uniformed Details: Minimum of (2) fully loaded magazines: one inside pistol and additional magazine on person.
- Minimum Trigger Weight: 4.5 lbs
- Safety: Active safeties (i.e. manual thumb safety, grip safety) on the handgun that are factory installed must be utilized and cannot be disabled/altered.

*Temporary exceptions may be granted by the appropriate Division Commander for officers assigned to an undercover operation.

Requirements for Accessories

Approved Duty Holster

- Minimum of one active retention system (friction retention is not acceptable for uniformed details). The handgun must be retained in the holster when the holster is inverted.
- The trigger guard of the handgun must be covered when holstered.
- Basket weave finish (uniformed details).
Approved Duty Magazine Holder

- Positive retention (open top, friction retention is approved). The fully loaded magazine must be retained in the pouch when the pouch is inverted.
- Basket weave finish (uniformed details).

Grandfathered Handguns

Requests to carry single-action hammer-fired firearms, such as the 1911, will not be approved under this program. Those officers who have prior authorization to carry these style of firearms are permitted to do so.

Officers hired prior to 2010, who were assigned a double action/single action style handgun may carry a handgun in the same configuration after meeting all other program requirements.
FINAL Military Equipment Inventory 2023.pdf
### Item Category: Drones

<table>
<thead>
<tr>
<th><strong>DJI Mavic 2 Enterprise Dual (BH-3)</strong></th>
</tr>
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<tbody>
<tr>
<td><strong>Description</strong></td>
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<tr>
<td><strong>Quantity</strong></td>
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<td><strong>Capability</strong></td>
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<td><strong>Life Span</strong></td>
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<tr>
<td><strong>Manufacturer’s Description</strong></td>
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| **Purpose** | Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:  
1. Response to emergency calls  
2. Major collision investigations  
3. Search for missing persons  
4. Crime scene investigations  
5. Natural disaster management  
6. SWAT, tactical or other public safety and life preservation operations |
| **Authorized Use** | Authorized operators who have completed the required training and have received a FAA Part 107 Certificate are be permitted to operate the UAV. |
| **Legal and Procedural Rules** | It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law. |
| **Fiscal Impact** | Initial Cost: $3,850  
Re-Occurring Costs: N/A  
Maintenance Costs: Approximately $500  
Year Obtained: 2019  
How acquired: Department funds |
| **Training** | Operators must have a FAA Part 107 Certificate |
| **Necessity** | Government Code § 7071(d)(1)(A)  
The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers |
and the public. There is no known alternative which could provide the same capabilities.

| Public Welfare | Government Code § 7071(d)(1)(B) | The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics. |
| Cost Effective | Government Code § 7071(d)(1)(C) | $3,850 is a reasonable cost for a commercial-grade UAV with a 5 year life span. |
| Compliance | Government Code § 7071(d)(1)(D) | Each UAV use is recorded on a “Drones as a First Responder” (DFR) and electronically submitted. Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
## BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Item Category: Drones</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DJI Mavic Mini (BH-4)</strong></td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact**                         | Initial Cost: $500  
Re-Occurring Costs: 0  
Maintenance Costs: $250  
Year Obtained: 2020  
How acquired: Department funds |
| **Training**                              | Pilots must have a good understanding of controls and capabilities in order to be effective. |
| **Necessity**                             | Government Code § 7071(d)(1)(A)  
The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations. |
| **Public Welfare**                        | Government Code § 7071(d)(1)(B)  
Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public. |
| **Cost Effective**                        | Government Code § 7071(d)(1)(C)  
The initial $500 cost is negligible. |
| **Compliance**                            | Government Code § 7071(d)(1)(D)  
Each UAV use is recorded on a “Drones as a First Responder” (DFR) and electronically submitted. Use of the UAV has been in compliance with Military Equipment Use |

Date 04.18.2023
<p>| Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Drones</th>
<th>DJI Matrice 30T Combo</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
</tbody>
</table>
| **Capability**        | The **DJI Matrice 30T Combo w/ Care Enterprise** is the **DJI Enterprise** flagship, weatherproof drone that fits in a backpack. It integrates multiple high-performance sensors into one single camera payload, is controlled with the **DJI RC Plus Remote** and runs on upgraded **DJI Pilot 2 software**, which significantly improves the flight experience. The powerful M30T offers the endurance and capability necessary for rugged professional use-cases. Additionally, its size makes it ideal for easy transportation and fast setup. The UAV also includes a 40mm 640x512 30fps thermal imaging camera with measurement accuracy of ±2°C or ±2%.

The DJI M30T allows professionals to fly and perform beyond their immediate surroundings. It integrates smoothly with the new **DJI FlightHub 2** fleet management cloud-based software and the **DJI Dock** for collaboration with remote and unattended operations, bringing efficiency innovation to various industries.

The M30T model integrates a 48-megapixel 1/2'' CMOS sensor-zoom camera with 5×~16× optical and 200× digital zoom, a 12-megapixel wide-angle camera, 8K photo, 4K/30 fps video resolution, and a laser rangefinder which can give the precise coordinates of objects up to 1,200 meters away. |
| **Life Span**         | Approximately 5 years |
| **Manufacturer’s Description** | The total weight of the M30, which includes two batteries, is 3770 ± 10 g. That’s only a little over eight lbs., compared to the Matrice 300 RTK, whose take-off weight is nearly 20 lbs.

The Matrice 30 condenses from unfolded dimensions of 470x585x215 mm (LxWxH) to folded dimensions of 365x215x195 mm – that’s approximately 18.5x23x8.5 inches to 14.5x8.5x7.5 inches, respectively.

Pinned up against the Mavic 3 (approx. 1.7x11x4.2 inches unfolded; 8.7x3.8x3.6 inches folded), its much larger, but still incredibly compact.

Due its relatively small size, this drone can easily be carried in a pack, transportable to even the most remote locations. |
| **Purpose**           | Aerial over watch in all weathers to assist officers or incident commanders with situations with include but are not limited to:
7. Response to emergency calls
8. Major collision investigations
9. Search for missing persons |
10. Crime scene investigations
11. Natural disaster management
12. SWAT, tactical or other public safety and life preservation operations

<table>
<thead>
<tr>
<th>Authorized Use</th>
<th>Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
</tbody>
</table>
| Fiscal Impact | Initial Cost: $13,341  
Re-Occurring Costs: N/A  
Maintenance Costs: Approximately $500  
Year Obtained: 2022  
How acquired: Equipment Replacement Fund (Fund 400) |
| Training | FAA Part 107 Certificate. Pilots must complete BHPD in house initial training |
| Necessity | Government Code § 7071(d)(1)(A)  
The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities. |
| Public Welfare | Government Code § 7071(d)(1)(B)  
The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics. |
| Cost Effective | Government Code § 7071(d)(1)(C)  
$13,341 is a reasonable cost for a UAV with a 5 year life span. |
| Compliance | Government Code § 7071(d)(1)(D)  
Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy. |

Item Category: Drones
### Autel EVO 2 DUAL 640T (Thermal) Enterprise Bundle

<table>
<thead>
<tr>
<th>Description</th>
<th>Unmanned Aerial Vehicle (UAV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>4</td>
</tr>
<tr>
<td>Capability</td>
<td>Detect, reduce and clear threats in complex terrain such as dense urban areas, and confined spaces in day or night situations.</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
</tbody>
</table>

**Manufacturer’s Description**

The **640T Model** features an InfiRay 640x512 radiometric thermal sensor and 8K/48MP visual camera. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to **42 minutes**. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators’ airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel’s 7.9” 2000-nit **Smart Controller** for maximum viewing when operating.

**Purpose**

Training

Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:

1. Response to emergency calls
2. Major collision investigations
3. Search for missing persons
4. Crime scene investigations
5. Natural disaster management
6. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**

Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**

It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**

- Initial Cost: $38,640
- Re-Occurring Costs: 0
- Maintenance Costs: $400
- Year Obtained: 2022
- How acquired: Equipment Replacement Fund (Fund 400)

**Training**

- FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**

Government Code § 7071(d)(1)(A)

The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate...
<table>
<thead>
<tr>
<th>Category</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
<td>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$38,640 is a reasonable cost for 4 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
</tbody>
</table>
### Item Category: Drones

#### Autel EVO II PRO 6K Enterprise Bundle

<table>
<thead>
<tr>
<th>Description</th>
<th>Unmanned Aerial Vehicle (UAV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>7</td>
</tr>
<tr>
<td>Capability</td>
<td>Training, quick deployment and ariel over watch</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

The **6K Pro Model** features a 6K 1" CMOS sensor capable of shooting up to 20MP stills. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to 42 minutes. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators' airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel's 7.9" 2000-nit **Smart Controller** for maximum viewing when operating.

**Purpose**

Training

Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:

1. Response to emergency calls
2. Major collision investigations
3. Search for missing persons
4. Crime scene investigations
5. Natural disaster management
6. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**

Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**

It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**

Initial Cost: $30,348

Re-Occurring Costs: N/A

Maintenance Costs: Approximately $250

Year Obtained: 2022

How acquired: Equipment Replacement Fund (Fund 400)

**Training**

FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**

Government Code
§ 7071(d)(1)(A)

The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers.
BEVERLY HILLS POLICE DEPARTMENT  
MILITARY EQUIPMENT INVENTORY

<p>| Public Welfare | Government Code § 7071(d)(1)(B) | The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics. |
| Cost Effective | Government Code § 7071(d)(1)(C) | $30,348 is a reasonable cost for 7 UAV’s with a 5 year life span. |
| Compliance | Government Code § 7071(d)(1)(D) | Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy. |</p>
<table>
<thead>
<tr>
<th>Item Category: Drones</th>
<th>DJI Avata</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>3</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Training, quick deployment and confined space capability</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The DJI Avata is smaller, lighter, much more maneuverable, and sports a cinewhoop design where propeller guards are built into the drone’s airframe.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Training Aerial over watch to assist officers or incident commanders with situations with include but are not limited to: 1. Response to emergency calls 2. Confined space capability 3. Major collision investigations 4. Search for missing persons 5. Crime scene investigations 6. Natural disaster management 7. SWAT, tactical or other public safety and life preservation operations</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $7,519.35  Re-Occurring Costs: N/A  Maintenance Costs: Approximately $250/ unit per year  Year Obtained: 2023  How acquired: Equipment Replacement Fund Coverison(Fund 400)</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>FAA Part 107 Certificate. Pilots must complete BHPD in house initial training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
</tbody>
</table>
| **Public Welfare**   | Government Code § 7071(d)(1)(B) | The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and }
<p>| | |</p>
<table>
<thead>
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<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>$7,519.35 is a reasonable cost for 3 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
<tr>
<td>Item Category: Drones</td>
<td>Brinc LEMUR 2</td>
</tr>
<tr>
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</tr>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The Brinc LEMUR 2 is an advanced commercial-grade UAV specifically designed for interior use. This UAV is a battery powered, remote operated device. The controller facilitates two-way conversation between first responders and people they need to help through a set of two ultra-sensitive microphones and a small lightweight loudspeaker. The controller allows operators to control the UAV and view live feed from UAV-mounted cameras. Flight time of approximately 30 minutes per battery, depending on weather and flight conditions. Furthermore, the Brinc is equipped with a 4k digital camera with thermal capability for better viewing and range overall but also in low light environments. It is also equipped with a LiDAR sensor which provides a 3D map of the path of the UAV as it flies which can be viewed live, as well as the camera view, within a smartphone application. A new mesh network is also installed in the UAV which allows for a stronger and more sustainable video and control signal.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The Brinc LEMUR is an American-made purpose-built tactical UAV designed to aid special response teams in barricade, hostage, active shooter, and other high-risk situations. Novel battery technology based on proven Lithium-Ion chemistry allows for best in class flight time. Included micro SD card, carbon fiber reinforced propeller ducts enable the drone to bounce off walls and push open doors. Crashes do not end missions with the LEMUR ends up on its back, it can flip itself over and relaunch to finish the mission.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>When a legal justification exists to enter a location, the LEMUR provides an aerial interior over watch in support of tactical /critical situations to enhance the safety and efficiency of law enforcement.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized operators who have completed the required training shall be permitted to operate the UAV.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $26,000 (Total cost for 2)</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: N/A</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: Approximately $500</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2022</td>
</tr>
<tr>
<td></td>
<td>How acquired: UASI Grant</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>FAA Part 107 Certificate. Monthly in-house training</td>
</tr>
</tbody>
</table>
| **Necessity**        | Government Code § 7071(d)(1)(A) | The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is
<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$26,000 is a reasonable cost for 2 commercial-grade UAVs with a 5 year life span. Furthermore, these drones were acquired from federal grant funds at no cost to the City.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
</tbody>
</table>
### Item Category: Drones

<table>
<thead>
<tr>
<th>DJI Mavic Mini (BH-4)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact**     | Initial Cost: $500  
Re-Occurring Costs: 0  
Maintenance Costs: $250  
Year Obtained: 2020  
How acquired: Department funds |
| **Training**          | Pilots must have a good understanding of controls and capabilities in order to be effective. |
| **Necessity**         | Government Code § 7071(d)(1)(A)  
The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations. |
| **Public Welfare**    | Government Code § 7071(d)(1)(B)  
Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public. |
| **Cost Effective**    | Government Code § 7071(d)(1)(C)  
The initial $500 cost is negligible. |
| **Compliance**        | Government Code § 7071(d)(1)(D)  
Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment |
<p>| Coordinator will ensure future compliance with this Policy. |</p>
<table>
<thead>
<tr>
<th>Item Category: Tactical Drones</th>
<th>Brinc LEMUR Tactical Interior Drone</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The Brinc LEMUR Advanced is a commercial-grade UAV specifically designed for interior use. This UAV is a battery powered, remote operated device. The controller facilitates two-way conversation between first responders and people they need to help through a set of two ultra-sensitive microphones and a small lightweight loudspeaker. The Controller allows operators to control the UAV and view live feed from UAV-mounted cameras. Flight time of approximately 30 minutes per battery, depending on weather and flight conditions.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The Brinc LEMUR is an American-made purpose-built tactical UAV designed to aid special response teams in barricade, hostage, active shooter, and other high-risk situations. Novel battery technology based on proven Lithium-Ion chemistry allows for best in class flight time. Included micro SD card, carbon fiber reinforced propeller ducts enable the drone to bounce off walls and push open doors. Crashes do not end missions with the LEMUR ends up on its back, it can flip itself over and relaunch to finish the mission.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>When a legal justification exists to enter a location, the LEMUR provides an aerial interior over watch in support of tactical /critical situations to enhance the safety and efficiency of law enforcement.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized operators who have completed the required training shall be permitted to operate the UAV.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $26,000 (Total cost for 2)</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: N/A</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: Approximately $500</td>
</tr>
<tr>
<td></td>
<td>Year Obtained:2022</td>
</tr>
<tr>
<td></td>
<td>How acquired: UASI Grant</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>FAA Part 107 Certificate. Monthly in-house training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td>----------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
</tbody>
</table>
### Item Category: Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>DJI Matrice 30T Combo</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DJI Matrice 30T Combo</strong></td>
<td><strong>Unmanned Aerial Vehicle (UAV)</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The <strong>DJI Matrice 30T Combo w/ Care Enterprise</strong> is the <strong>DJI Enterprise</strong> flagship, weatherproof drone that fits in a backpack. It integrates multiple high-performance sensors into one single camera payload, is controlled with the <strong>DJI RC Plus Remote</strong> and runs on upgraded <strong>DJI Pilot 2 software</strong>, which significantly improves the flight experience. The powerful M30T offers the endurance and capability necessary for rugged professional use-cases. Additionally, its size makes it ideal for easy transportation and fast setup. The UAV also includes a 40mm 640x512 30fps thermal imaging camera with measurement accuracy of ±2°C or ±2%. The DJI M30T allows professionals to fly and perform beyond their immediate surroundings. It integrates smoothly with the new <strong>DJI FlightHub 2</strong> fleet management cloud-based software and the <strong>DJI Dock</strong> for collaboration with remote and unattended operations, bringing efficiency innovation to various industries. The M30T model integrates a 48-megapixel 1/2” CMOS sensor-zoom camera with 5×~16× optical and 200× digital zoom, a 12-megapixel wide-angle camera, 8K photo, 4K/30 fps video resolution, and a laser rangefinder which can give the precise coordinates of objects up to 1,200 meters away.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The total weight of the M30, which includes two batteries, is 3770 ± 10 g. That’s only a little over eight lbs., compared to the Matrice 300 RTK, whose take-off weight is nearly 20 lbs. The Matrice 30 condenses from unfolded dimensions of 470x585x215 mm (LxWxH) to folded dimensions of 365x215x195 mm – that’s approximately 18.5x23x8.5 inches to 14.5x8.5x7.5 inches, respectively. Pinned up against the Mavic 3 (approx. 1.7x11x4.2 inches unfolded; 8.7x3.8x3.6 inches folded), its much larger, but still incredibly compact. Due its relatively small size, this drone can easily be carried in a pack, transportable to even the most remote locations.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Aerial over watch in all weathers to assist officers or incident commanders with situations with include but are not limited to: 13. Response to emergency calls 14. Major collision investigations 15. Search for missing persons</td>
</tr>
</tbody>
</table>
BEVERLY HILLS POLICE DEPARTMENT  
MILITARY EQUIPMENT INVENTORY

| Military Equipment Inventory | 16. Crime scene investigations  
17. Natural disaster management  
18. SWAT, tactical or other public safety and life preservation operations |
|-----------------------------|-----------------------------------------------------------------------|

**Authorized Use**  
Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**  
It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**  
Initial Cost: $13,341  
Re-Occurring Costs: N/A  
Maintenance Costs: Approximately $500  
Year Obtained: 2022  
How acquired: Equipment Replacement Fund (Fund 400)

**Training**  
FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**  
Government Code § 7071(d)(1)(A)  
The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities.

**Public Welfare**  
Government Code § 7071(d)(1)(B)  
The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.

**Cost Effective**  
Government Code § 7071(d)(1)(C)  
$13,341 is a reasonable cost for a UAV with a 5 year life span.

**Compliance**  
Government Code § 7071(d)(1)(D)  
Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
### Item Category: Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>Unmanned Aerial Vehicle (UAV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>4</td>
</tr>
<tr>
<td>Capability</td>
<td>Detect, reduce and clear threats in complex terrain such as dense urban areas, and confined spaces in day or night situations.</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>The 640T Model features an InfiRay 640x512 radiometric thermal sensor and 8K/48MP visual camera. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to 42 minutes. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators' airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel's 7.9&quot; 2000-nit Smart Controller for maximum viewing when operating.</td>
</tr>
<tr>
<td>Purpose</td>
<td>Training Aerial over watch to assist officers or incident commanders with situations with include but are not limited to: 7. Response to emergency calls 8. Major collision investigations 9. Search for missing persons 10. Crime scene investigations 11. Natural disaster management 12. SWAT, tactical or other public safety and life preservation operations</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $38,640  Re-Occurring Costs: 0  Maintenance Costs: $400  Year Obtained: 2022  How acquired: Equipment Replacement Fund (Fund 400)</td>
</tr>
<tr>
<td>Training</td>
<td>FAA Part 107 Certificate. Pilots must complete BHPD in house initial training</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A) The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct</td>
</tr>
</tbody>
</table>
There is no known alternative which could provide the same capabilities.

<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$38,640 is a reasonable cost for 4 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Drones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Autel EVO II PRO 6K Enterprise Bundle</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Training, quick deployment and aerial over watch</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The <strong>6K Pro Model</strong> features a 6K 1” CMOS sensor capable of shooting up to 20MP stills. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to <strong>42 minutes</strong>. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators’ airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel’s 7.9” 2000-nit <strong>Smart Controller</strong> for maximum viewing when operating</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Training Aerial over watch to assist officers or incident commanders with situations with include but are not limited to: 7. Response to emergency calls 8. Major collision investigations 9. Search for missing persons 10. Crime scene investigations 11. Natural disaster management 12. SWAT, tactical or other public safety and life preservation operations</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
<td></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $30,348  Re-Occurring Costs: N/A  Maintenance Costs: Approximately $250  Year Obtained: 2022  How acquired: Equipment Replacement Fund (Fund 400)</td>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>FAA Part 107 Certificate. Pilots must complete BHPD in house initial training</td>
<td></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)  The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers</td>
<td></td>
</tr>
</tbody>
</table>
and the public. There is no known alternative which could provide the same capabilities.

<table>
<thead>
<tr>
<th><strong>Public Welfare</strong></th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$30,348 is a reasonable cost for 7 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Tactical Drones</td>
<td>Brinc LEMUR Tactical Interior Drone</td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The Brinc LEMUR Advanced is a commercial-grade UAV specifically designed for interior use. This UAV is a battery powered, remote operated device. The controller facilitates two-way conversation between first responders and people they need to help through a set of two ultra-sensitive microphones and a small lightweight loudspeaker. The Controller allows operators to control the UAV and view live feed from UAV-mounted cameras. Flight time of approximately 30 minutes per battery, depending on weather and flight conditions.</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The Brinc LEMUR is an American-made purpose-built tactical UAV designed to aid special response teams in barricade, hostage, active shooter, and other high-risk situations. Novel battery technology based on proven Lithium-Ion chemistry allows for best in class flight time. Included micro SD card, carbon fiber reinforced propeller ducts enable the drone to bounce off walls and push open doors. Crashes do not end missions with the LEMUR ends up on its back, it can flip itself over and relaunch to finish the mission.</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>When a legal justification exists to enter a location, the LEMUR provides an aerial interior over watch in support of tactical /critical situations to enhance the safety and efficiency of law enforcement.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized operators who have completed the required training shall be permitted to operate the UAV.</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
<td></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $26,000 (Total cost for 2) Re-Occurring Costs: N/A Maintenance Costs: Approximately $500 Year Obtained:2022 How acquired: UASI Grant</td>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>FAA Part 107 Certificate. Monthly in-house training</td>
<td></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A) The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations.</td>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B) Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public.</td>
<td></td>
</tr>
</tbody>
</table>
**BEVERLY HILLS POLICE DEPARTMENT**  
**MILITARY EQUIPMENT INVENTORY**

<table>
<thead>
<tr>
<th>Cost Effective</th>
<th>Government Code § 7071(d)(1)(C)</th>
<th>$26,000 is a reasonable cost for 2 commercial-grade UAVs with a 5 year life span. Furthermore, these drones were acquired from federal grant funds at no cost to the City.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
</tbody>
</table>
# Military Equipment Inventory

## Item Category: Tactical Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>EMAX Tinyhawk III</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned aerial vehicle</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>8</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Training drone is designed with similar operating characteristics as the LEMUR tactical drone</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>Featuring a quad copter, Avan TH Turtle mode-3, Nano 4 camera, 7 minute fly time, max distance about 400 meters, small size allows for maneuverability in confine spaces, durable design allows for easy repairs for continued performance. The Tinyhawk is capable of flying outdoors and indoors due to the protected props.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Training</td>
</tr>
<tr>
<td><strong>Authorized Use Legal Authority</strong></td>
<td>Officers and supervisors who have training and paired with a 107 certified pilot.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $2,132 (Total cost for 8)  
Re-Occurring Costs: $140  
Maintenance Costs: $280  
Year Obtained: 2020  
How acquired: UASI Grant |
| **Training** | No official training required. However, pilots must have a good understanding of controls and capabilities in order to be effective. |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Training drones are a necessity in order to provide police personnel opportunities to train with drone equipment without the risk of damaging more expensive equipment and to ensure proper procedures are followed. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public. The use of training drones positively impact public welfare by ensuring police personnel are properly trained in these drones. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
The initial $2,132 (for 8 drones) cost is negligible. Furthermore, these drones were acquired from federal grant funds at no cost to the City. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Each UAV use is recorded on a “Drones as a First Responder” (DFR) and electronically submitted. Use of the UAV has been in compliance with Military Equipment Use

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Military Equipment Inventory - 28  
Date 04.18.2023
Policy 706 from May 2022 to present. No complaint or concern was received.
**Item Category:** Third Party Vendor Drones

<table>
<thead>
<tr>
<th><strong>DJI M300 DFR</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
</tbody>
</table>
| **Purpose** | Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:  
1. Response to emergency calls  
2. Major collision investigations  
3. Search for missing persons  
4. Crime scene investigations  
5. Natural disaster management  
6. SWAT, tactical or other public safety and life preservation operations |
| **Authorized Use** | Authorized operators who have completed the required training and have received a FAA Part 107 Certificate shall be permitted to operate the UAV. |
| **Legal and Procedural Rules** | It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law. |
| **Fiscal Impact** | Initial Cost: $0 (actual cost = $10,000).  
Re-Occurring Costs: Drones are owned by a vender and leased by Beverly Hills PD.  
Maintenance Costs: $800 weekly  
Year Obtained: 2021  
How acquired: Department funds |
| **Training** | Tele-operators must have a FAA Part 107 Certificate |
| **Necessity** | Government Code § 7071(d)(1)(A)  
The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities. |
### Public Welfare

| Government Code § 7071(d)(1)(B) | The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics. |

### Cost Effective

| Government Code § 7071(d)(1)(C) | These drones are leased from a third party vendor which is more cost effective than purchasing multiple drones to have continuous, uninterrupted service. |

### Compliance

| Government Code § 7071(d)(1)(D) | Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
### Item Category: Long Range Acoustic Device (LRAD)

<table>
<thead>
<tr>
<th>Description</th>
<th>LRAD 100X Mag-HS LRAD is a high intensity directional acoustic array for long range, crystal clear hailing, Notification, and an unmistakable warning tone.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>3</td>
</tr>
<tr>
<td>Capability</td>
<td>The LRAD is primarily used as a communication device. The LRAD 100X ensures voice messages are clearly heard and understood. It is self-contained, portable and has an extended voice broadcast that ranges out to 600 meters. LRAD’s optimized driver, waveguide, and power efficiency technologies enable the LRAD 100X to provide several hours of clear, continuous communication from a single battery charge.</td>
</tr>
<tr>
<td>Life Span</td>
<td>25 years</td>
</tr>
<tr>
<td>Manufacturer’s Description</td>
<td>LRAD 100X portable Long Range Acoustic Device hailing tactical communications.</td>
</tr>
<tr>
<td>Purpose</td>
<td>To address the public in the event of emergencies, natural disasters, evacuations, and police incidents (e.g., missing persons, perimeters for wanted suspects/ K-9 deployments, etc.) or to be used to issue dispersal orders during crowd and riot control situations. The LRAD may also be used as a warning tone.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>The LRAD shall only be used by officers and supervisors trained in its deployment and used in a manner consistent with department policy and procedure.</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>The LRAD shall only be used for official law enforcement purposes and pursuant to State and Federal law.</td>
</tr>
</tbody>
</table>
| Fiscal Impact | **Initial Cost:** $24,801  
**Wired Kit:** $2,845  
**Control Box:** $2,933  
**Re-Occurring Costs:** average annual cost of approximately $1,000  
**Year Obtained:** 2018  
**How acquired:** Equipment Replacement Fund (Fund 400) |
| Training | All operators receive training prior to operating the LRAD in the field. |
| Necessity | Government Code § 7071(d)(1)(A)  
The LRAD is only used when standard sound amplification equipment is not sufficient to provide adequate range or capability needed. There is no reasonable alternative that would suffice in the situations where the LRAD is necessary. |
| Public Welfare | Government Code § 7071(d)(1)(B)  
The LRAD is used in situations necessary to address the public. It can also be used as a safe deterrent against hostile crowds or individuals. |
| Cost Effective | Government Code § 7071(d)(1)(C)  
$24,801 is a reasonable cost for a piece of equipment with a 25 year life span. |
| Compliance   | Government Code § 7071(d)(1)(D) | Each LRAD use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use of the LRAD has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
## Military Equipment Inventory

<table>
<thead>
<tr>
<th>Item Category: Robotics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recon Robot</td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $15,500  
Re-Occurring Costs: N/A  
Maintenance Costs: Covered by Warranty  
Year Obtained: 2009-2021  
How acquired: Equipment Replacement Fund (Fund 400) |
| **Training** | All operators shall attend a formalized in-house instructional program. |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Unmanned ground robots are used for reconnaissance during critical incidents to assist in providing visibility in areas where it would be unsafe to send officers. They can also be used to defuse or move potentially hazardous items. There is no known alternative to this system. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without robots, officers would have to deploy into high-risk situations which would increase the risk for both the officers and the members of the public. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
$15,500 is the standard cost for this type of equipment with a life span of more than 10 years. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Each robot use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use of the robot has been in compliance with Military Equipment |

Military Equipment Inventory - 34

Date 04.18.2023
| Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
## Military Equipment Inventory

### Item Category: Robotics

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Capability</th>
<th>Life Span</th>
<th>Manufacturer’s Description</th>
<th>Purpose</th>
<th>Authorized Usage</th>
<th>Legal and Procedural Rules</th>
<th>Fiscal Impact</th>
<th>Training</th>
<th>Necessity</th>
<th>Public Welfare</th>
<th>Cost Effective</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avatar II</td>
<td>Avatar 2 Tactical Robot</td>
<td>1</td>
<td>The Avatar is an unmanned machine operating on the ground to enhance the safety of officers and the community. It is used to detect, reduce and clear threats in complex terrain and confined spaces. It has the ability to manipulate objects with an articulating arm and has microphone and loudspeaker for communication.</td>
<td>10+ years</td>
<td>The AVATAR® enhances the capabilities of SWAT and tactical response teams by allowing them to quickly and safely inspect dangerous situations, there is no longer a need to send personnel in before you've had a chance to assess the situation.</td>
<td>When a legal justification exists to enter a location, the Avatar can be used to remotely gain visual/audio data and clear the interior/exterior locations for possible threats or hazards.</td>
<td>Trained operators may use the device at the discretion of the Incident Commander.</td>
<td>It is the policy of BHPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
<td>Initial Cost: $26,266&lt;br&gt;Re-Occurring Costs: N/A&lt;br&gt;Maintenance Costs: Varies&lt;br&gt;Year Obtained: 2015&lt;br&gt;How acquired: Equipment Replacement Fund (Fund 400)</td>
<td>Annual 8 hour training course.</td>
<td>Government Code § 7071(d)(1)(A)</td>
<td>Unmanned ground robots are used for reconnaissance during critical incidents to assist in providing visibility in areas where it would be unsafe to send officers. They can also be used to defuse or move potentially hazardous items. There is no known alternative to this system.</td>
<td>Government Code § 7071(d)(1)(B)</td>
<td>Without robots, officers would have to deploy into high-risk situations which would increase the risk for both the officers and the members of the public.</td>
</tr>
<tr>
<td>Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Item Category: Mobile Tactical Command Vehicle

<table>
<thead>
<tr>
<th>Description</th>
<th>Freightliner M2 Business Class Chassis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1</td>
</tr>
<tr>
<td>Capability</td>
<td>This vehicle is used as a Tactical Operations Command Center and for carrying equipment for the tactical teams.</td>
</tr>
<tr>
<td>Life Span</td>
<td>20 Years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Manufacturer’s Description</th>
<th>2012 M2 Business Class 19,501-26,000 GVW, straight Trucks, Emergency Services, Tactical</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purpose</td>
<td>This vehicle is used in support of tactical operations based on the specific circumstances of a given critical incident, large event, Tactical Operations Center (TOC), natural disaster or community supporting event.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Special Weapons and Tactics Team (SWAT)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legal and Procedural Rules</th>
<th>It is the policy of BHPD to utilize tactical vehicles only for official law enforcement purposes, and pursuant to State and Federal law.</th>
</tr>
</thead>
</table>
| Fiscal Impact              | Initial Cost: $254,711  
Re-Occurring Costs: average annual cost of $2,814  
Year Obtained: 2011  
How acquired: Asset Forfeiture funds |
| Training                   | The driver/operator shall receive training in the safe handling of the vehicle on a closed training course and in and around the city streets. Once the operator has shown competence in the vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver. |

| Necessity                  | Government Code § 7071(d)(1)(A)  
The Tactical Operations Command Center is equipped with specific communication and audio-visual devices to assist in the command and control of a critical incident. It stores SWAT operators equipment, which helps provide for a quicker response to critical incidents. There is no known alternative for the Tactical Operations Command Center which provides the same amount of mobility and support at one location in a quick deployment. |
|----------------------------|--------------------------------------------------------------------------------|
| Public Welfare             | Government Code § 7071(d)(1)(B)  
The Tactical Operations Command Center allows for mobile incident command and use of the Incident Command Systems facilitating for the best possible on scene decision-making by key leaders. |
| Cost Effective             | Government Code § 7071(d)(1)(C)  
This highly specialized vehicle has a life span of 20 years and is cost effective. |
| Compliance                 | Government Code § 7071(d)(1)(D)  
Each Tactical Command Center use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. |

Military Equipment Inventory - 38  
Date 04.18.2023
of the Tactical Command Center has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
<table>
<thead>
<tr>
<th>Item Category: Armored Vehicle (Bearcat)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $246,429  
Re-Occurring Costs: average annual cost of $1,098  
Year Obtained: 2009  
How acquired: Department funds |
| **Training** | All sworn personnel are trained in the basic vehicle operations and practical driving instruction. Officers and supervisors who attend SWAT school are the primary armored vehicle instructors. |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Armored vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. There are no reasonable alternatives to providing the same level of ballistic protection. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Armored vehicles are used to provide ballistic protection to officers and citizens during rescue, critical incidents, and hazardous situations. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This highly specialized vehicle has a life span of 20 years and has the potential to save human lives. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Each Bearcat use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use of the Bearcat has been in compliance with Military |
<p>| Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Mobile Command Center (MCC)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>2016 Freightliner MT-55 Forward Control Chassis</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capacity</strong></td>
<td>This vehicle is utilized as a Mobile Operations Command Center to support public safety and local government operations in the field, including but not limited to, incident command, dispatch operations, salvage/recovery and multi-agency support, including mutual aid.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>20 Years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>2016 LDV Model #SS34FC-26, 000 GVW</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>The purpose of the vehicle is to provide support of multi-disciplinary deployments, critical incidents, large-scale events, natural disasters and community events.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Department Personnel</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize fleet vehicles only for official law enforcement purposes, and pursuant to State and Federal law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $782,446 (GSA Discounted Price)</td>
</tr>
<tr>
<td></td>
<td>Re-Ocurring Costs: approximate average annual cost of $10,000.00</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2017</td>
</tr>
<tr>
<td></td>
<td>How acquired: Capital Improvement Project</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>A driver/operator shall receive training in the safe handling and deployment of the vehicle on a closed training course, in and around the city streets and on local freeways. Once the driver/operator has shown competence in the handling and deployment of the equipment, the driver/operator will be qualified to operate the vehicle throughout the city and beyond as required with an experienced driver-trainer.</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>The MCC is equipped with specific communication and audio-visual devices to assist in the command and control of a critical incident. It provides for mobility, sheltering, logistical support, and power. There is no known alternative for the MCC which provides the same amount of mobility and support at one location in a quick deployment.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>The MCC allows for mobile incident command and use of the Incident Command Systems facilitating for the best possible on scene decision-making by key leaders.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This highly specialized vehicle has a life span of 20 years and is cost effective.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Each MCC use is logged and maintained by Special Projects. Use of the MCC has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
### Item Category: BHPD SWAT Specific Ammunition

**Hornady 50 BMG Ammunition**

<table>
<thead>
<tr>
<th>Description</th>
<th>Hornady .50 Cal A-MAX 750 gr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>100 rounds</td>
</tr>
<tr>
<td>Authorized:</td>
<td>100 rounds</td>
</tr>
<tr>
<td>Capability</td>
<td>For Penetrating Intermediate Barriers, Anti Material round.</td>
</tr>
<tr>
<td>Life Span</td>
<td>No listed expiration date</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

Hornady has taken the technology of the A-Max bullet and turned it into a 50 caliber Match cartridge. With a muzzle energy of over 13,000 ft. lbs., this loaded round creates destructive potential but keeps it accurate and consistent at the same time.

**Purpose**

Penetrate Intermediate Barriers and Metals at extreme Long Range.

**Authorized Use**

BHPD SWAT

**Legal and Procedural Rules**

It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**

Initial Cost: $510 (100 rounds)
Re-Occurring Costs: As Needed
Maintenance Costs: No maintenance cost
Year Obtained: 2017
How acquired: Department Funds

**Training**

Successful completion of SWAT long rifle course

**Necessity**

Government Code § 7071(d)(1)(A)  
This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition.

**Public Welfare**

Government Code § 7071(d)(1)(B)  
This bullet enables officers to address armored threats providing safety to both the officers and the public.

**Cost Effective**

Government Code § 7071(d)(1)(C)  
The cost is negligible at $5 each.

**Compliance**

Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
<table>
<thead>
<tr>
<th>Item Category: BHPD SWAT Specific Ammunition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hornady 308 Win Eld Match</strong></td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Item Category: BHPD SWAT Specific Ammunition</td>
</tr>
<tr>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>Hornady TAP SBR 5.56 75 gr</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Hornady TAP Short Barreled Rifle 5.56 Round 75 gr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>900 1,000</td>
</tr>
<tr>
<td>Capability</td>
<td>More Accurate Round, Designed for use in Short Barreled Rifles</td>
</tr>
<tr>
<td>Life Span</td>
<td>No listed expiration date</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>TAP® SBR™ is designed specifically for 10.5&quot;-11.5&quot; SBR’s by using proprietary propellant technology and a bullet designed with technology from industry leading Critical Duty® FlexLock® bullets. TAP® SBR™ provides exceptional ammunition performance in SBR’s suppressed or unsuppressed, with virtually no flash or residue, dramatically reduced sound signature, will not foul or overheat suppressors, uniform velocity and accuracy, and provides controllable rate of fire in automatic platforms. Designed to meet the requirements of the FBI protocol. TAP® SBR™ is the optimum choice for 10.5&quot;-11.5&quot; barreled 5.56 rifles.</td>
</tr>
<tr>
<td>Purpose</td>
<td>More Accurate Round, Designed for use in Short Barreled Rifles</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>BHPD SWAT</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $170 (200 rounds)  Re-Occurring Costs: $2,000 (annual)  Maintenance Costs: No maintenance cost  Year Obtained: 2020  How acquired: Department Funds</td>
</tr>
<tr>
<td>Training</td>
<td>Successful completion of patrol rifle class</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A)  This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition.</td>
</tr>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)  This bullet enables officers to address armored threats providing safety to both the officers and the public.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)  The cost is negligible at 85 cents each.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)  Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
### BHPD SWAT Specific Ammunition

#### Hornady TAP SBR 5.56 55 gr

<table>
<thead>
<tr>
<th>Description</th>
<th>Hornady TAP Short Barreled Rifle 5.56 Round 55 gr (Training round)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1,000 / Authorized: 1,000</td>
</tr>
<tr>
<td>Capability</td>
<td>More Accurate Round, Designed for use in Short Barreled Rifles</td>
</tr>
<tr>
<td>Life Span</td>
<td>No listed expiration date</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

TAP® SBR™ is designed specifically for 10.5"-11.5" SBR's by using proprietary propellant technology and a bullet designed with technology from industry leading Critical Duty® FlexLock® bullets. TAP® SBR™ provides exceptional ammunition performance in SBR's suppressed or unsuppressed, with virtually no flash or residue, dramatically reduced sound signature, will not foul or overheat suppressors, uniform velocity and accuracy, and provides controllable rate of fire in automatic platforms. Designed to meet the requirements of the FBI protocol, TAP® SBR™ is the optimum choice for 10.5"-11.5" barreled 5.56 rifles.

**Purpose**

Training variant of duty ammunition issued by SWAT Personnel. More Accurate Round, Designed for use in Short Barreled Rifles

**Authorized Use**

BHPD SWAT

**Legal and Procedural Rules**

It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.

BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**

Initial Cost: $170 (200 rounds)
Re-Occurring Costs: $5,100
Maintenance Costs: No maintenance cost
Year Obtained: 2020
How acquired: Department Funds

**Training**

Successful completion of patrol rifle class

**Necessity**

Government Code § 7071(d)(1)(A) This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition.

**Public Welfare**

Government Code § 7071(d)(1)(B) This bullet enables officers to address armored threats providing safety to both the officers and the public.

**Cost Effective**

Government Code § 7071(d)(1)(C) The cost is negligible at 85 cents each.

**Compliance**

Government Code § 7071(d)(1)(D) Use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
<table>
<thead>
<tr>
<th>Item Category: BHPD SWAT Specific Ammunition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal Arms TESCR Breaching Rounds</td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td>TESCR#3 Green Cap 375 Gr Clayvon® Frangible</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td>290 (previously 300) Authorized: 300</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td>Ballistic Breaching of locking mechanisms</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td>No listed expiration date</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td>Green Cap 2-3/4&quot; 375 Grain Clayvon® Frangible 12 Ga Shotgun Slug</td>
</tr>
<tr>
<td>Slug Material: Clay with S-70 Steel Shot</td>
</tr>
<tr>
<td>Velocity: 1,650 Ft p/sec -18&quot; Barrel</td>
</tr>
<tr>
<td>Use: All Doors, Locks &amp; Hinges</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td>The round is fired from a breaching shotgun and defeats all locks, Cross-bolts and Hinges. (Hollow Core Doors – Light Steel doors)</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td>BHPD SWAT</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td>It is the policy of BHPD to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td>Initial Cost: $25/ box</td>
</tr>
<tr>
<td>Re-Occurring Costs: As needed</td>
</tr>
<tr>
<td>Maintenance Costs: No maintenance cost</td>
</tr>
<tr>
<td>Year Obtained: 2017</td>
</tr>
<tr>
<td>How acquired: BHPD SWAT General Fund</td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td>SWAT Breaching Course Completion</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td>Breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there is no other reasonable alternatives to rapidly breach a locations. There is no known reasonable alternative to these items when they are necessary as stated.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td>Breaching tools are used when time is of the essence in order to preserve life. Without these items, officers may not be able to gain access to locations in a safe and timely manner to engage in necessary police operations.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td>The cost is negligible at $25 per box.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to</td>
</tr>
</tbody>
</table>
BEVERLY HILLS POLICE DEPARTMENT
MILITARY EQUIPMENT INVENTORY

<p>| Present | No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Specialized Firearms</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Surgeon Rifles-Scalpel 591</strong></td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
</tbody>
</table>

**Manufacturer's Description**
The Surgeon Scalpel 591 Short Action is world renowned for strength and accuracy. The 591SA is specific to .223 Remington, .243 Win, 6XC, .260 Remington, 6.5 Creedmoor, and .308 Win. This action features a built-in 20 MOA MIL-STD 1913 rail and recoil lug. By integrating the recoil lug into the action, Surgeon creates a longer tenon length and strengthens the entire free-floated system.

**Purpose**
The Surgeon is an accurate rifle for precision shooting. These rifles are equipped with magnified optics and can be utilized to take precision shots at intermediate to long ranges. It shoots a .308 caliber bullet that is bigger and heavier than a typical .223 caliber bullet from an AR-15. This caliber bullet has the ability to penetrate intermediate barriers, such as glass, with less deflection.

**Authorized Use**
BHPD SWAT – Long Rifle Cadre

**Legal and Procedural Rules**
It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**
Initial Cost: $8,768/ unit  
Re-Occurring Costs: $1,000  
Maintenance Costs: $0  
Year Obtained: 2016-2018  
How acquired: Department Funds

**Training**
SWAT Precision Rifle School

**Necessity**
Government Code § 7071(d)(1)(A)  
Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armored or both. There are no known alternatives to these weapons that will provide the same level of distance or precision.

**Public Welfare**
Government Code § 7071(d)(1)(B)  
Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.

**Cost Effective**
Government Code § 7071(d)(1)(C)  
This piece of equipment has a life span of at least 15 years and is cost effective.

**Compliance**
Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
# Military Equipment Inventory

## Item Category: Specialized Firearms

<table>
<thead>
<tr>
<th>Description</th>
<th>COLT M4 Commando Carbine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>12</td>
</tr>
<tr>
<td>Capability</td>
<td>The Colt M4 Commando is a lightweight, magazine-fed, gas-operated rifle. Some of the rifles have select fire triggers. Some of the rifles have longer barrels and are designed for longer, more precise shots.</td>
</tr>
<tr>
<td>Life Span</td>
<td>15 years</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>Throughout the world today, Colt's reliability, performance, and accuracy provide our Armed Forces the confidence required to accomplish any mission.</td>
</tr>
<tr>
<td>Purpose</td>
<td>The COLT M4 can stop threats of great bodily injury or death at close and intermediate ranges. The M4 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>SWAT trained personnel, POST certified rifle trained personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $1,109/unit</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: $1,109 (every 2 years)</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: $0</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2015</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department Funds</td>
</tr>
<tr>
<td>Training</td>
<td>POST Certified Rifle School</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A) Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armored or both. There are no known alterantives to these weapons that will provide the same level of distance or precision.</td>
</tr>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B) Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C) This piece of equipment has a life span of at least 15 years and is cost effective.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D) Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Specialized Firearms</td>
<td></td>
</tr>
<tr>
<td>------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Colt LE 901 Rifle</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td></td>
</tr>
<tr>
<td>Colt LE 901 7.62X51</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td></td>
</tr>
<tr>
<td>The 901 can stop threats of great bodily injury or death at close and intermediate ranges. The 901 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td></td>
</tr>
<tr>
<td>15 years</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td></td>
</tr>
<tr>
<td>Colt LE901 modular semi-automatic carbine is a recent development of the famous American small arms making company Colt. It is built for civilian and law enforcement use, to provide shooters with weapon that has familiar AR-15-style ergonomics and handling but can be easily converted between two most popular rifle calibers – 7,62×51 / .308 Winchester and 5,56×45 / .223 Remington. The 7,62mm caliber option offers longer range and better terminal effectiveness at the cost of greater weight, more pronounced felt recoil and limited magazine capacity (usually 10 or 20 rounds).</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td></td>
</tr>
<tr>
<td>The 901 platform is equipped with magnified optics and can be utilized to take precision shots at intermediate to long ranges. It shoots a .308 caliber bullet that is bigger and heavier than a typical .223 caliber bullet from an AR-15. This caliber bullet has the ability to penetrate intermediate barriers, such as glass, with less deflection.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Usage</strong></td>
<td></td>
</tr>
<tr>
<td>BHPD SWAT</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td></td>
</tr>
<tr>
<td>It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit</td>
<td></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td></td>
</tr>
<tr>
<td>Initial Cost: $4,900 per firearm</td>
<td></td>
</tr>
<tr>
<td>Re-Occurring Costs: $500/ firearm (every 2 years)</td>
<td></td>
</tr>
<tr>
<td>Maintenance Costs: $0</td>
<td></td>
</tr>
<tr>
<td>Year Obtained: Varies (2010-2019)</td>
<td></td>
</tr>
<tr>
<td>How acquired: Department Funds</td>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td></td>
</tr>
<tr>
<td>Patrol Rifle School / POST SWAT School</td>
<td></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(A)</td>
<td></td>
</tr>
<tr>
<td>Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armoured or both. There are no known alternatives to these weapons that will provide the same level of distance or precision.</td>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(B)</td>
<td></td>
</tr>
<tr>
<td>Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.</td>
<td></td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td>----------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td>Item Category: Specialized Firearms</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>.50 cal Barrett Model 82A1</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Barrett Model 82A1 .50 cal</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Vehicle Disabling, Extreme Long Range Shooting, Penetrating Armor</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>20 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The first semi-automatic .50 caliber rifle available. Its chamber is chrome plated and dimensioned for both civilian and military ammunition. The extractor and ejector are proven to work under any condition, and close tolerances on every part allow it to function in all environments.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>The .50 caliber cartridge contains much more energy than all other rounds carried by BHPD SWAT. The energy and penetrating power of this round would allow it to penetrate and disable an engine or penetrate through an up-armored vehicle.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>BHPD SWAT</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Team</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $7,873 per firearm</td>
</tr>
<tr>
<td></td>
<td>Re-Ocurring Costs: $0</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: $200 (annual)</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: Pre 2010</td>
</tr>
<tr>
<td></td>
<td>How acquired: Asset Forfeiture Funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>SWAT Long Range/Law Enforcement Sniper School</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armored or both. There are no known alternatnives to these weapons that will provide the same level of distance or precision.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This piece of equipment has a life span of at least 20 years and is cost effective.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
### Item Category: Projectile Launch Platforms

<table>
<thead>
<tr>
<th><strong>Description</strong></th>
<th><strong>40mm LMT™ Tactical Single Launcher</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>27</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Less Lethal Munitions Delivery Device</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-10 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**
Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling attachment. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.

**Purpose**
The 40MM Single Launcher is a tactical single shot launcher that features an expandable stock, and Eotech holographic electronic optic. 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds.

**Authorized Use**
Trained sworn personnel

**Legal and Procedural Rules**
It is the policy of the BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Fiscal Impact**
- Initial Cost: $1,000 per firearm
- Re-Occurring Costs: $0
- Maintenance Costs: $200 (annual)
- Year Obtained: 2019
- How acquired: Department Funds

**Training**
Range training on use of 400mm launcher

**Necessity**
Government Code § 7071(d)(1)(A)
This launcher is a less lethal platform that allows officers to contraot potentially armed or dangerous suspects at a longer distance. There is no alternative to these less lethal weapon systems.

**Public Welfare**
Government Code § 7071(d)(1)(B)
This less lethal platform can potentially prevent a deadly force encounter.

**Cost Effective**
Government Code § 7071(d)(1)(C)
This piece of equipment has a life span of at least 5-10 years and is cost effective.

**Compliance**
Government Code § 7071(d)(1)(D)
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
## Military Equipment Inventory

### Item Category: Projectile Launch Platforms

<table>
<thead>
<tr>
<th>Description</th>
<th>40mm LMT™ Tactical Multi-Launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1</td>
</tr>
<tr>
<td>Capability</td>
<td>Less Lethal Munitions Delivery Device</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-10 years</td>
</tr>
<tr>
<td>Manufacturer’s Description</td>
<td>A 40mm pump-action advance magazine drum launcher with a fixed stock and combo rail. It has a six-shot capacity and rifled barrel. Previously labeled the PGL-65, the features include: Double-action trigger, trigger lock push button and hammer lock safeties.</td>
</tr>
<tr>
<td>Purpose</td>
<td>The 40MM Launcher is a multi-shot launcher capable of firing 6 less-lethal rounds. Launchers are utilized by department personnel as a less lethal tool to launch impact rounds.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Officers and supervisors who have completed the less lethal course.</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of the BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Team</td>
</tr>
</tbody>
</table>
| Fiscal Impact | Initial Cost: $1,000 per firearm  
Re-Occurring Costs: $0  
Maintenance Costs: $200 / year  
Year Obtained: 2012  
How acquired: BHPD SWAT General Fund |
| Train | POST Approved SWAT school, LL operator’s course |
| Necessity | Government Code § 7071(d)(1)(A)  
This launcher is a less lethal platform that allows officers to confront potentially armed or dangerous suspects at a longer distance. There is no alternative to these less lethal weapon systems. |
| Public Welfare | Government Code § 7071(d)(1)(B)  
This less lethal platform can potentially prevent a deadly force encounter. |
| Cost Effective | Government Code § 7071(d)(1)(C)  
This piece of equipment has a life span of at least 5-10 years and is cost effective. |
| Compliance | Government Code § 7071(d)(1)(D)  
Use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received. |
<table>
<thead>
<tr>
<th>Item Category: Tear Gas</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Remington 870 Gas Launcher with LC5 Launcher</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>12ga Single Shot Gas Launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>3</td>
</tr>
<tr>
<td>Capability</td>
<td>Less Lethal Munitions Delivery Device</td>
</tr>
<tr>
<td>Life Span</td>
<td>10 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description** The LC5 Launching Cups are designed for the 5200 series grenades. The cups can be attached to virtually any 12ga shotgun and the munition launched with our model 2600 launching cartridge. These can be fired from most 12ga smooth bore shotguns.

**Purpose** Using a converted Remington 870 12ga shotgun, the LC5 launcher allows for the extended range delivery of less lethal chemical munitions. This allows for the deployment of such agents from a position of cover for enhanced operator safety.

**Authorized Use** BHPD SWAT

**Legal and Procedural Rules** It is the policy of the BHPD to utilize gas launchers only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**
- Initial Cost: $1,000 per firearm/ launcher combo
- Re-Occurring Costs: $0
- Maintenance Costs: $50 (annual)
- Year Obtained: 2020
- How acquired: Department Funds

**Training** Sworn members utilizing less lethal chemical agents are trained in their use by POST certified less lethal and chemical agent instructors.

**Necessity**
- Government Code § 7071(d)(1)(A) Gas launchers are a less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Gas launchers allow officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**
- Government Code § 7071(d)(1)(B) These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

**Cost Effective**
- Government Code § 7071(d)(1)(C) This piece of equipment has a life span of at least 10 years and is cost effective.

**Compliance**
- Government Code § 7071(d)(1)(D) Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use
| Policy 706 from May 2022 to present. No complaint or concerned was received. |
**Item Category:** Explosive Breaching

<table>
<thead>
<tr>
<th>Description</th>
<th>ROYAL REMINGTON 870 EXPRESS BREACHING SHOTGUN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Ballistic Breeching Device</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>10 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description:** Royal Arms Breaching Shotgun uses a Remington 870 Express Synthetic 12 Ga Shotgun as its base. It is modified with custom CNC machined parts to be the ultimate Breaching Shotgun. Royal Arms invented the Breachers and Breaching shotguns.

**Purpose:** This weapon allows for breachers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round.

**Authorized Use:** BHPD SWAT

**Legal and Procedural Rules:** It is the policy of the BHPD to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact:**
- Initial Cost: $900 per firearm
- Re-Occurring Costs: $0
- Maintenance Costs: $50 (annual)
- Year Obtained: 2010
- How acquired: Department Funds

**Training:** Sworn members utilizing ballistic breaching tools are trained in their use during a POST approved SWAT Breaching course.

**Necessity**
- Government Code § 7071(d)(1)(A)
- Breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there is no other reasonable alternatives to rapidly breach a location. There is no known reasonable alternative to these items when they are necessary as stated.

**Public Welfare**
- Government Code § 7071(d)(1)(B)
- Breaching tools are used when time is of the essence in order to preserve life. Without these items, officers may not be able to gain access to locations in a safe and timely manner to engage in necessary police operations.

**Cost Effective**
- Government Code § 7071(d)(1)(C)
- This piece of equipment has a life span of at least 10 years and is cost effective.

**Compliance**
- Government Code § 7071(d)(1)(D)
- Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use
<p>| Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $36 each  
Re-Occurring Costs: average annual cost of $1,440 (40/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How acquired: Department funds |
| **Training** | POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>4230 – 40MM CS SMOKE</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>148</td>
</tr>
<tr>
<td><strong>Authorized Replacement</strong></td>
<td>25</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Can be launched via a 40mm launcher.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>A 40MM aluminum cartridge that launches a single projectile round emitting smoke or irritant agents via rapid burning. Used effectively during riots at safe stand-off distances to disperse groups or deny areas.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>SWAT trained personnel, Chemical Agent certified personnel</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $24  
Re-Occurring Costs: average annual cost of $946 (40/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How acquired: Department funds |
| **Training** | POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to |
| Present | No complaint or concern was received. |
## Item Category: Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>SPEDE-HEAT 40 MM LONG-RANGE ROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>11</td>
</tr>
<tr>
<td>Authorized:</td>
<td>Authorized: 10</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be launched via a 40mm launcher.</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**
The Spede-Heat 40mm Long Range Round incorporates an aluminum shell and utilizes black powder as the propellant. The Spede-Heat 40mm Long Range Round is designed to deliver one dual-ported chemical or smoke canister from a 40mm launcher 150 yards to the intended target zone. The SpedeHeat 40mm Round contains one (1) canister ported on each end. This round may be fired in the air at an angle of approximately 25 - 30 degrees to achieve maximum stand-off distance, or it may be skip fired into the target area from lesser distances.

**Purpose**
To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

**Authorized Use**
- SWAT trained personnel
- Chemical Agent certified personnel

**Legal and Procedural Rules**
It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.

*BHPD Policy 303 – Control Devices & Techniques*

**Fiscal Impact**
- Initial Cost: $21
- Re-Occurring Costs: average annual cost of $840 (40/year)
- Year Obtained: 2021 (Dates vary due to re-occurring purchase)
- How acquired: Department funds

**Training**
- POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**
- Government Code § 7071(d)(1)(A) A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**
- Government Code § 7071(d)(1)(B) These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

**Cost Effective**
- Government Code § 7071(d)(1)(C) This is a low cost item.

**Compliance**
- Government Code § 7071(d)(1)(D) Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted.
<p>| | Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $18  
Re-Occurring Costs: average annual cost of $720(40/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How was it acquired: Department funds |
| **Training** | POST Approved SWAT School / POST Approved Less Lethal Instructor School / In-house training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They also allow officers to confront potentially armed or dangerous suspects at a longer distance. When necessary, there is no alternative to these less lethal weapon systems. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. |
Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
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<tr>
<td><strong>Life Span</strong></td>
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<td><strong>Manufacturer's Desc</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
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<tr>
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<td><strong>Legal and Procedural Rules</strong></td>
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<tr>
<td><strong>Fiscal Impact</strong></td>
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<td>Cost Effective</td>
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<tr>
<td>Compliance</td>
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<tr>
<td>Item Category: Specialty (Less Lethal) Munitions</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
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<td><strong>Description</strong></td>
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<tr>
<td><strong>Quantity</strong></td>
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<tr>
<td><strong>Capability</strong></td>
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<tr>
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<tr>
<td>Compliance</td>
</tr>
</tbody>
</table>
**Item Category:** Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>FERRET 40 MM POWDER BARRICADE ROUND, OC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>8 Authorized: 100</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be launched via a 40mm launcher.</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>The Ferret 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.</td>
</tr>
<tr>
<td>Purpose</td>
<td>To safely resolve critical situations such as high-risk tactical operations. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimalize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>SWAT personnel</td>
</tr>
<tr>
<td></td>
<td>Chemical Agent certified personnel</td>
</tr>
<tr>
<td></td>
<td>Less Lethal certified personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $17</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $1,700 (100/year)</td>
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<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
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<tr>
<td></td>
<td>How acquired: Department funds</td>
</tr>
<tr>
<td>Training</td>
<td>POST Approved SWAT School / POST Approved Chemical Agent Instructor School / POST Approved Less Lethal Instructor School / In-house training</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>A less lethal method are used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.</td>
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<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This is a low cost item.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
</tbody>
</table>
# BEVERLY HILLS POLICE DEPARTMENT
## MILITARY EQUIPMENT INVENTORY

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<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
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<tr>
<td><strong>Authorized:</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
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<tr>
<td><strong>Authorized Use</strong></td>
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<td><strong>Compliance</strong></td>
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</tbody>
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Military Equipment Inventory - 73
Date 04.18.2023
<p>| Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
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<th>Item Category: Specialty (Less Lethal) Munitions</th>
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<table>
<thead>
<tr>
<th>Manufacturer's Description</th>
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</thead>
<tbody>
<tr>
<td>The 40mm Muzzle Blast Rounds incorporate an aluminum shell and utilize smokeless powder as the propellant. The 40mm Muzzle Blast Rounds are designed to deliver chemical agents in the immediate area (30 feet) of the grenadier. The 40mm Muzzle Blast Rounds are widely used as a crowd management solution for the immediate and close deployment of chemical agent. However, it has proven successful during tactical operations. As a pain compliance round for crowd management, the 40mm Muzzle Blast Rounds are an excellent device for deploying chemical laden powder at close ranges for indoor or outdoor operations. The 40mm Muzzle Blast provides instantaneous emission of chemical agent directly at or on riotous, non-compliant subjects close to the police line or within confined spaces.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Purpose</th>
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<tbody>
<tr>
<td>To safely resolve critical situations such as barricaded subjects and crowd control during riotous situations and high-risk tactical operations.</td>
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</tbody>
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<tr>
<th>Authorized Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>SWAT personnel</td>
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<tr>
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<table>
<thead>
<tr>
<th>Legal and Procedural Rules</th>
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<tbody>
<tr>
<td>It is the policy of BHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Fiscal Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Cost: $20</td>
</tr>
<tr>
<td>Re-Occurring Costs: average annual cost of $800 (40/year)</td>
</tr>
<tr>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
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<td>How acquired: Department funds</td>
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<table>
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<tr>
<th>Training</th>
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<table>
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<tr>
<th>Necessity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td>A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.</td>
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<td>Public Welfare</td>
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<td>Cost Effective</td>
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<td>Compliance</td>
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<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
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<tr>
<td><strong>Authorized Use</strong></td>
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</tbody>
</table>
## Military Equipment Inventory

**Item Category:** Specialty (Less Lethal) Munitions  
**Description:** Military-Style Maximum – Smoke HC Grenade

| Quantity | 6 | Authorized: 50 |

**Capability**  
Can be hand thrown, deployed via robot, launched, or placed into a Munitions Pole

**Life Span**  
5-year manufacturer warranty

**Manufacturer’s Description**  
Hexachloroethane (HC) smoke is discharged through four (4) gas ports located on top of the canister. Due to the high metal content, HC smoke is dark in comparison to Saf-Smoke™ that is utilized in all other Defense Technology® smoke devices (except the Large-Style Maximum Smoke Grenade). It is similar to the military-style grenade and incorporates a steel canister. Designed specifically for outdoor use in crowd management situations, the Maximum Smoke Grenade is a high volume, slow burning device that deploys large quantities of grey-white colored smoke for approximately 1.5 to 2 minutes. The device should be deployed utilizing wind advantage.

**Purpose**  
To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations. It can be utilized as a carrying agent (multiplier) for smaller OC, CN or CS munitions, or for concealing the movement of agency personnel. It may also be used as a distraction to focus attention away from other activities.

**Authorized Use**  
Special Weapons and Tactics Team (SWAT)  
Chemical Agent certified personnel

**Legal and Procedural Rules**  
It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.  
BHPD Policy 303 – Control Devices & Techniques

**Fiscal Impact**  
Initial Cost: $28  
Re-Occurring Costs: average annual cost of $1,350 (50/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How acquired: Department funds

**Training**  
POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**  
Government Code § 7071(d)(1)(A)  
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**  
Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters.
<table>
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<th>Cost Effective</th>
<th>Government Code § 7071(d)(1)(C)</th>
<th>This is a low cost item.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
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<td></td>
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<tr>
<td>-----------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Exact Impact 40mm <em>Standard</em> Range Sponge Round</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1037 (previously 1041)</td>
<td>Authorized: 1500</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>This intermediate less lethal specialty munition allows for direct impact from a minimum range of 5ft./1.5m out to a maximum effective range of 131ft / 40m.</td>
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</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The Exact Impact 40mm sponge round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for crowd control, patrol, and tactical applications.</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operation</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>SWAT personnel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Less Lethal certified personnel</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
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<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $18</td>
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</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $3,600 (200/year)</td>
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<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
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<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
<td>This less lethal allows officers to confront a potentially armed or dangerous suspect at a longer distance. They also can be used to safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operation. When necessary, there is no alternative to these less lethal weapon systems.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
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<td></td>
<td>present. No complaint or concerned was received.</td>
<td></td>
</tr>
<tr>
<td><strong>Item Category:</strong> Specialty (Less Lethal) Munitions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>4557 – 40MM Sponge, Smokeless, Spin Stabilized</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>496</td>
<td>Authorized: 500</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>This intermediate less lethal specialty munition allows for direct impact from a minimum range of 5ft./1.5m out to a maximum effective range of 147ft / 45m.</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The 4557 – 40MM Sponge round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for crowd control, patrol, and tactical applications.</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>SWAT personnel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Less Lethal certified personnel</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
<td></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $18</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $3,600 (200/year)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>How acquired: Department funds</td>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>POST Approved SWAT School / POST Approved Less Lethal Instructor School / In-house training</td>
<td></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This less lethal allows officers to confront a potentially armed or dangerous suspect at a longer distance. They also can be used to safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operation. When necessary, there is no alternative to these less lethal weapon systems.</td>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This is a low cost item.</td>
<td></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to</td>
<td></td>
</tr>
<tr>
<td></td>
<td>present. No complaint or concerned was received.</td>
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</tbody>
</table>
# BEVERLY HILLS POLICE DEPARTMENT
## MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th><strong>Item Category:</strong> Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td><strong>Compliance</strong></td>
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<tr>
<td></td>
</tr>
</tbody>
</table>
## Military Equipment Inventory

<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
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<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
**Item Category:** Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Authorized: 100</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 MM WARNING/SIGNALING MUNITION, 50 METER</td>
<td>95 (previously 97)</td>
<td></td>
</tr>
</tbody>
</table>

**Capability**
This intermediate less lethal specialty munition allows for light sound diversion during tactical operations which allows for tactical advantage during high-risk situations.

**Life Span**
5-year manufacturer warranty

**Manufacturer's Description**
The 40mm Aerial Warning/Signaling Munition, 50 meters, is intended for use in situations where stand-off distance is desired, giving the operator the ability to engage crowds, vehicles, or vessels. Launched from a 40mm platform, the munitions deflagrate at a set distance of 50 meters to deliver 170 dB of sound and 5 million candelas of light, noticeable in day or night conditions.

**Purpose**
To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

**Authorized Use**
Special Weapons and Tactics Team (SWAT)

**Legal and Procedural Rules**
It is the policy of BHPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law.

**Fiscal Impact**
Initial Cost: $35
Re-Occurring Costs: average annual cost of $1,750 (50/year)
Year Obtained: 2021 (Dates vary due to re-occurring purchase)
How acquired: Department funds

**Training**
POST Approved SWAT School / POST Approved Diversionary Device Instructor School

**Necessity**
Government Code § 7071(d)(1)(A)
The warning/signaling munitions are used as a distraction device in order to disorient or divert a suspect’s attention away from officers. They can allow officers to gain safer access to a high-risk situation, giving extra time to assess and analyze existing threats. There is no known alternative to a flashbang when it is necessary.

**Public Welfare**
Government Code § 7071(d)(1)(B)
These devices can often lead to a safer resolution and allow officers to take a suspect into custody without force. This can prevent injury to officers and citizens.

**Cost Effective**
Government Code § 7071(d)(1)(C)
This is a low cost item.

**Compliance**
Government Code § 7071(d)(1)(D)
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Authorized:</strong> 50</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
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<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
Item Category: Chemical Agents

<table>
<thead>
<tr>
<th>Description</th>
<th>FLAMELESS TRI-CHAMBER CS GRENADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>48</td>
</tr>
<tr>
<td>Authorized: 100</td>
<td></td>
</tr>
<tr>
<td>Capability</td>
<td>Can be hand thrown, launched</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>The Tri-Chamber Flameless Grenade is designed for indoor use. This grenade’s pyrotechnic contents are burned within an internal can that is one of three in this design. The internal combustion allows the chemical-laden smoke to be released through three (3) ports on the outer canister side while safely containing any of the fire-producing properties within the two internal canisters. The fuze is shrouded to further protect surrounding materials from the possibility of fire. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects.</td>
</tr>
<tr>
<td>Purpose</td>
<td>The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>SWAT personnel</td>
</tr>
<tr>
<td></td>
<td>Chemical Agent certified personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $38</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $3,800 (100/year)</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
</tr>
<tr>
<td></td>
<td>How was acquired: Department funds</td>
</tr>
<tr>
<td>Training</td>
<td>POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.</td>
</tr>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This is a low cost item.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
</tbody>
</table>
## Item Category: Chemical Agents

<table>
<thead>
<tr>
<th>Description</th>
<th>TRIPLE-CHASER SEPARATING CANISTER, CS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>76</td>
</tr>
<tr>
<td>Authorized</td>
<td>100</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be hand thrown, launched</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

The Triple-Chaser Grenade is a fast burning, medium volume canister. It is a pyrotechnic grenade consisting of three (3) separate canisters pressed together with separating charges between each section. When deployed, this grenade will separate into three (3) distinct sub-munitions spaced approximately 20 feet apart – allowing increased area coverage in a short period of time, from one deployment. Designed specifically for outdoor use in crowd management situations, the Triple-Chaser utilizes the larger style canister, but is segmented into three (3) distinct sub-munitions. This device should be deployed in an underhand method that keeps the grenade body moving sideward towards the deployment site. This will assist in delivering the sub-canisters along a line, from left to right, well ahead of the grenadier. It's separating function and relatively quick burn time minimizes throwback potential. The device should be deployed utilizing wind advantage.

**Purpose**

To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

**Authorized Use**

- SWAT personnel
- Chemical Agent certified personnel

**Legal and Procedural Rules**

It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices & Techniques

**Fiscal Impact**

- Initial Cost: $37
- Re-Occurring Costs: average annual cost of $3,700 (100/year)
- Maintenance Costs: Consumable item. Replaced as used or expiration. Maintenance cost is equivalent to new device based on current BPA or industry pricing.
- Year Obtained: 2021 (Dates vary due to re-occurring purchase)
- How acquired: Department funds

**Training**

- POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**

- Government Code § 7071(d)(1)(A)

A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. This grenade deploys CS chemicals for maximum spread. When these items are reasonable and necessary for use, there is no other alternative.
<table>
<thead>
<tr>
<th>Category</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>This is a low cost item.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
## Item Category: Chemical Agents

<table>
<thead>
<tr>
<th>Description</th>
<th>5230B – CS Baffled canister Grenade, Pyro, Low Flame Potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td><strong>36 (previously 46)</strong> Authorized: 100</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be hand thrown, deployed via robot, launched, placed into a Gas Ram, Burn Safe and Munitions Pole</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td>Manufacturer’s Description</td>
<td>The 5230B pyrotechnic grenade is designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire.</td>
</tr>
<tr>
<td>Purpose</td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>SWAT personnel&lt;br&gt;Chemical Agent certified personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.&lt;br&gt;BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $38&lt;br&gt;Re-Occurring Costs: average annual cost of $3,800 (100/year)&lt;br&gt;Year Obtained: 2021 (Dates vary due to re-occurring purchase)&lt;br&gt;How acquired: Department funds</td>
</tr>
<tr>
<td>Training</td>
<td>POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training</td>
</tr>
</tbody>
</table>
| Necessity | Government Code § 7071(d)(1)(A)  
A less lethal method that allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative. |
| Public Welfare | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| Cost Effective | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| Compliance | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
<table>
<thead>
<tr>
<th><strong>Item Category:</strong> Chemical Agents</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
</tbody>
</table>
## Item Category: Chemical Agents

<table>
<thead>
<tr>
<th>Description</th>
<th>Pocket tactical Grenade, CS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>15</td>
</tr>
<tr>
<td>Authorized:</td>
<td>50</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be hand thrown, deployed via robot, launched, placed into a Gas Ram, Burn Safe and Munitions Pole</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
</tbody>
</table>

### Manufacturer's Description

The Pocket Tactical CS Grenade is small, and lightweight. The 25.2g of CS chemical agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. This a launchable grenade; however, it is normally used a signaling or covering device. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full-size tactical grenade.

### Purpose

To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

### Authorized Use

- SWAT personnel
- Chemical Agent certified personnel

### Legal and Procedural Rules

It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.

BHPD Policy 303 – Control Devices & Techniques

### Fiscal Impact

- Initial Cost: $19
- Re-Ocurring Costs: average annual cost of $950 (50/year)
- Year Obtained: 2021 (Dates vary due to re-occurring purchase)
- How acquired: Department funds

### Training

- POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

### Necessity

- Government Code § 7071(d)(1)(A)
  - A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and necessary for use, there is no other alternative.

### Public Welfare

- Government Code § 7071(d)(1)(B)
  - These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

### Cost Effective

- Government Code § 7071(d)(1)(C)
  - This is a low cost item.

### Compliance

- Government Code § 7071(d)(1)(D)
  - Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
**BEVERLY HILLS POLICE DEPARTMENT**

**MILITARY EQUIPMENT INVENTORY**

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<tr>
<td>Quantity</td>
</tr>
<tr>
<td>Authorized:</td>
</tr>
<tr>
<td>Capability</td>
</tr>
<tr>
<td>Life Span</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**
The Defense Technology OC Vapor Aerosol Grenade is for law enforcement and corrections use to deliver a high concentration of Oleoresin Capsicum (OC) in a powerful mist. The grenade is designed for indoor use in confined areas and once deployed, inflames the mucous membranes and exposed skin resulting in an intense burning sensation. The incapacitating effect of the OC Vapor on the subject is dramatic yet requires minimal decontamination. Removing the subject from the affected area to fresh air will resolve respiratory effects within minutes. The OC Vapor Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder or liquid devices is not practical or desired.

**Purpose**
To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

**Authorized Use**
SWAT personnel Chemical Agent certified personnel
Less Lethal certified personnel

**Legal and Procedural Rules**
It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.
BHPD Policy 303 – Control Devices & Techniques

**Fiscal Impact**
Initial Cost: $34
Re-Occurring Costs: average annual cost of $1,700 (50/year)
Year Obtained: 2021 (Dates vary due to re-occurring purchase)
How acquired: Department funds

**Training**
POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**
Government Code § 7071(d)(1)(A)
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**
Government Code § 7071(d)(1)(B)
These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

**Cost Effective**
Government Code § 7071(d)(1)(C)
This is a low cost item.

**Compliance**
Government Code § 7071(d)(1)(D)
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to
| Present | No complaint or concerned was received. |
## Military Equipment Inventory

**Item Category:** PepperBall Launcher

<table>
<thead>
<tr>
<th>Description</th>
<th>PepperBall Full Tactical Carbine (FTC) launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>2</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Compact and lightweight, the PepperBall FTC is the industry gold standard for crowd-control and other applications where speed and reliability is a factor. The FTC features a modular design with a rapid feeding loader and firing rate of 10-12 RPS. 13 Cubic inch high pressure air system, compact lightweight design with glass nylon construction.</td>
</tr>
<tr>
<td>Life Span</td>
<td>5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The FTC is a high-capacity, semi-automatic launcher that is perfect for crowd management and mobile field force operations. Reliable and accurate, it features a hopper that can hold up to 180 rounds, a flexible air source configuration and a compact modular design.</td>
</tr>
<tr>
<td>Purpose</td>
<td>The FTC is designed to launch the various projectiles in less than lethal situations. The FTC can deliver in semi-automatic up to 150ft in distance.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Trained sworn personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize the PepperBall Launcher for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost $1,300</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: $1,300 every 5 years</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: $50/year</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2022</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department Funds</td>
</tr>
<tr>
<td>Training</td>
<td>SWAT and less than lethal instructors who have attended the PepperBall Instructor Course/ In-house Training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>The PepperBall Launchers are a less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and necessary for use, there is no other alternative.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This piece of equipment has a life span of at least 5 years and is cost effective.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
**Item Category: PepperBall Projectiles**

<table>
<thead>
<tr>
<th>Description</th>
<th>PepperBall Live-x projectiles, inert projectiles and glass shattering projectiles</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>500 x projectiles, 400 inert projectiles, 100 glass shattering projectiles</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The live-x projectiles contain a concentration of 5% PAVA pepper powder excellent for direct impact or area saturation. The inert projectiles contain a harmless scented powder suitable for training. The glass breaker is a solid polymer projectile used for breaking out residential windows, and side-glass of vehicles.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>3 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>Live-x projectile: Ultrasonically welded shell indicates 2.5g payload of 5% PAVA powder, 100% waterproof and non-flammable with a velocity of 280-300FPS. Maximum distance direct impact: 60 ft. Area saturated: 150+ft Inert Projectile: Ultrasonically welded shell indicates 2.5g payload of scented powder, 100% waterproof and non-flammable with a velocity of 280-300FPS. Glass Breaker: Ultrasonically welded shell indicates 2.5g payload, 100% waterproof, non-flammable with a velocity of 280-300FPS. Direct impact: 60ft</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>The PepperBall Live-x projectile is used for crowd control situations and other applications where less than lethal applications are required. The PepperBall Inert projectile is used for training purposes. The PepperBall Glass breaker is used for breaking out residential windows and side vehicle windows.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Trained sworn personnel</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the PepperBall Projectiles for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: Live-x projectile: $3/round. Inert projectile: $.70. Glass Breaker projectile: $2.50/round Re-Occurring Costs: average annual cost of $1,500 (500/year). Maintenance Costs: Consumable item. Replaced as used or expiration. 2025 Year Obtained: 2022 How acquired: Department Funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>SWAT and less than lethal instructors who have attended the PepperBall Instructor Course/ In-house Training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A) The PepperBall Projectiles a less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and</td>
</tr>
</tbody>
</table>
### BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B). These weapons are less lethal and afford</td>
</tr>
<tr>
<td></td>
<td>officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C). This is a low cost item.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D). Use is recorded on a “Military Equipment</td>
</tr>
<tr>
<td></td>
<td>Use” Blue Team Entry and electronically submitted. Use has been in compliance</td>
</tr>
<tr>
<td></td>
<td>with Military Equipment Use Policy 706 from May 2022 to present. No</td>
</tr>
<tr>
<td></td>
<td>complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Explosive Breaching</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Explosive Data Sheet</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1 20lb roll (20')</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The flexible explosive sheet is used as a breaching charge. It provides pin point breakage with minimum explosive loading</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>20 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>Explosive Data Sheet is olive drab and comes in 10&quot; by 20' sheets weighing 20lbs. The base explosive contained is PETN</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To be used in support of tactical operations as a breaching charge and can be cut into any desired shape depending on the breach point or objective required.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Special Weapons and Tactics Team (SWAT)/ officers that have completed the 80 hour DOJ Explosives Breaching course.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize breaching tools only for official law enforcement purposes, pursuant to state and federal law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $760</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: No annual cost</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2008</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department Funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>Special Weapons and Tactics (SWAT) officers and supervisors who have attended the 80 hour DOJ Explosives Breaching course and quarterly training.</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td>Item Category: Explosive Breaching</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Detonating Cord</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1 roll (2,000 feet)</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The detonating cord is a thin, flexible plastic tube usually filled with Pentaerythritol Tetranitrate (PETN). With the PETN exploding at a rate of approximately 6400 m/s, any common length of detonation cord appears to explode instantaneously. It is a high speed fuse which explodes, rather than burns, and is suitable for detonating high explosives</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>20 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>Prima cord detonating cords are flexible linear explosives with a core of PETN explosive encased in a textile outer jacket.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To be used in support of Tactical Operations to be used as a detonating agent, a priming agent or alone as an explosive charge. To be used as an explosive breach on fortified openings such as doors or walls.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Special Weapons and Tactics Team (SWAT)/ officers that have completed the 80 hour DOJ Explosives Breaching course.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize breaching tools only for official law enforcement purposes, pursuant to state and federal law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact**                 | Initial Cost: $750  
Re-Occurring Costs: no annual cost  
Year Obtained: 2008  
How acquired: Department Funds |
| **Training**                      | Special Weapons and Tactics (SWAT) officers/supervisors who have attended the 80 hour DOJ Explosives Breaching course and quarterly training. |
| **Necessity**                     | Government Code § 7071(d)(1)(A)  
Detonating Cords are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there are no other reasonable alternatives to rapidly breach a location. There is no known reasonable alternative to these items when they are necessary as stated. |
| **Public Welfare**                | Government Code § 7071(d)(1)(B)  
Without these items, officers may not be able to gain access to a location in a safe and timely manner to engage in necessary police operations. They are only used when time is of the essence in order to preserve life. |
| **Cost Effective**                | Government Code § 7071(d)(1)(C)  
This is a low cost item with a 20 year life span. |
| **Compliance**                    | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military |
<p>| Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Explosive Breaching</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $315  
Re-Occurring Costs: No annual cost  
Year Obtained: 2008  
How acquired: Department funds |
| **Training** | Special Weapons and Tactics (SWAT) officers/ supervisors who have attended the 80 hour DOJ Explosives Breaching course and quarterly training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Explosive breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there are no other reasonable alternatives to rapidly breach a location. There is no known reasonable alternative to these items when they are necessary as stated. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without these items, officers may not be able to gain access to a location in a safe and timely manner to engage in necessary police operations. They are only used when time is of the essence in order to preserve life. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item with a 20 year life span. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to |
| Present. No complaint or concerned was received. |  |
Hate Crime Brochure.pdf
HATE CRIMES: What You Need to Know to Protect Yourself and Others

The Beverly Hills Police Department offers the following information on how to identify and report hate crimes and the services available to victims of hate crimes.

Hate crime or hate incident?

It is important to know the difference between a hate crime and a hate incident.

A hate crime is a crime against a person, group, or property motivated by the victim’s real or perceived protected social group. Hate crimes can be prosecuted either as misdemeanors or felonies depending on the acts committed.

In California, you can be a victim of a hate crime if you have been targeted because of your actual or perceived:

- Race or ethnicity
- Nationality
- Religion
- Gender
- Sexual orientation
- Physical or mental disability, or
- Association with a person or group with one or more of these “actual” or “perceived” characteristics.

Please note, the above listed characteristics are examples, and other bases for actual or perceived protected social group characteristics exist.

If you witness a hate crime, you should report the crime to your local law enforcement agency.

A hate incident is an action or behavior motivated by hate but legally protected by the First Amendment right to freedom of expression. If a hate incident starts to threaten a person or property, it may become a hate crime.

Examples of hate incidents include:

- Name-calling
- Insults
- Displaying hate materials on your own property.
- Posting hate material that does not result in property damage.
- Distribution of materials with hate messages in public places.

How to spot a hate crime:

Signs that a crime was motivated by hate may include:

- The offender chose the victim or property because they belonged to a protected group, like a certain religion or gender.
- The offender made written or verbal comments showing a prejudice.
- The crime happened on a date that is important for the victim’s or offender’s protected group.
- There is organized hate activity in the area.

If you are a hate crime victim, you should:

- Contact your local law enforcement agency right away.
- Get medical attention (if you need it).
- Write down the exact words that were said.
- Make notes about any other facts.
- Save all evidence (e.g., graffiti, egg shells, writing on victim’s vehicle). If safe, wait until law enforcement arrives and takes photos.
- Get the names, addresses, phone numbers, and emails of other victims and witnesses.
- Try to get a description from any eyewitnesses of the criminal or the vehicle.
- Contact community organizations in your area that respond to hate crimes.

What you and your community can do:

- Speak out against hate and intolerance.
- Have community rallies to support victims.
- Offer support and help to victims.
- Ask public officials to speak out against hate crimes.
- Establish a human relations commission or hate crime network that includes law enforcement, local government, schools, religious organizations and community organizations. Ask them to respond to hate crimes immediately when they happen and to promote prevention and awareness.
Where to find help:
Contact 911 or go to a local hospital if you need immediate attention. To file a report, contact your local law enforcement agency.

California Attorney General’s Office
Victims’ Services Unit
Offers crime victims and their families support and information at every stage of the criminal process. For additional information, call (877) 433-9069 or visit oag.ca.gov/hatecrimes.

California Department of Fair Employment and Housing (DFEH)
State agency charged with enforcing California’s civil rights laws and protecting the people from unlawful discrimination in employment, housing, and public accommodations and from hate violence and human trafficking. DFEH accepts claims from victims of hate violence or threats of violence on account of a victim’s real or perceived protected social group. For information on how to file a claim, visit dfeh.ca.gov.

Local District Attorney’s Office
Victim Witness Assistance Center
Works directly with the California Victim Compensation Board (CalVCB) to assist victims in every county. For information on a local office and resources, visit victims.ca.gov/victims/localhelp.aspx.

U.S. Department of Justice,
Community Relations Services
Works with community groups to resolve community conflicts and prevent and respond to alleged hate crimes. For information, visit justice.gov/crs.

Information for victims:
The California Victims’ Bill of Rights, known as Marsy’s Law, give you these important rights:

- Get money for your losses. Apply for money to cover your property losses, medical expenses, lost wages, and other losses.

- Say how the crime impacted you. Tell the court how the crime impacted your life before the defendant is sentenced.

- Get information about the criminal case. Ask the prosecutor for certain information about the case.

- Get orders from the court. The court can make orders that could help you, such as a protective order to keep the defendant away from you or an order to pay attorney fees if you hired a lawyer to help with your case. The court may also order the defendant to pay you $25,000 or more for violating your civil rights. (Talk to a lawyer about your rights under the Ralph Act and the Bane Act.)

- California law prohibits law enforcement authorities from asking individuals, including those who are reporting or are victims of potential crimes, about their immigration status, unless the information is necessary to certify the victim for a U visa (victim of crime visa) or T visa (victim of human trafficking visa).
Victims Confidentiality Request.pdf
# BEVERLY HILLS POLICE DEPARTMENT

## VICTIM’S CONFIDENTIALITY REQUEST

<table>
<thead>
<tr>
<th>REPORT NUMBER</th>
<th>CONTROLLED DOCUMENT</th>
<th>DATE REPORTED</th>
</tr>
</thead>
</table>

### OFFENSE TITLE | CODE SECTION
--- | ---

PC §293, EC §67380(a)(3)(A), WI §827.9 and GC §6254(f)(2) require the address of the victim be deleted from reports in the following crimes. In addition, these sections require deleting the victim’s name from any reports at the victim’s request or at the request of the victim’s parent or guardian if the victim is a minor.

**Penal Code Sections:** 220, 236.1, 243.4, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 422.75, 646.9, or 647.6

The victim’s residence address, business/school address and phone numbers will be placed on this form for the above sections. The title “Victim #1,” “Victim #2” will be used as designator on all reports in the place of the victim’s name if the victim, or the victim’s parent or guardian if the victim is a minor, requests that his/her name be kept confidential.

I, ____________________________, advised victim (named below) that his/her name will become a matter of public record unless he/she requests that it be kept confidential.

- [ ] Victim elected to keep his/her name and address confidential.
- [ ] Victim declined to have his/her name and address kept confidential.
- [ ] Victim also elected to share his/her name and contact information with the Title IX Office.
- [ ] Victim also elected to share his/her name and contact information with CARE Advocates (Campus Assault Resources and Information).

**Victim’s Signature**

### VICTIM’S NAME | DOB:
--- | ---

### RESIDENCE ADDRESS

### RESIDENCE / CELL PHONE

### EMAIL ADDRESS

### BUSINESS/SCHOOL ADDRESS

### BUSINESS/SCHOOL PHONE

**ADDITIONAL INFORMATION RELATED TO VICTIM’S LOCATION OR CONTACT INFORMATION FOR FOLLOW-UP PURPOSES:**

### REPORTING OFFICER | BADGE | DATE | SUPERVISOR | BADGE
--- | --- | --- | --- | ---

**ATTENTION:** For alleged violations of any of the listed offenses: Under no circumstances will the victim’s address, business address and/or school be disclosed to anyone without permission, except the District Attorney’s Office and Beverly Hills Police Department personnel involved in the case. If the victim has indicated that he/she desires to have his/her name kept confidential, it likewise will not be disclosed. The confidential information referred to above will not become part of the public record but may be disclosed to prosecutors or BHPD PD personnel.
Facial Recognition Search Request.pdf
Facial Recognition Search Request

Attention Beverly Hills Police Department:

Please assist our agency’s investigation by conducting a facial recognition search of the attached image(s) in the Los Angeles County Digital Mugshot System and any searchable repositories through the California Facial Recognition Interconnect (CAFRI).

Our agency understands that any results will be used as an investigative lead only and shall not be considered a positive identification, reason for detention, or probable cause for an arrest.

Requesting Agency:
Requester Name:
Requester Phone Number:
Requester Email:
Case/File Number:
Reason for search:
Source image obtained from:
Image extracted from video?   Yes   No
Number of Images attached:

________________________________________  __________________________  ____________
Requestor Signature                  Printed Name                        Date
Alternative Primary Duty
Effective September 3, 2020, the Department will authorize an Alternative Primary Duty Weapon program.

Under the new program, sworn personnel will be permitted to carry an approved alternative primary duty weapon with the following requirements:

- The participating officer is responsible for the purchase of the handgun, magazines, leather gear and any other associated equipment at their own expense. This includes maintenance and repairs costs.
- The proposed handgun and accompanying leather gear must be inspected and approved by the Department Rangemaster prior to deployment.
- The participating officer must attend and pass a Department approved transition course which will include items such as weapons inspection, manipulations, cleaning, tactical/combat considerations, low-light/flashlight techniques as well as a marksmanship qualification. This is a pass/fail course.
- Participating officers must receive written approval from the Rangemaster, Personnel and Training Lieutenant and Chief of Police prior to the deployment of the handgun.

2020 Approved Alternative Primary Duty Weapons

The list of approved alternative primary duty weapon systems and manufacturers are as follows. This list of weapons will be re-evaluated on a continual basis for safety and reliability and may be amended by the Department as needed. Weapons which are currently approved, but later unapproved by the Department, will not be grandfathered. Participating officers will not be reimbursed for the cost of a firearm which is later removed from the approved list.

A semi-automatic, striker-fired handgun from the following (7) approved manufacturers:
Which meet the following criteria:

- **Caliber:** 9mm or .45acp
- **Minimum Barrel Length:** 4 inches for uniformed details and 3 inches for non-uniformed details*
- **Color/Finish:** Black or blue steel, dark gray or satin brushed stainless steel, or any combination of the above. No high luster or nickel finishes.
- **Minimum Magazine Capacity:** should hold a minimum of (7) cartridges (uniformed details). Magazines will be deployed to full capacity.
  - Uniformed Details: Minimum of (3) fully loaded magazines: one inside pistol and additional two magazines in magazine pouches on gun belt.
  - Non-uniformed Details: Minimum of (2) fully loaded magazines: one inside pistol and additional magazine on person.*
- **Minimum Trigger Weight:** 4.5 lbs
- **Safety:** Active safeties (i.e. manual thumb safety, grip safety) on the handgun that are factory installed must be utilized and cannot be disabled/altered.

*Temporary exceptions may be granted by the appropriate Division Commander for officers assigned to an undercover operation.

**Requirements for Accessories**

**Approved Duty Holster**

- Minimum of one active retention system (friction retention is not acceptable for uniformed details). The handgun must be retained in the holster when the holster is inverted.
- The trigger guard of the handgun must be covered when holstered.
- Basket weave finish (uniformed details).

**Approved Duty Magazine Holder**

- Positive retention (open top, friction retention is approved). The fully loaded magazine must be retained in the pouch when the pouch is inverted.
- Basket weave finish (uniformed details).
Grandfathered Handguns

Requests to carry single-action hammer-fired firearms, such as the 1911, will not be approved under this program. Those officers who have prior authorization to carry these style of firearms are permitted to do so.

Officers hired prior to 2010, who were assigned a double action/single action style handgun may carry a handgun in the same configuration after meeting all other program requirements.
Beverly Hills Police Department

Pregnancy Handout

You have the right to summon and receive the services of any physician and surgeon of your choice to determine pregnancy (Penal Code §4023.6). THESE SERVICES ARE NOT PROVIDED BY THIS FACILITY AND ANY EXPENSES ARE TO BE BORNE BY YOU.

You may request and will be provided with feminine napkins.

If you are lactating, you will be provided with a disposable breast pump upon request and will be allowed to use the pump the entire time you are confined in the city jail. You may be provided a sports bra and absorbent pads to control the leakage of breast milk.

If you are pregnant or nursing, you will be provided with at least two servings of milk with breakfast and two servings of milk with dinner in accordance with the minimum requirements of Title 15 §1241.

If you are known to be pregnant or in recovery after delivery you shall not be restrained by the use of leg irons, waist chains, or handcuffs behind the body. Restraints shall be removed when a professional who is currently responsible for your medical care during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of restraints is medically necessary.

________________________________________  _______________________________________
Inmate signature                  Jailer signature

Date:____________________________
Military Equipment Inventory 2023.pdf
## Military Equipment Inventory

### Item Category: Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>DJI Mavic 2 Enterprise Dual (BH-3)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The DJI Mavic 2 Enterprise Advanced is a commercial-grade UAV. It is a battery powered, remote operated device. Its controller allows the operator(s) to control and view live feed from the UAV-mounted cameras. The UAV is able to record video and has approximately 20-25 minutes of flight time. This UAV has an attachable spotlight, loud speaker, and strobe.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The Mavic 2 Enterprise is built on the Mavic 2 flight platform. It is an all-in-one drone solution for industrial applications. It features an extended port to mount DJI modular accessories, and comes with a self-heating battery, 24 GB onboard storage, DJI AirSense, and is compatible with the DJI Pilot mobile app.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:</td>
</tr>
<tr>
<td></td>
<td>1. Response to emergency calls</td>
</tr>
<tr>
<td></td>
<td>2. Major collision investigations</td>
</tr>
<tr>
<td></td>
<td>3. Search for missing persons</td>
</tr>
<tr>
<td></td>
<td>4. Crime scene investigations</td>
</tr>
<tr>
<td></td>
<td>5. Natural disaster management</td>
</tr>
<tr>
<td></td>
<td>6. SWAT, tactical or other public safety and life preservation operations</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized operators who have completed the required training and have received a FAA Part 107 Certificate are be permitted to operate the UAV.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $3,850</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: N/A</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: Approximately $500</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2019</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>Operators must have a FAA Part 107 Certificate</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
</tbody>
</table>

Military Equipment Inventory - 1
Date 11.21.2023
and the public. There is no known alternative which could provide the same capabilities.

<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>The use of these UAV's positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$3,850 is a reasonable cost for a commercial-grade UAV with a 5 year life span.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Each UAV use is recorded on a &quot;Drones as a First Responder&quot; (DFR) and electronically submitted. Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
## Item Category: Drones

<table>
<thead>
<tr>
<th>DJI Mavic Mini (BH-4)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Drones</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
</tbody>
</table>
| **BEVERLY HILLS POLICE DEPARTMENT**  
| **MILITARY EQUIPMENT INVENTORY**  

| **10. Crime scene investigations**  
| **11. Natural disaster management**  
| **12. SWAT, tactical or other public safety and life preservation operations**  

| **Authorized Use**  
| Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.  

| **Legal and Procedural Rules**  
| It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.  

| **Fiscal Impact**  
| Initial Cost: $13,341  
| Re-Occurring Costs: N/A  
| Maintenance Costs: Approximately $500  
| Year Obtained: 2022  
| How acquired: Equipment Replacement Fund (Fund 400)  

| **Training**  
| FAA Part 107 Certificate. Pilots must complete BHPD in house initial training.  

| **Necessity**  
| Government Code § 7071(d)(1)(A)  
| The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities.  

| **Public Welfare**  
| Government Code § 7071(d)(1)(B)  
| The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.  

| **Cost Effective**  
| Government Code § 7071(d)(1)(C)  
| $13,341 is a reasonable cost for a UAV with a 5 year life span.  

| **Compliance**  
| Government Code § 7071(d)(1)(D)  
| Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.
**Item Category:** Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>Autel EVO 2 DUAL 640T (Thermal) Enterprise Bundle</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>4</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Detect, reduce and clear threats in complex terrain such as dense urban areas, and confined spaces in day or night situations.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The 640T Model features an InfiRay 640x512 radiometric thermal sensor and 8K/48MP visual camera. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to <strong>42 minutes</strong>. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators' airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel's 7.9&quot; 2000-nit <strong>Smart Controller</strong> for maximum viewing when operating.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Training Aerial over watch to assist officers or incident commanders with situations with include but are not limited to: 1. Response to emergency calls 2. Major collision investigations 3. Search for missing persons 4. Crime scene investigations 5. Natural disaster management 6. SWAT, tactical or other public safety and life preservation operations</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $38,640  
Re-Occurring Costs: 0  
Maintenance Costs: $400  
Year Obtained: 2022  
How acquired: Equipment Replacement Fund (Fund 400) |
<p>| <strong>Training</strong> | FAA Part 107 Certificate. Pilots must complete BHPD in house initial training |
| <strong>Necessity</strong> | Government Code § 7071(d)(1)(A) The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct |</p>
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>$38,640 is a reasonable cost for 4 UAV’s with a 5 year life span.</td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td>Compliance</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
</tbody>
</table>
## Item Category: Drones

### Autel EVO II PRO 6K Enterprise Bundle

<table>
<thead>
<tr>
<th>Description</th>
<th>Unmanned Aerial Vehicle (UAV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>7</td>
</tr>
<tr>
<td>Capability</td>
<td>Training, quick deployment and ariel over watch</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

The **6K Pro Model** features a 6K 1" CMOS sensor capable of shooting up to 20MP stills. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to **42 minutes**. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators' airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel's 7.9" 2000-nit **Smart Controller** for maximum viewing when operating.

**Purpose**

Training

Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:

1. Response to emergency calls
2. Major collision investigations
3. Search for missing persons
4. Crime scene investigations
5. Natural disaster management
6. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**

Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**

It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**

Initial Cost: $30,348
Re-Occurring Costs: N/A
Maintenance Costs: Approximately $250
Year Obtained: 2022
How acquired: Equipment Replacement Fund (Fund 400)

**Training**

FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**

Government Code § 7071(d)(1)(A)  

The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers.
BEVERLY HILLS POLICE DEPARTMENT  
MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$30,348 is a reasonable cost for 7 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
</tbody>
</table>
BEVERLY HILLS POLICE DEPARTMENT  
MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Item Category: Drones</th>
<th>DJI Avata</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>3</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Training, quick deployment and confined space capability</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The DJI Avata is smaller, lighter, much more maneuverable, and sports a cinewhoop design where propeller guards are built into the drone's airframe.</td>
</tr>
</tbody>
</table>

**Purpose**
Training
Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:
1. Response to emergency calls
2. Confined space capability
3. Major collision investigations
4. Search for missing persons
5. Crime scene investigations
6. Natural disaster management
7. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**
Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**
It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**
Initial Cost: $7,519.35
Re-Occurring Costs: N/A
Maintenance Costs: Approximately $250/ unit per year
Year Obtained: 2023
How acquired: Equipment Replacement Fund Coversion(Fund 400)

**Training**
FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**
Government Code
§ 7071(d)(1)(A) The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities.

**Public Welfare**
Government Code
§ 7071(d)(1)(B) The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and
<table>
<thead>
<tr>
<th><strong>Cost Effective</strong></th>
<th>Government Code § 7071(d)(1)(C)</th>
<th>$7,519.35 is a reasonable cost for 3 UAV’s with a 5 year life span.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
<tr>
<td>Item Category: Drones</td>
<td>Brinc LEMUR 2</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The Brinc LEMUR 2 is an advanced commercial-grade UAV specifically designed for interior use. This UAV is a battery powered, remote operated device. The controller facilitates two-way conversation between first responders and people they need to help through a set of two ultra-sensitive microphones and a small lightweight loudspeaker. The controller allows operators to control the UAV and view live feed from UAV-mounted cameras. Flight time of approximately 30 minutes per battery, depending on weather and flight conditions. Furthermore, the Brinc is equipped with a 4k digital camera with thermal capability for better viewing and range overall but also in low light environments. It is also equipped with a LiDAR sensor which provides a 3D map of the path of the UAV as it flies which can be viewed live, as well as the camera view, within a smartphone application. A new mesh network is also installed in the UAV which allows for a stronger and more sustainable video and control signal.</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5 years</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The Brinc LEMUR is an American-made purpose-built tactical UAV designed to aid special response teams in barricade, hostage, active shooter, and other high-risk situations. Novel battery technology based on proven Lithium-Ion chemistry allows for best in class flight time. Included micro SD card, carbon fiber reinforced propeller ducts enable the drone to bounce off walls and push open doors. Crashes do not end missions with the LEMUR ends up on its back, it can flip itself over and relaunch to finish the mission.</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>When a legal justification exists to enter a location, the LEMUR provides an aerial interior over watch in support of tactical/critical situations to enhance the safety and efficiency of law enforcement.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized operators who have completed the required training shall be permitted to operate the UAV.</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
<td></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: Initial Cost: $26,000 (Total cost for 2) Re-Ocurring Costs: N/A Maintenance Costs: Approximately $500 Year Obtained:2022 How acquired: UASI Grant</td>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>FAA Part 107 Certificate. Monthly in-house training</td>
<td></td>
</tr>
</tbody>
</table>
| **Necessity**        | Government Code § 7071(d)(1)(A) The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is
<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$26,000 is a reasonable cost for 2 commercial-grade UAVs with a 5 year life span. Furthermore, these drones were acquired from federal grant funds at no cost to the City.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
</tbody>
</table>
### BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

#### Item Category: Drones

<table>
<thead>
<tr>
<th>DJI Mavic Mini (BH-4)</th>
</tr>
</thead>
</table>

**Description**  
Unmanned Aerial Vehicle (UAV)

**Quantity**  
1

**Capability**  
DJI Mavic Mini can hover and fly indoors as well as outdoors and Return to Home automatically. It is able to record video and take photographs. Its maximum flight speed is 29 mph and has an approximate 30 minute flight time.

**Life Span**  
Approximately 5 years

**Manufacturer’s Description**  
Featuring a Downward Vision System and Infrared Sensing System, DJI Mavic Mini can hover and fly indoors as well as outdoors and Return to Home automatically. With a fully stabilized 3-axis gimbal and 1/2.3” sensor camera, Mavic Mini shoots 2.7K video and 12 MP photos. Mavic Mini has a maximum flight speed of 29 mph and a maximum flight time of 30 minutes.

**Purpose**  
When a legal justification exists to enter a location, the UAV can assist officers or incident commanders with indoor tactical views.

**Authorized Use**  
Authorized operators who have completed the required training and paired with a 107 certified pilot.

**Legal and Procedural Rules**  
It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**  
Initial Cost: $500  
Re-Occurring Costs: 0  
Maintenance Costs: $250  
Year Obtained: 2020  
How acquired: Department funds

**Training**  
Pilots must have a good understanding of controls and capabilities in order to be effective.

**Necessity**  
Government Code § 7071(d)(1)(A)  
The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations.

**Public Welfare**  
Government Code § 7071(d)(1)(B)  
Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public.

**Cost Effective**  
Government Code § 7071(d)(1)(C)  
The initial $500 cost is negligible.

**Compliance**  
Government Code § 7071(d)(1)(D)  
Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment
|                  | Coordinator will ensure future compliance with this Policy. |
## Military Equipment Inventory

**Item Category:** Tactical Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>Brinc LEMUR Tactical Interior Drone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>2</td>
</tr>
<tr>
<td>Capability</td>
<td>The Brinc LEMUR Advanced is a commercial-grade UAV specifically designed for interior use. This UAV is a battery powered, remote operated device. The controller facilitates two-way conversation between first responders and people they need to help through a set of two ultra-sensitive microphones and a small lightweight loudspeaker. The Controller allows operators to control the UAV and view live feed from UAV-mounted cameras. Flight time of approximately 30 minutes per battery, depending on weather and flight conditions.</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>The Brinc LEMUR is an American-made purpose-built tactical UAV designed to aid special response teams in barricade, hostage, active shooter, and other high-risk situations. Novel battery technology based on proven Lithium-Ion chemistry allows for best in class flight time. Included micro SD card, carbon fiber reinforced propeller ducts enable the drone to bounce off walls and push open doors. Crashes do not end missions with the LEMUR ends up on its back, it can flip itself over and relaunch to finish the mission.</td>
</tr>
<tr>
<td>Purpose</td>
<td>When a legal justification exists to enter a location, the LEMUR provides an aerial interior over watch in support of tactical /critical situations to enhance the safety and efficiency of law enforcement.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Authorized operators who have completed the required training shall be permitted to operate the UAV.</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $26,000 (Total cost for 2)</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: N/A</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: Approximately $500</td>
</tr>
<tr>
<td></td>
<td>Year Obtained:2022</td>
</tr>
<tr>
<td></td>
<td>How acquired: UASI Grant</td>
</tr>
<tr>
<td>Training</td>
<td>FAA Part 107 Certificate. Monthly in-house training</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations.</td>
</tr>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public.</td>
</tr>
</tbody>
</table>
## Cost Effective

| Cost Effective | Government Code § 7071(d)(1)(C) | $26,000 is a reasonable cost for 2 commercial-grade UAVs with a 5 year life span. Furthermore, these drones were acquired from federal grant funds at no cost to the City. |

## Compliance

| Compliance | Government Code § 7071(d)(1)(D) | Each UAV use is recorded on a “Drones as a First Responder” (DFR) and electronically submitted. Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received. |
# Military Equipment Inventory

**Item Category: Drones**

<table>
<thead>
<tr>
<th><strong>DJI Matrice 30T Combo</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle (UAV)</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
</tbody>
</table>

**Capability**

The **DJI Matrice 30T Combo w/ Care Enterprise** is the **DJI Enterprise** flagship, weatherproof drone that fits in a backpack. It integrates multiple high-performance sensors into one single camera payload, is controlled with the **DJI RC Plus Remote** and runs on upgraded **DJI Pilot 2 software**, which significantly improves the flight experience. The powerful M30T offers the endurance and capability necessary for rugged professional use-cases. Additionally, its size makes it ideal for easy transportation and fast setup. The UAV also includes a 40mm 640x512 30fps thermal imaging camera with measurement accuracy of ±2°C or ±2%.

The DJI M30T allows professionals to fly and perform beyond their immediate surroundings. It integrates smoothly with the new **DJI FlightHub 2** fleet management cloud-based software and the **DJI Dock** for collaboration with remote and unattended operations, bringing efficiency innovation to various industries.

The M30T model integrates a 48-megapixel 1/2" CMOS sensor-zoom camera with 5×~16× optical and 200× digital zoom, a 12-megapixel wide-angle camera, 8K photo, 4K/30 fps video resolution, and a laser rangefinder which can give the precise coordinates of objects up to 1,200 meters away.

<table>
<thead>
<tr>
<th><strong>Life Span</strong></th>
<th>Approximately 5 years</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The total weight of the M30, which includes two batteries, is 3770 ± 10 g. That’s only a little over eight lbs., compared to the Matrice 300 RTK, whose take-off weight is nearly 20 lbs.</td>
</tr>
<tr>
<td></td>
<td>The Matrice 30 condenses from unfolded dimensions of 470x585x215 mm (LxWxH) to folded dimensions of 365x215x195 mm – that’s approximately 18.5x23x8.5 inches to 14.5x8.5x7.5 inches, respectively.</td>
</tr>
<tr>
<td></td>
<td>Pinned up against the Mavic 3 (approx. 1.7x11x4.2 inches unfolded; 8.7x3.8x3.6 inches folded), its much larger, but still incredibly compact.</td>
</tr>
<tr>
<td></td>
<td>Due its relatively small size, this drone can easily be carried in a pack, transportable to even the most remote locations.</td>
</tr>
</tbody>
</table>

| **Purpose** | Aerial over watch in all weathers to assist officers or incident commanders with situations with include but are not limited to:  
13. Response to emergency calls  
14. Major collision investigations  
15. Search for missing persons |

Military Equipment Inventory- 19

Date 11.21.2023
<table>
<thead>
<tr>
<th>Military Equipment Inventory</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date</strong></td>
<td>11.21.2023</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact**            | Initial Cost: $13,341  
Re-Occurring Costs: N/A  
Maintenance Costs: Approximately $500  
Year Obtained: 2022  
How acquired: Equipment Replacement Fund (Fund 400) |
| **Training**                 | FAA Part 107 Certificate. Pilots must complete BHPD in house initial training |
| **Necessity**                | Government Code § 7071(d)(1)(A)  
The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities. |
| **Public Welfare**           | Government Code § 7071(d)(1)(B)  
The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics. |
| **Cost Effective**           | Government Code § 7071(d)(1)(C)  
$13,341 is a reasonable cost for a UAV with a 5 year life span. |
| **Compliance**               | Government Code § 7071(d)(1)(D)  
Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
**Item Category: Drones**

<table>
<thead>
<tr>
<th>Description</th>
<th>Unmanned Aerial Vehicle (UAV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>4</td>
</tr>
<tr>
<td>Capability</td>
<td>Detect, reduce and clear threats in complex terrain such as dense urban areas, and confined spaces in day or night situations.</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

The **640T Model** features an InfiRay 640x512 radiometric thermal sensor and 8K/48MP visual camera. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to **42 minutes**. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators' airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel's 7.9” 2000-nit **Smart Controller** for maximum viewing when operating.

**Purpose**

Training:
- Aerial over watch to assist officers or incident commanders with situations which include but are not limited to:
  7. Response to emergency calls
  8. Major collision investigations
  9. Search for missing persons
  10. Crime scene investigations
  11. Natural disaster management
  12. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**

Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**

It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**

Initial Cost: $38,640
Re-Occurring Costs: 0
Maintenance Costs: $400
Year Obtained: 2022
How acquired: Equipment Replacement Fund (Fund 400)

**Training**

FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**

Government Code § 7071(d)(1)(A) The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct
<table>
<thead>
<tr>
<th>Category</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
<td>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$38,640 is a reasonable cost for 4 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
**Item Category: Drones**

<table>
<thead>
<tr>
<th>Description</th>
<th>Autel EVO II PRO 6K Enterprise Bundle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>7</td>
</tr>
<tr>
<td>Capability</td>
<td>Training, quick deployment and ariel over watch</td>
</tr>
<tr>
<td>Life Span</td>
<td>Approximately 5 years</td>
</tr>
</tbody>
</table>

**Manufacturer’s Description**

The **6K Pro Model** features a 6K 1” CMOS sensor capable of shooting up to 20MP stills. The Enterprise version features larger carbon fiber arms with bigger, more powerful motors and larger propellers which yield an additional 5-7 minutes of flight time bringing the maximum flight time to **42 minutes**. The EVO II Enterprise also has an ADS-B receiver for enhanced awareness of the operators’ airspace in addition to encrypted internal and external storage. All EVO II Enterprise Bundles are equipped with Autel’s 7.9” 2000-nit **Smart Controller** for maximum viewing when operating.

**Purpose**

Training
Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:
- 7. Response to emergency calls
- 8. Major collision investigations
- 9. Search for missing persons
- 10. Crime scene investigations
- 11. Natural disaster management
- 12. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**

Incident Commander Approval. Authorized operators who have completed the required training and received a FAA Part 107 Certificate are permitted to operate the UAV.

**Legal and Procedural Rules**

It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**

Initial Cost: $30,348
Re-Occurring Costs: N/A
Maintenance Costs: Approximately $250
Year Obtained: 2022
How acquired: Equipment Replacement Fund (Fund 400)

**Training**

FAA Part 107 Certificate. Pilots must complete BHPD in house initial training

**Necessity**

Government Code § 7071(d)(1)(A) The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers.
and the public. There is no known alternative which could provide the same capabilities.

<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
<th>The use of these UAV’s positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>$30,348 is a reasonable cost for 7 UAV’s with a 5 year life span.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Tactical Drones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td><strong>Brinc LEMUR Tactical Interior Drone</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned Aerial Vehicle</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The Brinc LEMUR Advanced is a commercial-grade UAV specifically designed for interior use. This UAV is a battery powered, remote operated device. The controller facilitates two-way conversation between first responders and people they need to help through a set of two ultra-sensitive microphones and a small lightweight loudspeaker. The Controller allows operators to control the UAV and view live feed from UAV-mounted cameras. Flight time of approximately 30 minutes per battery, depending on weather and flight conditions.</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The Brinc LEMUR is an American-made purpose-built tactical UAV designed to aid special response teams in barricade, hostage, active shooter, and other high-risk situations. Novel battery technology based on proven Lithium-Ion chemistry allows for best in class flight time. Included micro SD card, carbon fiber reinforced propeller ducts enable the drone to bounce off walls and push open doors. Crashes do not end missions with the LEMUR ends up on its back, it can flip itself over and relaunch to finish the mission.</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>When a legal justification exists to enter a location, the LEMUR provides an aerial interior over watch in support of tactical /critical situations to enhance the safety and efficiency of law enforcement.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized operators who have completed the required training shall be permitted to operate the UAV.</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
<td></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $26,000 (Total cost for 2)  
Re-Occurring Costs: N/A  
Maintenance Costs: Approximately $500  
Year Obtained: 2022  
How acquired: UASI Grant |
| **Training** | FAA Part 107 Certificate. Monthly in-house training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
The UAV provides visibility to high-risk locations. It is able to enter small, enclosed structures as well as provide overhead observations. There is no known alternatives which could provide the same visibility to safely access these locations. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public. |
<table>
<thead>
<tr>
<th>Cost Effective</th>
<th>Government Code § 7071(d)(1)(C)</th>
<th>$26,000 is a reasonable cost for 2 commercial-grade UAVs with a 5 year life span. Furthermore, these drones were acquired from federal grant funds at no cost to the City.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
</tbody>
</table>
### Item Category: Tactical Drones

<table>
<thead>
<tr>
<th>Description</th>
<th>EMAX Tinyhawk III</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Unmanned aerial vehicle</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>8</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Training drone is designed with similar operating characteristics as the LEMUR tactical drone</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>Featuring a quad copter, Avan TH Turtle mode-3, Nano 4 camera, 7 minute fly time, max distance about 400 meters, small size allows for maneuverability in confine spaces, durable design allows for easy repairs for continued performance. The Tinyhawk is capable of flying outdoors and indoors due to the protected props.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>Training</td>
</tr>
<tr>
<td><strong>Authorized Use Legal Authority</strong></td>
<td>Officers and supervisors who have training and paired with a 107 certified pilot.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize UAV only for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $2,132 (Total cost for 8)  
Re-Occurring Costs: $140  
Maintenance Costs: $280  
Year Obtained: 2020  
How acquired: UASI Grant |
| **Training** | No official training required. However, pilots must have a good understanding of controls and capabilities in order to be effective. |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Training drones are a necessity in order to provide police personnel opportunities to train with drone equipment without the risk of damaging more expensive equipment and to ensure proper procedures are followed. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without the use of the UAV, officers would have to deploy to high-risk locations which would increase the risk for both the officers and the members of the public. The use of training drones positively impact public welfare by ensuring police personnel are properly trained in these drones. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
The initial $2,132 (for 8 drones) cost is negligible. Furthermore, these drones were acquired from federal grant funds at no cost to the City. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Each UAV use is recorded on a “Drones as a First Responder” (DFR) and electronically submitted. Use of the UAV has been in compliance with Military Equipment Use |

Military Equipment Inventory - 27  
Date 11.21.2023
| Policy 706 from May 2022 to present. No complaint or concerned was received. |
**Item Category:** Third Party Vendor Drones  
**DJI M300 DFR**

<table>
<thead>
<tr>
<th><strong>Description</strong></th>
<th>Unmanned Aerial Vehicle (UAV)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
</tbody>
</table>

**Capability**  
The DJI Matrice 300 RTK is a commercial-grade UAV. It is a battery powered, remote operated device. Its controller allows the operator(s) to control and view live feed from the UAV-mounted cameras. The UAV is able to record video and has approximately 20-55 minutes of flight time. This UAV has an attachable camera.

**Life Span**  
Approximately 5 years

**Manufacturer’s Description**  
The Matrice 300 RTK is DJI’s latest commercial drone platform that takes inspiration from modern aviation systems. It offers up to 55 minutes of fight time, advanced AI capabilities, 6 Directional Sensing and positioning.

**Purpose**  
Aerial over watch to assist officers or incident commanders with situations with include but are not limited to:
1. Response to emergency calls
2. Major collision investigations
3. Search for missing persons
4. Crime scene investigations
5. Natural disaster management
6. SWAT, tactical or other public safety and life preservation operations

**Authorized Use**  
Authorized operators who have completed the required training and have received a FAA Part 107 Certificate shall be permitted to operate the UAV.

**Legal and Procedural Rules**  
It is the policy of BHPD to utilize the UAV for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.

**Fiscal Impact**  
Initial Cost: $0 (actual cost = $10,000).
Re-Occurring Costs: Drones are owned by a vendor and leased by Beverly Hills PD.
Maintenance Costs: $800 weekly
Year Obtained: 2021
How acquired: Department funds

**Training**  
Tele-operators must have a FAA Part 107 Certificate

**Necessity**  
Government Code § 7071(d)(1)(A)  
The UAV provides police personnel with the ability to more quickly respond to emergency calls for service enhancing public safety. The use of UAV allows police personnel to assess potentially dangerous situations from a safe vantage point and can be used to direct police resources on the ground and mitigate the risk of harm to officers and the public. There is no known alternative which could provide the same capabilities.
## Military Equipment Inventory

<table>
<thead>
<tr>
<th>Category</th>
<th>Reference Data</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
<td>The use of these UAV's positively impact public welfare as they expedite the arrival of police resources at emergency calls for service and improve they promote de-escalation and appropriate tactics.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>These drones are leased from a third party vendor which is more cost effective than purchasing multiple drones to have continuous, uninterrupted service.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use of the UAV has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
## Item Category: Long Range Acoustic Device (LRAD)

<table>
<thead>
<tr>
<th>Description</th>
<th>LRAD 100X Mag-HS LRAD is a high intensity directional acoustic array for long range, crystal clear hailing, Notification, and an unmistakable warning tone.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>3</td>
</tr>
<tr>
<td>Capability</td>
<td>The LRAD is primary used as a communication device. The LRAD 100X ensures voice messages are clearly heard and understood. It is self-contained, portable and has an extended voice broadcast that ranges out to 600 meters. LRAD's optimized driver, waveguide, and power efficiency technologies enable the LRAD 100X to provide several hours of clear, continuous communication from a single battery charge.</td>
</tr>
<tr>
<td>Life Span</td>
<td>25 years</td>
</tr>
<tr>
<td>Manufacturer’s Description</td>
<td>LRAD 100X portable Long Range Acoustic Device hailing tactical communications.</td>
</tr>
<tr>
<td>Purpose</td>
<td>To address the public in the event of emergencies, natural disasters, evacuations, and police incidents (e.g., missing persons, perimeters for wanted suspects/ K-9 deployments, etc.) or to be used to issue dispersal orders during crowd and riot control situations. The LRAD may also be used as a warning tone.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>The LRAD shall only be used by officers and supervisors trained in its deployment and used in a manner consistent with department policy and procedure.</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>The LRAD shall only be used for official law enforcement purposes and pursuant to State and Federal law.</td>
</tr>
</tbody>
</table>
| Fiscal Impact                                                                | Initial Cost: $24,801  
Wired Kit: $2,845  
Control Box: $2,933  
Re-Occurring Costs: average annual cost of approximately $1,000  
Year Obtained: 2018  
How acquired: Equipment Replacement Fund (Fund 400) |
| Training                                                                    | All operators receive training prior to operating the LRAD in the field.                             |
| Necessity                                                                   | Government Code § 7071(d)(1)(A)                                                                      | The LRAD is only used when standard sound amplification equipment is not sufficient to provide adequate range or capability needed. There is no reasonable alternative that would suffice in the situations where the LRAD is necessary. |
| Public Welfare                                                              | Government Code § 7071(d)(1)(B)                                                                      | The LRAD is used in situations necessary to address the public. It can also be used as a safe deterrent against hostile crowds or individuals. |
| Cost Effective                                                              | Government Code § 7071(d)(1)(C)                                                                      | $24,801 is a reasonable cost for a piece equipment with a 25 year life span. |
### BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

<p>| Compliance | Government Code § 7071(d)(1)(D) | Each LRAD use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use of the LRAD has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Robotics</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Recon Robot</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $15,500  
Re-Occurring Costs: N/A  
Maintenance Costs: Covered by Warranty  
Year Obtained: 2009-2021  
How acquired: Equipment Replacement Fund (Fund 400) |

**Training**
All operators shall attend a formalized in-house instructional program.

**Necessity**
Government Code § 7071(d)(1)(A)  
Unmanned ground robots are used for reconnaissance during critical incidents to assist in providing visibility in areas where it would be unsafe to send officers. They can also be used to defuse or move potentially hazardous items. There is no known alternative to this system.

**Public Welfare**
Government Code § 7071(d)(1)(B)  
Without robots, officers would have to deploy into high-risk situations which would increase the risk for both the officers and the members of the public.

**Cost Effective**
Government Code § 7071(d)(1)(C)  
$15,500 is the standard cost for this type of equipment with a life span of more than 10 years.

**Compliance**
Government Code § 7071(d)(1)(D)  
Each robot use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use of the robot has been in compliance with Military Equipment...
| Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
## Military Equipment Inventory

### Avatar II

<table>
<thead>
<tr>
<th><strong>Item Category:</strong></th>
<th>Robotics</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>Avatar 2 Tactical Robot</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The Avatar is an unmanned machine operating on the ground to enhance the safety of officers and the community. It is used to detect, reduce and clear threats in complex terrain and confined spaces. It has the ability to manipulate objects with an articulating arm and has microphone and loudspeaker for communication.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>10+ years</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The AVATAR® enhances the capabilities of SWAT and tactical response teams by allowing them to quickly and safely inspect dangerous situations, there is no longer a need to send personnel in before you’ve had a chance to assess the situation.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>When a legal justification exists to enter a location, the Avatar can be used to remotely gain visual/audio data and clear the interior/exterior locations for possible threats or hazards.</td>
</tr>
<tr>
<td><strong>Authorized Usage</strong></td>
<td>Trained operators may use the device at the discretion of the Incident Commander.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact**  | Initial Cost: $26,266  
Re-Occurring Costs: N/A  
Maintenance Costs: Varies  
Year Obtained: 2015  
How acquired: Equipment Replacement Fund (Fund 400) |
| **Training**       | Annual 8 hour training course. |
| **Necessity**      | Government Code § 7071(d)(1)(A)  
Unmanned ground robots are used for reconnaissance during critical incidents to assist in providing visibility in areas where it would be unsafe to send officers. They can also be used to defuse or move potentially hazardous items. There is no known alternative to this system. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without robots, officers would have to deploy into high-risk situations which would increase the risk for both the officers and the members of the public. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
$26,266 is the standard cost for this type of equipment with a life span of more than 10 years. |
| **Compliance**     | Government Code § 7071(d)(1)(D)  
Each robot use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use of the robot has been in compliance with Military Equipment... |
| Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
**Item Category:** Mobile Tactical Command Vehicle  

<table>
<thead>
<tr>
<th><strong>Description</strong></th>
<th>Freightliner M2 Business Class Chassis</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>This vehicle is used as a Tactical Operations Command Center and for carrying equipment for the tactical teams.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>20 Years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>2012 M2 Business Class 19,501-26,000 GVW, straight Trucks, Emergency Services, Tactical</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>This vehicle is used in support of tactical operations based on the specific circumstances of a given critical incident, large event, Tactical Operations Center (TOC), natural disaster or community supporting event.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Special Weapons and Tactics Team (SWAT)</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize tactical vehicles only for official law enforcement purposes, and pursuant to State and Federal law.</td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $254,711  
Re-Occurring Costs: average annual cost of $2,814  
Year Obtained: 2011  
How acquired: Asset Forfeiture funds |
| **Training**    | The driver/operator shall receive training in the safe handling of the vehicle on a closed training course and in and around the city streets. Once the operator has shown competence in the vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver. |
| **Necessity**   | Government Code § 7071(d)(1)(A)  
The Tactical Operations Command Center is equipped with specific communication and audio-visual devices to assist in the command and control of a critical incident. It stores SWAT operators equipment, which helps provide for a quicker response to critical incidents. There is no known alternative for the Tactical Operations Command Center which provides the same amount of mobility and support at one location in a quick deployment. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
The Tactical Operations Command Center allows for mobile incident command and use of the Incident Command Systems facilitating for the best possible on scene decision-making by key leaders. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This highly specialized vehicle has a life span of 20 years and is cost effective. |
| **Compliance**  | Government Code § 7071(d)(1)(D)  
Each Tactical Command Center use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use |
| of the Tactical Command Center has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
### Military Equipment Inventory: Armored Vehicle (Bearcat)

<table>
<thead>
<tr>
<th>Item Category: Armored Vehicle (Bearcat)</th>
<th>Description</th>
<th>Ford /Lenco Armored Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Capability</td>
<td>The Bearcat is an armored vehicle that seats 10-12 personnel and can be utilized as a rescue vehicle. It can stop various projectiles, which provides greater safety to citizens and officers.</td>
<td></td>
</tr>
<tr>
<td>Life Span</td>
<td>20 years</td>
<td></td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>2009 Ford F550 10,001-14,000 GVW Armored Emergency Services Vehicle</td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td>To be used in response to critical incidents as a rescue vehicle and/or deliver tactical elements into a high threat area.</td>
<td></td>
</tr>
<tr>
<td>Authorized Use</td>
<td>The use of the armored vehicles shall only be authorized by the watch commander or SWAT commander, based on the specific circumstances of a given critical incident. The armored vehicle shall be used by officers trained and in a manner consistent with policy and training.</td>
<td></td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.</td>
<td></td>
</tr>
</tbody>
</table>
| Fiscal Impact                           | Initial Cost: $246,429  
Re-Occurring Costs: average annual cost of $1,098  
Year Obtained: 2009  
How acquired: Department funds |
| Training                                | All sworn personnel are trained in the basic vehicle operations and practical driving instruction. Officers and supervisors who attend SWAT school are the primary armored vehicle instructors. |
| Necessity                               | Government Code § 7071(d)(1)(A)  
Armored vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. There are no reasonable alternatives to providing the same level of ballistic protection. |
| Public Welfare                          | Government Code § 7071(d)(1)(B)  
Armored vehicles are used to provide ballistic protection to officers and citizens during rescue, critical incidents, and hazardous situations. |
| Cost Effective                          | Government Code § 7071(d)(1)(C)  
This highly specialized vehicle has a life span of 20 years and has the potential to save human lives. |
| Compliance                              | Government Code § 7071(d)(1)(D)  
Each Bearcat use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use of the Bearcat has been in compliance with Military |

Date: 11.21.2023
<p>| Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Mobile Command Center (MCC)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $782,446 (GSA Discounted Price)  
Re-Ocurring Costs: approximate average annual cost of $10,000.00  
Year Obtained: 2017  
How acquired: Capital Improvement Project |
| **Training** | A driver/operator shall receive training in the safe handling and deployment of the vehicle on a closed training course, in and around the city streets and on local freeways. Once the driver/operator has shown competence in the handling and deployment of the equipment, the driver/operator will be qualified to operate the vehicle throughout the city and beyond as required with an experienced driver-trainer. |
| **Necessity** | Government Code § 7071(d)(1)(A)  
The MCC is equipped with specific communication and audio-visual devices to assist in the command and control of a critical incident. It provides for mobility, sheltering, logistical support, and power. There is no known alternative for the MCC which provides the same amount of mobility and support at one location in a quick deployment. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
The MCC allows for mobile incident command and use of the Incident Command Systems facilitating for the best possible on scene decision-making by key leaders. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This highly specialized vehicle has a life span of 20 years and is cost effective. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Each MCC use is logged and maintained by Special Projects. Use of the MCC has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received. |
**Item Category: BHPD SWAT Specific Ammunition**

<table>
<thead>
<tr>
<th>Description</th>
<th>Hornady 50 BMG Ammunition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>100 rounds Authorized: 100 rounds</td>
</tr>
<tr>
<td>Capability</td>
<td>For Penetrating Intermediate Barriers, Anti Material round.</td>
</tr>
<tr>
<td>Life Span</td>
<td>No listed expiration date</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**
Hornady has taken the technology of the A-Max bullet and turned it into a 50 caliber Match cartridge. With a muzzle energy of over 13,000 ft. lbs., this loaded round creates destructive potential but keeps it accurate and consistent at the same time.

**Purpose**
Penetrate Intermediate Barriers and Metals at extreme Long Range.

**Authorized Use**
BHPD SWAT

**Legal and Procedural Rules**
It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**
Initial Cost: $510 (100 rounds)
Re-Occurring Costs: As Needed
Maintenance Costs: No maintenance cost
Year Obtained: 2017
How acquired: Department Funds

**Training**
Successful completion of SWAT long rifle course

**Necessity**
Government Code § 7071(d)(1)(A) This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition.

**Public Welfare**
Government Code § 7071(d)(1)(B) This bullet enables officers to address armored threats providing safety to both the officers and the public.

**Cost Effective**
Government Code § 7071(d)(1)(C) The cost is negligible at $5 each.

**Compliance**
Government Code § 7071(d)(1)(D) Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
**Item Category:** BHPD SWAT Specific Ammunition

<table>
<thead>
<tr>
<th>Hornady 308 Win Eld Match</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

Designed specifically for the 308 AR-10 platform and its variants, the resilient tip of the ELD Match bullet aids in reliable feed and function, and the propellant is specifically tailored to efficiently operate in the AR-10. The 155 gr. ELD® Match bullet with Heat Shield® tip delivers the excellent terminal performance TAP Precision® is known for, but features a resilient, heat resistant polymer tip that improves the ballistic coefficient, resulting in higher impact velocities, less drop, less wind drift, and more energy on target.

**Purpose**

Match Grade Precision Round with limited penetration

**Authorized Use**

BHPD SWAT

**Legal and Procedural Rules**

It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**

Initial Cost: $250 (200 rounds)  
Re-Occurring Costs: $5,000 (annual)  
Maintenance Costs: No maintenance cost  
Year Obtained: 2020  
How acquired: Department Funds

**Training**

Successful completion of a SWAT long rifle school

**Necessity**

Government Code § 7071(d)(1)(A)  
This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition.

**Public Welfare**

Government Code § 7071(d)(1)(B)  
This bullet enables officers to address armored threats providing safety to both the officers and the public.

**Cost Effective**

Government Code § 7071(d)(1)(C)  
The cost is negligible at $1.25 each.

**Compliance**

Government Code § 7071(d)(1)(D)  
Use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
# Military Equipment Inventory

**Item Category:** BHPD SWAT Specific Ammunition

<table>
<thead>
<tr>
<th>Description</th>
<th>Hornady TAP Short Barreled Rifle 5.56 Round 75 gr</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>900</td>
</tr>
<tr>
<td>Authorized:</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>More Accurate Round, Designed for use in Short Barreled Rifles</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>No listed expiration date</td>
</tr>
</tbody>
</table>

**Manufacturer's Description**

TAP® SBR™ is designed specifically for 10.5"-11.5" SBR's by using proprietary propellant technology and a bullet designed with technology from industry leading Critical Duty® FlexLock® bullets. TAP® SBR™ provides exceptional ammunition performance in SBR's suppressed or unsuppressed, with virtually no flash or residue, dramatically reduced sound signature, will not foul or overheat suppressors, uniform velocity and accuracy, and provides controllable rate of fire in automatic platforms. Designed to meet the requirements of the FBI protocol, TAP® SBR™ is the optimum choice for 10.5"-11.5" barreled 5.56 rifles.

**Purpose**

More Accurate Round, Designed for use in Short Barreled Rifles

**Authorized Use**

BHPD SWAT

**Legal and Procedural Rules**

It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**

Initial Cost: $170 (200 rounds)  
Re-Occurring Costs: $2,000 (annual)  
Maintenance Costs: No maintenance cost  
Year Obtained: 2020  
How acquired: Department Funds

**Training**

Successful completion of patrol rifle class

**Necessity**

Government Code § 7071(d)(1)(A)  
This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition.

**Public Welfare**

Government Code § 7071(d)(1)(B)  
This bullet enables officers to address armored threats providing safety to both the officers and the public.

**Cost Effective**

Government Code § 7071(d)(1)(C)  
The cost is negligible at 85 cents each.

**Compliance**

Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
**BEVERLY HILLS POLICE DEPARTMENT**

**MILITARY EQUIPMENT INVENTORY**

<table>
<thead>
<tr>
<th>Item Category: BHPD SWAT Specific Ammunition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hornady TAP SBR 5.56 55 gr</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Hornady TAP Short Barreled Rifle 5.56 Round 55 gr (Training round)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1,000</td>
</tr>
<tr>
<td>Capability</td>
<td>More Accurate Round, Designed for use in Short Barreled Rifles</td>
</tr>
<tr>
<td>Life Span</td>
<td>No listed expiration date</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>TAP® SBR™ is designed specifically for 10.5”-11.5” SBR’s by using proprietary propellant technology and a bullet designed with technology from industry leading Critical Duty® FlexLock® bullets. TAP® SBR™ provides exceptional ammunition performance in SBR’s suppressed or unsuppressed, with virtually no flash or residue, dramatically reduced sound signature, will not foul or overheat suppressors, uniform velocity and accuracy, and provides controllable rate of fire in automatic platforms. Designed to meet the requirements of the FBI protocol, TAP® SBR™ is the optimum choice for 10.5”-11.5” barreled 5.56 rifles.</td>
</tr>
<tr>
<td>Purpose</td>
<td>Training variant of duty ammunition issued by SWAT Personnel. More Accurate Round, Designed for use in Short Barreled Rifles</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>BHPD SWAT</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize ammunition only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 404 – Crisis Response Unit</td>
</tr>
</tbody>
</table>
| Fiscal Impact                                  | Initial Cost: $170 (200 rounds)  
Re-Occurring Costs: $5,100  
Maintenance Costs: No maintenance cost  
Year Obtained: 2020  
How acquired: Department Funds |
| Training                                       | Successful completion of patrol rifle class |
| Necessity                                      | Government Code § 7071(d)(1)(A)  
This bullet is designed to penetrate hardened or bullet-resistant targets. As such, there are no alternatives to this ammunition. |
| Public Welfare                                 | Government Code § 7071(d)(1)(B)  
This bullet enables officers to address armored threats providing safety to both the officers and the public. |
| Cost Effective                                 | Government Code § 7071(d)(1)(C)  
The cost is negligible at 85 cents each. |
| Compliance                                     | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
## BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Item Category: BHPD SWAT Specific Ammunition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal Arms TESCR Breaching Rounds</td>
</tr>
<tr>
<td>Description</td>
</tr>
<tr>
<td>Quantity</td>
</tr>
<tr>
<td>Capability</td>
</tr>
<tr>
<td>Life Span</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
</tr>
<tr>
<td>Slug Material: Clay with S-70 Steel Shot</td>
</tr>
<tr>
<td>Velocity: 1,650 Ft p/sec -18” Barrel</td>
</tr>
<tr>
<td>Use: All Doors, Locks &amp; Hinges</td>
</tr>
<tr>
<td>Purpose</td>
</tr>
<tr>
<td>Authorized Use</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
</tr>
<tr>
<td>Fiscal Impact</td>
</tr>
<tr>
<td>Re-Occurring Costs: As needed</td>
</tr>
<tr>
<td>Maintenance Costs: No maintenance cost</td>
</tr>
<tr>
<td>Year Obtained: 2017</td>
</tr>
<tr>
<td>How acquired: BHPD SWAT General Fund</td>
</tr>
<tr>
<td>Training</td>
</tr>
<tr>
<td>Necessity</td>
</tr>
<tr>
<td>Breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there is no other reasonable alternatives to rapidly breach a locations. There is no known reasonable alternative to these items when they are necessary as stated.</td>
</tr>
<tr>
<td>Public Welfare</td>
</tr>
<tr>
<td>Breaching tools are used when time is of the essence in order to preserve life. Without these items, officers may not be able to gain access to locations in a safe and timely manner to engage in necessary police operations.</td>
</tr>
<tr>
<td>Cost Effective</td>
</tr>
<tr>
<td>The cost is negligible at $25 per box.</td>
</tr>
<tr>
<td>Compliance</td>
</tr>
<tr>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>------------</td>
</tr>
<tr>
<td>Present</td>
</tr>
</tbody>
</table>
## Military Equipment Inventory

<table>
<thead>
<tr>
<th>Item Category: Specialized Firearms</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Surgeon Rifles-Scalpel 591</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>.308 Surgeon Scalpel Bolt Action Rifle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>3</td>
</tr>
<tr>
<td>Capability</td>
<td>Long Range Precision Shooting</td>
</tr>
<tr>
<td>Life Span</td>
<td>15 years</td>
</tr>
</tbody>
</table>

**Manufacturer’s Description**: The Surgeon Scalpel 591 Short Action is world renowned for strength and accuracy. The 591SA is specific to .223 Remington, .243 Win, 6XC, .260 Remington, 6.5 Creedmoor, and .308 Win. This action features a built-in 20 MOA MIL-STD 1913 rail and recoil lug. By integrating the recoil lug into the action, Surgeon creates a longer tenon length and strengthens the entire free-floated system.

**Purpose**: The Surgeon is an accurate rifle for precision shooting. These rifles are equipped with magnified optics and can be utilized to take precision shots at intermediate to long ranges. It shoots a .308 caliber bullet that is bigger and heavier than a typical .223 caliber bullet from an AR-15. This caliber bullet has the ability to penetrate intermediate barriers, such as glass, with less deflection.

**Authorized Use**: BHPD SWAT – Long Rifle Cadre

**Legal and Procedural Rules**: It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**: Initial Cost: $8,768/ unit  
Re-Occurring Costs: $1,000  
Maintenance Costs: $0  
Year Obtained: 2016-2018  
How acquired: Department Funds

**Training**: SWAT Precision Rifle School

**Necessity**  
Government Code § 7071(d)(1)(A)  
Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armored or both. There are no known alternatives to these weapons that will provide the same level of distance or precision.

**Public Welfare**  
Government Code § 7071(d)(1)(B)  
Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.

**Cost Effective**  
Government Code § 7071(d)(1)(C)  
This piece of equipment has a life span of at least 15 years and is cost effective.

**Compliance**  
Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
## Military Equipment Inventory

**Item Category:** Specialized Firearms

### M4 COLT Commando Carbine

<table>
<thead>
<tr>
<th>Description</th>
<th>COLT M4 Commando Carbine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>12</td>
</tr>
</tbody>
</table>

### Capability

The Colt M4 Commando is a lightweight, magazine-fed, gas-operated rifle. Some of the rifles have select fire triggers. Some of the rifles have longer barrels and are designed for longer, more precise shots.

### Life Span

15 years

### Manufacturer's Description

Throughout the world today, Colt's reliability, performance, and accuracy provide our Armed Forces the confidence required to accomplish any mission.

### Purpose

The COLT M4 can stop threats of great bodily injury or death at close and intermediate ranges. The M4 platform is capable of firing more accurately and quicker than a pistol while holding more rounds in the magazine and having better ballistic qualities.

### Authorized Use

SWAT trained personnel, POST certified rifle trained personnel

### Legal and Procedural Rules

It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit

### Fiscal Impact

- Initial Cost: $1,109/unit
- Re-Occurring Costs: $1,109 (every 2 years)
- Maintenance Costs: $0
- Year Obtained: 2015
- How acquired: Department Funds

### Training

POST Certified Rifle School

### Necessity

- Government Code § 7071(d)(1)(A): Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armored or both. There are no known alternatives to these weapons that will provide the same level of distance or precision.

### Public Welfare

- Government Code § 7071(d)(1)(B): Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.

### Cost Effective

- Government Code § 7071(d)(1)(C): This piece of equipment has a life span of at least 15 years and is cost effective.

### Compliance

- Government Code § 7071(d)(1)(D): Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
**Item Category: Specialized Firearms**

<table>
<thead>
<tr>
<th>Colt LE 901 Rifle</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Usage</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Cost Effective</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Compliance</td>
</tr>
<tr>
<td>Item Category: Specialized Firearms</td>
</tr>
<tr>
<td>-----------------------------------</td>
</tr>
<tr>
<td><strong>.50 cal Barrett Model 82A1</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Barrett Model 82A1 .50 cal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1</td>
</tr>
<tr>
<td>Capability</td>
<td>Vehicle Disabling, Extreme Long Range Shooting, Penetrating Armor</td>
</tr>
<tr>
<td>Life Span</td>
<td>20 years</td>
</tr>
</tbody>
</table>

| Manufacturer’s Description | The first semi-automatic .50 caliber rifle available. Its chamber is chrome plated and dimensioned for both civilian and military ammunition. The extractor and ejector are proven to work under any condition, and close tolerances on every part allow it to function in all environments. |

| Purpose | The .50 caliber cartridge contains much more energy than all other rounds carried by BHPD SWAT. The energy and penetrating power of this round would allow it to penetrate and disable an engine or penetrate through an up-armored vehicle. |

| Authorized Use | BHPD SWAT |

| Legal and Procedural Rules | It is the policy of the BHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Team |

<table>
<thead>
<tr>
<th>Fiscal Impact</th>
<th>Initial Cost: $7,873 per firearm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Re-Occurring Costs: $0</td>
</tr>
<tr>
<td></td>
<td>Maintenance Costs: $200 (annual)</td>
</tr>
<tr>
<td>Year Obtained</td>
<td>Pre 2010</td>
</tr>
<tr>
<td>How acquired</td>
<td>Asset Forfeiture Funds</td>
</tr>
</tbody>
</table>

| Training | SWAT Long Range/Law Enforcement Sniper School |

<table>
<thead>
<tr>
<th>Necessity</th>
<th>Government Code § 7071(d)(1)(A)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Specialized firearms enables officers to address medium to long-distance threats, or those threats who are heavily armed, armored or both. There are no known alternatives to these weapons that will provide the same level of distance or precision.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Welfare</th>
<th>Government Code § 7071(d)(1)(B)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Specialized firearms allow officers with more precision shot placement which minimizes the risk to officers and innocent citizens.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cost Effective</th>
<th>Government Code § 7071(d)(1)(C)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This piece of equipment has a life span of at least 20 years and is cost effective.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Compliance</th>
<th>Government Code § 7071(d)(1)(D)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Use is recorded on “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received.</td>
</tr>
<tr>
<td>Item Category: Firearms</td>
<td>B &amp; T Semi-Automatic Carbine</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Semi-Automatic Carbine</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>13</td>
</tr>
<tr>
<td><strong>Authorized</strong>: 20</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The B&amp;T semi-automatic carbine is a compact carbine that uses a standard pistol caliber. It provides excellent handling, accuracy, safety, and low recoil. In conjunction with the Range staff, K9 Unit, and the Crime Impact Team (CIT), we tested numerous weapons platforms in this category from various manufacturers, with the B&amp;T APC9 proving itself to be the clear frontrunner. Several United States military and law enforcement units are deploying this weapon system.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>Approximately 5 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The Advanced Police Carbine (APC) series was designed for the demands of today’s police, special forces, and military units around the world. As the hallmark of the B&amp;T line, the APC series represents the ultimate in performance, reliability, and accuracy. The APC family includes the flexible and adaptable APC9/40 &amp; 45/10mm, the rifle caliber APC223/556/300 line, and the ultimate in semiautomatic precision, the APC308. With a comprehensive suite of accessories created specifically for these platforms, the APC series represents a breakthrough in customization and modularity for every operator, and every specialized mission.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>B&amp;T semi-automatic carbine is used to protect the lives of the public during a potential lethal force circumstance. It is a compact alternative that can be used during high risk surveillance operations and undercover operations. This is the only alternative to much larger and powerful rifle caliber carbines.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Authorized carriers who have completed the basic training course.</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize the B&amp;T semi-automatic carbine only for law enforcement purposes, and in a manner that is allowed by State and Federal Law, and BHPD policy.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td><strong>Initial Cost</strong>: $49,990</td>
</tr>
<tr>
<td></td>
<td><strong>Re-Occurring Costs</strong>: NA</td>
</tr>
<tr>
<td></td>
<td><strong>Maintenance Costs</strong>: NA</td>
</tr>
<tr>
<td></td>
<td><strong>Year Obtained</strong>: 2023</td>
</tr>
<tr>
<td></td>
<td><strong>How acquired</strong>: Operational budget</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>Initial 24 hours course, quarterly qualifications.</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td><strong>Government Code § 7071(d)(1)(A)</strong>: There is no alternative weapon in class type and size for the preservation of life and deployment in a surveillance or undercover capacity</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td><strong>Government Code § 7071(d)(1)(B)</strong>: The equipment will be deployed in potential lethal force situations in order to protect the public from death or great bodily injury.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td><strong>Government Code</strong> There are no other alternatives in cost.</td>
</tr>
<tr>
<td>Compliance</td>
<td>§ 7071(d)(1)(C)</td>
</tr>
<tr>
<td>------------</td>
<td>----------------</td>
</tr>
<tr>
<td></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Use will be recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. The designated Military Equipment Coordinator will ensure future compliance with this Policy.</td>
</tr>
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</table>
## Item Category: Projectile Launch Platforms

<table>
<thead>
<tr>
<th>Description</th>
<th>40mm LMT™ Tactical Single Launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date</strong></td>
<td>11.21.2023</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>27</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Less Lethal Munitions Delivery Device</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-10 years</td>
</tr>
</tbody>
</table>

### Manufacturer’s Description
Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling attachment. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.

### Purpose
The 40MM Single Launcher is a tactical single shot launcher that features an expandable stock, and Eotech holographic electronic optic. 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds.

### Authorized Use
Trained sworn personnel

### Legal and Procedural Rules
It is the policy of the BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

### Fiscal Impact
- **Initial Cost:** $1,000 per firearm
- **Re-Occurring Costs:** $0
- **Maintenance Costs:** $200 (annual)
- **Year Obtained:** 2019
- **How acquired:** Department Funds

### Training
Range training on use of 400mm launcher

### Necessity
Government Code § 7071(d)(1)(A)
This launcher is a less lethal platform that allows officers to confront potentially armed or dangerous suspects at a longer distance. There is no alternative to these less lethal weapon systems.

### Public Welfare
Government Code § 7071(d)(1)(B)
This less lethal platform can potentially prevent a deadly force encounter.

### Cost Effective
Government Code § 7071(d)(1)(C)
This piece of equipment has a life span of at least 5-10 years and is cost effective.

### Compliance
Government Code § 7071(d)(1)(D)
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
**BEVERLY HILLS POLICE DEPARTMENT**  
**MILITARY EQUIPMENT INVENTORY**

**Item Category:** Projectile Launch Platforms

<table>
<thead>
<tr>
<th>Description</th>
<th>40mm LMT™ Tactical Multi-Launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Less Lethal Munitions Delivery Device</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-10 years</td>
</tr>
</tbody>
</table>

**Manufacturer's Description:**
A 40mm pump-action advance magazine drum launcher with a fixed stock and combo rail. It has a six-shot capacity and rifled barrel. Previously labeled the PGL-65, the features include: Double-action trigger, trigger lock push button and hammer lock safeties.

**Purpose:**
The 40MM Launcher is a multi-shot launcher capable of firing 6 less-lethal rounds. Launchers are utilized by department personnel as a less lethal tool to launch impact rounds.

**Authorized Use:**
Officers and supervisors who have completed the less lethal course.

**Legal and Procedural Rules:**
It is the policy of the BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**Fiscal Impact:**
- Initial Cost: $1,000 per firearm
- Re-Occurring Costs: $0
- Maintenance Costs: $200 / year
- Year Obtained: 2012
- How acquired: BHPD SWAT General Fund

**Train:**
POST Approved SWAT school, LL operator’s course

**Necessity:**
Government Code § 7071(d)(1)(A)
This launcher is a less lethal platform that allows officers to confront potentially armed or dangerous suspects at a longer distance. There is no alternative to these less lethal weapon systems.

**Public Welfare:**
Government Code § 7071(d)(1)(B)
This less lethal platform can potentially prevent a deadly force encounter.

**Cost Effective:**
Government Code § 7071(d)(1)(C)
This piece of equipment has a life span of at least 5-10 years and is cost effective.

**Compliance:**
Government Code § 7071(d)(1)(D)
Use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received.
<table>
<thead>
<tr>
<th>Item Category: Tear Gas</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Remington 870 Gas Launcher with LC5 Launcher</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>12ga Single Shot Gas Launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>3</td>
</tr>
<tr>
<td>Capability</td>
<td>Less Lethal Munitions Delivery Device</td>
</tr>
<tr>
<td>Life Span</td>
<td>10 years</td>
</tr>
</tbody>
</table>

**Manufacturer’s Description**
The LC5 Launching Cups are designed for the 5200 series grenades. The cups can be attached to virtually any 12ga shotgun and the munition launched with our model 2600 launching cartridge. These can be fired from most 12ga smooth bore shotguns.

**Purpose**
Using a converted Remington 870 12ga shotgun, the LC5 launcher allows for the extended range delivery of less lethal chemical munitions. This allows for the deployment of such agents from a position of cover for enhanced operator safety.

**Authorized Use**
BHPD SWAT

**Legal and Procedural Rules**
It is the policy of the BHPD to utilize gas launchers only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. 
BHPD Policy 404 – Crisis Response Unit

**Fiscal Impact**
- Initial Cost: $1,000 per firearm/ launcher combo
- Re-Occurring Costs: $0
- Maintenance Costs: $50 (annual)
- Year Obtained: 2020
- How acquired: Department Funds

**Training**
Sworn members utilizing less lethal chemical agents are trained in their use by POST certified less lethal and chemical agent instructors.

**Necessity**
Government Code § 7071(d)(1)(A)
Gas launchers are a less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Gas launchers allow officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**
Government Code § 7071(d)(1)(B)
These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

**Cost Effective**
Government Code § 7071(d)(1)(C)
This piece of equipment has a life span of at least 10 years and is cost effective.

**Compliance**
Government Code § 7071(d)(1)(D)
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use
| Policy 706 from May 2022 to present. No complaint or concerned was received. |  |
# BEVERLY HILLS POLICE DEPARTMENT
## MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Item Category: Explosive Breaching</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Remington 870 Breaching Shotgun</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>ROYAL REMINGTON 870 EXPRESS BREACHING SHOTGUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>1</td>
</tr>
<tr>
<td>Capability</td>
<td>Ballistic Breeching Device</td>
</tr>
<tr>
<td>Life Span</td>
<td>10 years</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>Royal Arms Breaching Shotgun uses a Remington 870 Express Synthetic 12 Ga Shotgun as its base. It is modified with custom CNC machined parts to be the ultimate Breaching Shotgun. Royal Arms invented the Breachers and Breaching shotguns.</td>
</tr>
</tbody>
</table>

| Purpose | This weapon allows for breachers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round. |

| Authorized Use | BHPD SWAT |

| Legal and Procedural Rules | It is the policy of the BHPD to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force. BHPD Policy 404 – Crisis Response Unit |

| Fiscal Impact | Initial Cost: $900 per firearm  
Re-Occurring Costs: $0  
Maintenance Costs: $50 (annual)  
Year Obtained: 2010  
How acquired: Department Funds |

| Training | Sworn members utilizing ballistic breaching tools are trained in their use during a POST approved SWAT Breaching course. |

| Necessity | Government Code § 7071(d)(1)(A) Breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there is no other reasonable alternatives to rapidly breach a locations. There is no known reasonable alternative to these items when they are necessary as stated. |

| Public Welfare | Government Code § 7071(d)(1)(B) Breaching tools are used when time is of the essence in order to preserve life. Without these items, officers may not be able to gain access to locations in a safe and timely manner to engage in necessary police operations. |

| Cost Effective | Government Code § 7071(d)(1)(C) This piece of equipment has a life span of at least 10 years and is cost effective. |

<p>| Compliance | Government Code § 7071(d)(1)(D) Use is recorded on a &quot;Military Equipment Use&quot; Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use |
| | Policy 706 from May 2022 to present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $36 each  
Re-Occurring Costs: average annual cost of $1,440 (40/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How acquired: Department funds |
| **Training** | POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td>Authorized Replacement</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td>Present</td>
</tr>
<tr>
<td>Item Category: Specialty (Less Lethal) Munitions</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
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<tr>
<td></td>
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<tr>
<td><strong>Legal and Procedural Rules</strong></td>
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<tr>
<td></td>
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<td><strong>Fiscal Impact</strong></td>
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<tr>
<td></td>
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<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
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<td></td>
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<tr>
<td><strong>Public Welfare</strong></td>
</tr>
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<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>

|    |    |

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Military Equipment Inventory- 65  
Date 11.21.2023
BEVERLY HILLS POLICE DEPARTMENT  
MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $18  
Re-Occurring Costs: average annual cost of $720(40/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How was it acquired: Department funds |
| **Training** | POST Approved SWAT School / POST Approved Less Lethal Instructor School / In-house training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They also allow officers to confront potentially armed or dangerous suspects at a longer distance. When necessary, there is no alternative to these less lethal weapon systems. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. |

Military Equipment Inventory- 66  
Date 11.21.2023
Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
# BEVERLY HILLS POLICE DEPARTMENT
## MILITARY EQUIPMENT INVENTORY

**Item Category:** Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>DIRECT IMPACT 40MM CS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quantity</strong></td>
<td>21</td>
</tr>
<tr>
<td>Authorized: 100</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Can be launched via a 40mm launcher.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
</tr>
</tbody>
</table>

**Manufacturer's Desc**
The 40mm Direct Impact Round consists of a plastic body and a crushable foam nose that contains a powder payload. The crushable foam nose dissipates energy upon impact while releasing the powder payload. The 40mm is a “point-of-aim, point-of-impact” direct fire round that is most commonly used by tactical teams in situations where greater accuracy and deliverable energy is desired for the incapacitation of an aggressive, non-compliant subject at longer distances. The 40mm Direct Impact Round is intended for direct fire deployment. The 40mm Direct Impact Round will prove most successful for incapacitation when used within their optimal energy range of approximately 5–40 meters.

**Purpose**
To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

**Authorized Use**
SWAT personnel
Chemical Agent certified personnel
Less Lethal certified personnel

**Legal and Procedural Rules**
It is the policy of BHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices & Techniques

**Fiscal Impact**
Initial Cost: $18
Re-Occurring Costs: average annual cost of $770 (40/year)
Year Obtained: 2021 (Dates vary due to re-occurring purchase)
How acquired: Department funds

**Training**
POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**
Government Code § 7071(d)(1)(A) A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**
Government Code § 7071(d)(1)(B) These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

MILITARY EQUIPMENT INVENTORY

Military Equipment Inventory - 68
Date 11.21.2023
## BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Cost Effective</th>
<th>Government Code § 7071(d)(1)(C)</th>
<th>This is a low cost item.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use is recorded on a &quot;Military Equipment Use&quot; Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Specialty (Less Lethal) Munitions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>FERRET 40MM LIQUID BARRICADE PENETRATOR RND, OC</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>12</td>
<td>Authorized: 50</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Can be launched via a 40mm launcher.</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>The Ferret 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as high-risk tactical operations. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>SWAT personnel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chemical Agent certified personnel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Less Lethal certified personnel</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.</td>
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</tr>
<tr>
<td></td>
<td>BHPD Policy 303 – Control Devices &amp; Techniques</td>
<td></td>
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<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $20</td>
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</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $800 (40/year)</td>
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<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>How acquired: Department funds</td>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>POST Approved SWAT School / POST Approved Chemical Agent Instructor School / POST Approved Less Lethal Instructor School / In-house training</td>
<td></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A less lethal method are used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.</td>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This is a low cost item.</td>
<td></td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
# Military Equipment Inventory

**Item Category:** Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>FERRET 40 MM POWDER BARRICADE ROUND, OC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>8 Authorized: 100</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be launched via a 40mm launcher.</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>The Ferret 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.</td>
</tr>
<tr>
<td>Purpose</td>
<td>To safely resolve critical situations such as high-risk tactical operations. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimalize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>SWAT personnel</td>
</tr>
<tr>
<td></td>
<td>Chemical Agent certified personnel</td>
</tr>
<tr>
<td></td>
<td>Less Lethal certified personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $17</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $1,700 (100/year)</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department funds</td>
</tr>
<tr>
<td>Training</td>
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</tr>
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<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
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<td></td>
<td>A less lethal method are used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.</td>
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<td>Government Code § 7071(d)(1)(C)</td>
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<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
</tbody>
</table>
Item Category: Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>FERRET 40 MM POWDER BARRICADE ROUND, CS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>13 Authorized: 100</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be launched via a 40mm launcher.</td>
</tr>
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<td>Life Span</td>
<td>5-year manufacturer warranty</td>
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<td>Manufacturer's Description</td>
<td>The Ferret 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.</td>
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<td>To safely resolve critical situations such as high-risk tactical operations. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.</td>
</tr>
</tbody>
</table>
| Authorized Use | SWAT personnel  
Chemical Agent certified personnel  
Less Lethal certified personnel |
| Legal and Procedural Rules | It is the policy of BHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.  
BHPD Policy 303 – Control Devices & Techniques |
| Fiscal Impact | Initial Cost: $18  
Re-Occurring Costs: average annual cost of $1,800 (100/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How acquired: Department funds |
| Training | POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training |
| Necessity | Government Code § 7071(d)(1)(A)  
A less lethal method are used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative. |
| Public Welfare | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| Cost Effective | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| Compliance | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. |
<p>| Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received. |</p>
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<tr>
<td><strong>Quantity</strong></td>
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<tr>
<td><strong>Capability</strong></td>
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<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
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<tr>
<td><strong>Purpose</strong></td>
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<tr>
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<tr>
<td><strong>Legal and Procedural Rules</strong></td>
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<tr>
<td><strong>Fiscal Impact</strong></td>
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<td><strong>Training</strong></td>
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<tr>
<td>Category</td>
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<td>Cost Effective</td>
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<td><strong>Description</strong></td>
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<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
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<tr>
<td>Compliance</td>
</tr>
</tbody>
</table>
**Item Category:** Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>Military-Style Maximum – Smoke HC Grenade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>6</td>
</tr>
<tr>
<td>Authorized</td>
<td>50</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be hand thrown, deployed via robot, launched, or placed into a Munitions Pole</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td>Manufacturer’s Description</td>
<td>Hexachloroethane (HC) smoke is discharged through four (4) gas ports located on top of the canister. Due to the high metal content, HC smoke is dark in comparison to Saf-Smoke™ that is utilized in all other Defense Technology® smoke devices (except the Large-Style Maximum Smoke Grenade). It is similar to the military-style grenade and incorporates a steel canister. Designed specifically for outdoor use in crowd management situations, the Maximum Smoke Grenade is a high volume, slow burning device that deploys large quantities of grey-white colored smoke for approximately 1.5 to 2 minutes. The device should be deployed utilizing wind advantage.</td>
</tr>
</tbody>
</table>

**Purpose**

To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations. It can be utilized as a carrying agent (multiplier) for smaller OC, CN or CS munitions, or for concealing the movement of agency personnel. It may also be used as a distraction to focus attention away from other activities.

**Authorized Use**

Special Weapons and Tactics Team (SWAT) Chemical Agent certified personnel

**Legal and Procedural Rules**

It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices & Techniques

**Fiscal Impact**

Initial Cost: $28
Re-Occurring Costs: average annual cost of $1,350 (50/year)
Year Obtained: 2021 (Dates vary due to re-occurring purchase)
How acquired: Department funds

**Training**

POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**

Government Code § 7071(d)(1)(A) A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**

Government Code § 7071(d)(1)(B) These weapons are less lethal and afford officers an added option to avoid lethal force encounters.
## BEVERLY HILLS POLICE DEPARTMENT
### MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Cost Effective</th>
<th>Government Code § 7071(d)(1)(C)</th>
<th>This is a low cost item.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use is recorded on a &quot;Military Equipment Use&quot; Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
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## BEVERLY HILLS POLICE DEPARTMENT
## MILITARY EQUIPMENT INVENTORY

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<tr>
<td><strong>Fiscal Impact</strong></td>
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**BEVERLY HILLS POLICE DEPARTMENT**  
**MILITARY EQUIPMENT INVENTORY**

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<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
<td>4557 – 40MM Sponge, Smokeless, Spin Stabilized</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>496</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>This intermediate less lethal specialty munition allows for direct impact from a minimum range of 5ft./1.5m out to a maximum effective range of 147ft / 45m.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The 4557 – 40MM Sponge round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for crowd control, patrol, and tactical applications.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>SWAT personnel</td>
</tr>
<tr>
<td></td>
<td>Less Lethal certified personnel</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $18</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $3,600 (200/year)</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>POST Approved SWAT School / POST Approved Less Lethal Instructor School / In-house training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>This less lethal allows officers to confront a potentially armed or dangerous suspect at a longer distance. They also can be used to safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operation. When necessary, there is no alternative to these less lethal weapon systems.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This is a low cost item.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to</td>
</tr>
</tbody>
</table>

Military Equipment Inventory - 86  
Date 11.21.2023
<p>|          | present. No complaint or concerned was received. |</p>
<table>
<thead>
<tr>
<th>Item Category: Specialty (Less Lethal) Munitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $31  
Re-Occurring Costs: average annual cost of $372 (12/year)  
Year Obtained: 2021 (Dates vary due to re-occurring purchase)  
How acquired: Department funds |
| **Training** | In-house range training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
This less lethal allows officers to confront a potentially armed or dangerous suspect at a longer distance. They also can be used to safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operation. When necessary, there is no alternative to these less lethal weapon systems. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |
**Item Category:** Specialty (Less Lethal) Munitions

<table>
<thead>
<tr>
<th>Description</th>
<th>7290 – Flash-Bang – Steel body</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>21 (previously 25) Authorized: 48</td>
</tr>
<tr>
<td>Capability</td>
<td>This intermediate less lethal specialty munition allows for light sound diversion during tactical operations which allows for tactical advantage during high-risk situations.</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>The 7290 produces a 175db and 6-8 million candelas of light. The patented design of the 7290, incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface. In addition, internal adjustments have greatly reduced smoke output.</td>
</tr>
<tr>
<td>Purpose</td>
<td>To safely resolve critical situations during high-risk tactical operations.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Special Weapons and Tactics Team (SWAT)</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law.</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: $35.00 (must order quantities of 12 per BPA) Re-Occurring Costs: average annual cost of $1,680 (48/year) Maintenance Costs: Consumable item. Replaced as used or expiration. Maintenance cost is equivalent to new device based on current BPA or industry pricing. Year Obtained: 2021 (Dates vary due to re-occurring purchase) How acquired: Department funds</td>
</tr>
<tr>
<td>Training</td>
<td>POST Approved SWAT School / POST Approved Diversionary Device Instructor School</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A) Flashbangs are used as a distraction device in order to disorient or divert a suspect’s attention away from officers. This can allow officers to gain safer access to a high-risk situation, giving extra time to assess and analyze existing threats. There is no known alternative to a flashbang when it is necessary.</td>
</tr>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B) These devices can often lead to a safer resolution and allow officers to take a suspect into custody without force. This can prevent injury to officers and citizens.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C) This is a low cost item.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D) Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to</td>
</tr>
<tr>
<td>Present</td>
<td>No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Specialty (Less Lethal) Munitions</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>40 MM WARNING/SIGNALING MUNITION, 50 METER</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>95 (previously 97)</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>This intermediate less lethal specialty munition allows for light sound diversion during tactical operations which allows for tactical advantage during high-risk situations.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>The 40mm Aerial Warning/Signaling Munition, 50 meters, is intended for use in situations where stand-off distance is desired, giving the operator the ability to engage crowds, vehicles, or vessels. Launched from a 40mm platform, the munitions deflagrate at a set distance of 50 meters to deliver 170 dB of sound and 5 million candelas of light, noticeable in day or night conditions.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Special Weapons and Tactics Team (SWAT)</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $35</td>
</tr>
<tr>
<td></td>
<td>Re-Occurring Costs: average annual cost of $1,750 (50/year)</td>
</tr>
<tr>
<td></td>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
</tr>
<tr>
<td></td>
<td>How acquired: Department funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>POST Approved SWAT School / POST Approved Diversionary Device Instructor School</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td></td>
<td>The warning/signaling munitions are used as a distraction device in order to disorient or divert a suspect’s attention away from officers. They can allow officers to gain safer access to a high-risk situation, giving extra time to assess and analyze existing threats. There is no known alternative to a flashbang when it is necessary.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td></td>
<td>These devices can often lead to a safer resolution and allow officers to take a suspect into custody without force. This can prevent injury to officers and citizens.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td></td>
<td>This is a low cost item.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td></td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td>Item Category: Specialty (Less Lethal) Munitions</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>6210 – WHITE SMOKE CANISTER GRENADE</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>48</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>Can be hand thrown, launched, or placed into a Munitions Pole</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
<td>White outdoor smoke grenades are used for obscuring tactical movement and signaling or marking a landing zone.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Special Weapons and Tactics Team (SWAT) Chemical Agent certified personnel</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
<td>Initial Cost: $36  Re-Occurring Costs: average annual cost of $1,800 (50/year)  Maintenance Costs: Consumable item. Replaced as used or expiration. Maintenance cost is equivalent to new device based on current BPA or industry pricing.  Year Obtained: 2021 (Dates vary due to re-occurring purchase)  How acquired: Department funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td>POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
<td>Government Code § 7071(d)(1)(A)  The white smoke canister is deployed prior to deploying CS munitions to determine wind direction and to assist carrying CS munitions through the air. When necessary, there is no alternative to these canisters.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
<td>Government Code § 7071(d)(1)(B)  The white smoke canister helps to ensure that CS munitions are deployed in the right direction and away from innocent citizens.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
<td>Government Code § 7071(d)(1)(C)  This is a low cost item.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
<td>Government Code § 7071(d)(1)(D)  Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
BEVERLY HILLS POLICE DEPARTMENT
MILITARY EQUIPMENT INVENTORY

Item Category: Chemical Agents

<table>
<thead>
<tr>
<th>Description</th>
<th>FLAMELESS TRI-CHAMBER CS GRENADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>48</td>
</tr>
<tr>
<td>Authorized</td>
<td>100</td>
</tr>
<tr>
<td>Capability</td>
<td>Can be hand thrown, launched</td>
</tr>
<tr>
<td>Life Span</td>
<td>5-year manufacturer warranty</td>
</tr>
</tbody>
</table>

Manufacturer's Description
The Tri-Chamber Flameless Grenade is designed for indoor use. This grenade’s pyrotechnic contents are burned within an internal can that is one of three in this design. The internal combustion allows the chemical-laden smoke to be released through three (3) ports on the outer canister side while safely containing any of the fire-producing properties within the two internal canisters. The fuze is shrouded to further protect surrounding materials from the possibility of fire. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded objects.

Purpose
The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects.

Authorized Use
SWAT personnel
Chemical Agent certified personnel

Legal and Procedural Rules
It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.
BHPD Policy 303 – Control Devices & Techniques

Fiscal Impact
Initial Cost: $38
Re-Occurring Costs: average annual cost of $3,800 (100/year)
Year Obtained: 2021 (Dates vary due to re-occurring purchase)
How was acquired: Department funds

Training
POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

Necessity
Government Code § 7071(d)(1)(A)
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. Allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.

Public Welfare
Government Code § 7071(d)(1)(B)
These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

Cost Effective
Government Code § 7071(d)(1)(C)
This is a low cost item.
| Compliance | Government Code § 7071(d)(1)(D) | Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received. |

BEVERLY HILLS POLICE DEPARTMENT
MILITARY EQUIPMENT INVENTORY

Military Equipment Inventory - 94
Date 11.21.2023
<table>
<thead>
<tr>
<th>Item Category: Chemical Agents</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
</tbody>
</table>

| Purpose | To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations. |
| Authorized Use | SWAT personnel |
| | Chemical Agent certified personnel |
| Legal and Procedural Rules | It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. |
| | BHPD Policy 303 – Control Devices & Techniques |
| Fiscal Impact | Initial Cost: $37 |
| | Re-Occurring Costs: average annual cost of $3,700 (100/year) |
| | Maintenance Costs: Consumable item. Replaced as used or expiration. Maintenance cost is equivalent to new device based on current BPA or industry pricing. |
| | Year Obtained: 2021 (Dates vary due to re-occurring purchase) |
| | How acquired: Department funds |
| Training | POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training |
| Necessity | Government Code § 7071(d)(1)(A) |
| | A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. This grenade deploys CS chemicals for maximum spread. When these items are reasonable and necessary for use, there is no other alternative. |
**Public Welfare**

Government Code § 7071(d)(1)(B)  
These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

**Cost Effective**

Government Code § 7071(d)(1)(C)  
This is a low cost item.

**Compliance**

Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
<table>
<thead>
<tr>
<th>Item Category: Chemical Agents</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legal and Procedural Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force. BHPD Policy 303 – Control Devices &amp; Techniques</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fiscal Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Cost: $38</td>
</tr>
<tr>
<td>Re-Occurring Costs: average annual cost of $3,800 (100/year)</td>
</tr>
<tr>
<td>Year Obtained: 2021 (Dates vary due to re-occurring purchase)</td>
</tr>
<tr>
<td>How acquired: Department funds</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Necessity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td>A less lethal method that allows officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. When these items are reasonable and necessary for use, there is no other alternative.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Welfare</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cost Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td>This is a low cost item.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
# Military Equipment Inventory

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<tr>
<th>Item Category: Chemical Agents</th>
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</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
### Item Category: Chemical Agents

<table>
<thead>
<tr>
<th><strong>Description</strong></th>
<th>Pocket tactical Grenade, CS</th>
<th><strong>Quantity</strong></th>
<th>15</th>
<th>Authorized: 50</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capability</strong></td>
<td>Can be hand thrown, deployed via robot, launched, placed into a Gas Ram, Burn Safe and Munitions Pole</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>5-year manufacturer warranty</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Manufacturer's Description**
The Pocket Tactical CS Grenade is small, and lightweight. The 25.2g of CS chemical agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. This a launchable grenade; however, it is normally used a signaling or covering device. Though this device is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full-size tactical grenade.

**Purpose**
To safely resolve critical situations such as crowd control during riotous situations and high-risk tactical operations.

**Authorized Use**
SWAT personnel
Chemical Agent certified personnel

**Legal and Procedural Rules**
It is the policy of BHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding use of force.
BHPD Policy 303 – Control Devices & Techniques

**Fiscal Impact**
Initial Cost: $19
Re-Occurring Costs: average annual cost of $950 (50/year)
Year Obtained: 2021 (Dates vary due to re-occurring purchase)
How acquired: Department funds

**Training**
POST Approved SWAT School / POST Approved Chemical Agent Instructor School / In-house training

**Necessity**
Government Code § 7071(d)(1)(A)
A less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and necessary for use, there is no other alternative.

**Public Welfare**
Government Code § 7071(d)(1)(B)
These weapons are less lethal and afford officers an added option to avoid lethal force encounters.

**Cost Effective**
Government Code § 7071(d)(1)(C)
This is a low cost item.

**Compliance**
Government Code § 7071(d)(1)(D)
Use is recorded on a “Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.
# BEVERLY HILLS POLICE DEPARTMENT
## MILITARY EQUIPMENT INVENTORY

<table>
<thead>
<tr>
<th>Item Category: Chemical Agents</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
</tbody>
</table>
present. No complaint or concerned was received.
<table>
<thead>
<tr>
<th>Item Category: PepperBall Launcher</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td>PepperBall Full Tactical Carbine (FTC) launcher</td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td>Compact and lightweight, the PepperBall FTC is the industry gold standard for crowd-control and other applications where speed and reliability is a factor. The FTC features a modular design with a rapid feeding loader and firing rate of 10-12 RPS. 13 Cubic inch high pressure air system, compact lightweight design with glass nylon construction.</td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td>5 years</td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td>The FTC is a high-capacity, semi-automatic launcher that is perfect for crowd management and mobile field force operations. Reliable and accurate, it features a hopper that can hold up to 180 rounds, a flexible air source configuration and a compact modular design.</td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td>The FTC is designed to launch the various projectiles in less than lethal situations. The FTC can deliver in semi-automatic up to 150ft in distance.</td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td>Trained sworn personnel</td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td>It is the policy of BHPD to utilize the PepperBall Launcher for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
</tr>
<tr>
<td>Initial Cost $1,300</td>
</tr>
<tr>
<td>Re-Occurring Costs: $1,300 every 5 years</td>
</tr>
<tr>
<td>Maintenance Costs: $50/year</td>
</tr>
<tr>
<td>Year Obtained: 2022</td>
</tr>
<tr>
<td>How acquired: Department Funds</td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td>SWAT and less than lethal instructors who have attended the PepperBall Instructor Course/ In-house Training</td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(A)</td>
</tr>
<tr>
<td>The PepperBall Launchers are a less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and necessary for use, there is no other alternative.</td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(B)</td>
</tr>
<tr>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(C)</td>
</tr>
<tr>
<td>This piece of equipment has a life span of at least 5 years and is cost effective.</td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td>Government Code § 7071(d)(1)(D)</td>
</tr>
<tr>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
</tbody>
</table>
## Military Equipment Inventory

### Item Category: PepperBall Projectiles

<table>
<thead>
<tr>
<th>Description</th>
<th>PepperBall Live-x projectiles, inert projectiles and glass shattering projectiles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>500 x projectiles, 400 inert projectiles, 100 glass shattering projectiles</td>
</tr>
<tr>
<td>Authorized</td>
<td>2,500</td>
</tr>
<tr>
<td>Capability</td>
<td>The live-x projectiles contain a concentration of 5% PAVA pepper powder excellent for direct impact or area saturation. The inert projectiles contain a harmless scented powder suitable for training. The glass breaker is a solid polymer projectile used for breaking out residential windows, and side-glass of vehicles.</td>
</tr>
<tr>
<td>Life Span</td>
<td>3 years</td>
</tr>
<tr>
<td>Manufacturer's Description</td>
<td>Live-x projectile: Ultrasonically welded shell indicates 2.5g payload of 5% PAVA powder, 100% waterproof and non-flammable with a velocity of 280-300FPS. Maximum distance direct impact: 60 ft. Area saturated: 150+ft  Inert Projectile: Ultrasonically welded shell indicates 2.5g payload of scented powder, 100% waterproof and non-flammable with a velocity of 280-300FPS.  Glass Breaker: Ultrasonically welded shell indicates 2.5g payload, 100% waterproof, non-flammable with a velocity of 280-300FPS. Direct impact: 60 ft</td>
</tr>
<tr>
<td>Purpose</td>
<td>The PepperBall Live-x projectile is used for crowd control situations and other applications where less than lethal applications are required.  The PepperBall Inert projectile is used for training purposes.  The PepperBall Glass breaker is used for breaking out residential windows and side vehicle windows.</td>
</tr>
<tr>
<td>Authorized Use</td>
<td>Trained sworn personnel</td>
</tr>
<tr>
<td>Legal and Procedural Rules</td>
<td>It is the policy of BHPD to utilize the PepperBall Projectiles for law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal Law.</td>
</tr>
<tr>
<td>Fiscal Impact</td>
<td>Initial Cost: Live-x projectile: $3/ round. Inert projectile: $.70. Glass Breaker projectile: $2.50/round  Re-Occurring Costs: average annual cost of $1,500 (500/year). Maintenance Costs: Consumable item. Replaced as used or expiration. 2025  Year Obtained: 2022  How acquired: Department Funds</td>
</tr>
<tr>
<td>Training</td>
<td>SWAT and less than lethal instructors who have attended the PepperBall Instructor Course/ In-house Training</td>
</tr>
<tr>
<td>Necessity</td>
<td>Government Code § 7071(d)(1)(A)  The PepperBall Projectiles a less lethal method used to address violent or riotous crowds when there is a risk of physical safety. When these items are reasonable and</td>
</tr>
</tbody>
</table>

Military Equipment Inventory - 103
Date 11.21.2023
<table>
<thead>
<tr>
<th>Category</th>
<th>Code</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Welfare</td>
<td>Government Code § 7071(d)(1)(B)</td>
<td>These weapons are less lethal and afford officers an added option to avoid lethal force encounters.</td>
</tr>
<tr>
<td>Cost Effective</td>
<td>Government Code § 7071(d)(1)(C)</td>
<td>This is a low cost item.</td>
</tr>
<tr>
<td>Compliance</td>
<td>Government Code § 7071(d)(1)(D)</td>
<td>Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td><strong>Item Category:</strong> Explosive Breaching</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Description</strong></td>
<td>Explosive Data Sheet</td>
<td></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
<td>1 20lb roll (20')</td>
<td></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
<td>The flexible explosive sheet is used as a breaching charge. It provides pin point breakage with minimum explosive loading</td>
<td></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
<td>20 years</td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
<td>Explosive Data Sheet is olive drab and comes in 10&quot; by 20' sheets weighing 20lbs. The base explosive contained is PETN</td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To be used in support of tactical operations as a breaching charge and can be cut into any desired shape depending on the breach point or objective required.</td>
<td></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
<td>Special Weapons and Tactics Team (SWAT)/ officers that have completed the 80 hour DOJ Explosives Breaching course.</td>
<td></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
<td>It is the policy of the BHPD to utilize breaching tools only for official law enforcement purposes, pursuant to state and federal law.</td>
<td></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $760  
Re-Ocurring Costs: No annual cost  
Year Obtained: 2008  
How acquired: Department Funds |
| **Training** | Special Weapons and Tactics (SWAT) officers and supervisors who have attended the 80 hour DOJ Explosives Breaching course and quarterly training. |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Explosive breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there are no other reasonable alternatives to rapidly breach a location. There is no known reasonable alternative to these items when they are necessary as stated. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without these items, officers may not be able to gain access to a location in a safe and timely manner to engage in necessary police operations. They are only used when time is of the essence in order to preserve life. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item with a 20 year life span. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a "Military Equipment Use" Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to present. No complaint or concern was received. |
<table>
<thead>
<tr>
<th>Item Category: Explosive Breaching</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer’s Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
<tr>
<td><strong>Fiscal Impact</strong></td>
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<td></td>
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<tr>
<td></td>
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<tr>
<td></td>
</tr>
<tr>
<td><strong>Training</strong></td>
</tr>
<tr>
<td><strong>Necessity</strong></td>
</tr>
<tr>
<td><strong>Public Welfare</strong></td>
</tr>
<tr>
<td><strong>Cost Effective</strong></td>
</tr>
<tr>
<td><strong>Compliance</strong></td>
</tr>
<tr>
<td>Equipment Use Policy 706 from May 2022 to present. No complaint or concerned was received.</td>
</tr>
<tr>
<td><strong>Item Category:</strong> Explosive Breaching</td>
</tr>
<tr>
<td><strong>Description</strong></td>
</tr>
<tr>
<td><strong>Quantity</strong></td>
</tr>
<tr>
<td><strong>Capability</strong></td>
</tr>
<tr>
<td><strong>Life Span</strong></td>
</tr>
<tr>
<td><strong>Manufacturer's Description</strong></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
</tr>
<tr>
<td><strong>Authorized Use</strong></td>
</tr>
<tr>
<td><strong>Legal and Procedural Rules</strong></td>
</tr>
</tbody>
</table>
| **Fiscal Impact** | Initial Cost: $315  
Re-Occurring Costs: No annual cost  
Year Obtained: 2008  
How acquired: Department funds |
| **Training** | Special Weapons and Tactics (SWAT) officers/ supervisors who have attended the 80 hour DOJ Explosives Breaching course and quarterly training |
| **Necessity** | Government Code § 7071(d)(1)(A)  
Explosive breaching tools are used in order to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there are no other reasonable alternatives to rapidly breach a location. There is no known reasonable alternative to these items when they are necessary as stated. |
| **Public Welfare** | Government Code § 7071(d)(1)(B)  
Without these items, officers may not be able to gain access to a location in a safe and timely manner to engage in necessary police operations. They are only used when time is of the essence in order to preserve life. |
| **Cost Effective** | Government Code § 7071(d)(1)(C)  
This is a low cost item with a 20 year life span. |
| **Compliance** | Government Code § 7071(d)(1)(D)  
Use is recorded on a “Military Equipment Use” Blue Team Entry and electronically submitted. Use has been in compliance with Military Equipment Use Policy 706 from May 2022 to 11.21.2023.
present. No complaint or concerned was received.
BEVERLY HILLS POLICE DEPARTMENT
SEARCH AUTHORIZATION RECORD

Case Number ______________________

SUSPECT INFORMATION
Name ____________________________________ Booking Number ______________
Arrest Charge(s): ________________________________________________________________
Sex ________________

SEARCHING OFFICER INFORMATION
Name____________________________________ ID Number____________________
Sex______________

SEARCH INFORMATION
Date of Search______________________ Time of Search________________

PLEASE CHECK THE TYPE AND BASIS FOR SEARCH

☐ Strip Search ☐ Visual Body Cavity Search
☐ Reasonable suspicion that arrestee or inmate is concealing weapons or contraband.
   (*must have prior Watch Commander approval)

State fact supporting reasonable suspicion for search:
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

Approved by________________________

☐ Physical Body Cavity Search
☐ Search Warrant signed by a Magistrate attached here to

Approved by________________________

Describe search results, including any items removed from the person searched:
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

Reviewed by________________________ Date/Time______________
Eyewitness Identification

604.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this Department employ eyewitness identification techniques (Penal Code § 859.7).

604.1.1 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.

604.2 POLICY
The Beverly Hills 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.

604.3 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.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The Detective Bureau 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 (Penal Code § 859.7):

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.
Eyewitness Identification

(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 they 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 they he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain they he/she is are of the identification or non-identification. This statement should be taken at the time of the identification procedure.

(k) Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 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.

The eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures. When it is not feasible to make a recording with both audio and visual representations, an audio recording should be made (Penal Code § 859.7).
Eyewitness Identification

604.6 DOCUMENTATION
A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

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.

604.6.1 DOCUMENTATION RELATED TO RECORDINGS
The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

604.6.2 DOCUMENTATION RELATED TO BLIND ADMINISTRATION
If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).

604.6 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 (Penal Code § 859.7). 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 (Penal Code § 859.7).

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.

Investigating officers who plan to include a suspect in a live lineup must advise them of their right to have an attorney present as a witness at the lineup. If they are unable to afford or acquire an attorney, one will be appointed if they so desires. All live lineups shall be held at the designated Los Angeles County Sheriff’s Department Jail facility and coordinated through the Los Angeles Sheriff’s Department. Notwithstanding the suspect’s choice of legal counsel the public defender shall be present at all live lineups per standard LASD procedures.

604.6.1 OTHER SAFEGUARDS
Witnesses should be asked for suspect descriptions as close in time to the incident as possible and before conducting an eyewitness identification. No information concerning a suspect should be given prior to obtaining a statement from the witness describing how certain he/she is of the
Eyewitness Identification

identification or non-identification. Members should not say anything to a witness that that may validate or invalidate an eyewitness' identification. In photographic lineups, writings or information concerning any previous arrest of a suspect shall not be visible to the witness (Penal Code § 859.7).

604.6 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 show-up or one-on-one 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.
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.
WITNESS ADMONITION FOR FIELD IDENTIFICATION

An officer who intends to conduct a field show-up with a victim or witness shall inform him/her prior to the field show-up that:

A. The fact that this person is being detained should not influence your judgment.

B. Just because the person is being detained does not mean he or she committed the crime.

C. There is no obligation for you to identify anyone.

D. It is just as important that you exonerate the subject as it is that you implicate him/her because if the subject who is being detained is not responsible for the crime, then the police will continue searching for the suspect.

BHPD Lexipol 600.4 5/19/23
PHOTOGRAPHIC LINE-UP INSTRUCTIONS

You are about to be shown a group of photographs. Before you view these photographs, please read the following carefully:

1. Because a police officer is showing you a group of photographs, this should not influence your judgement in any way.
2. The person who committed the crime may or may not be in the group of photographs.
3. You are in no way obligated to identify anyone.
4. Study each photograph carefully before making any comments. Consider that the photographs could be old or new, that hair styles change and that persons can alter their identity by growing or shaving facial hair. Photographs do not always depict the true complexion of a subject; they can be darker or lighter.
5. An identification or failure to make an identification will not end the investigation.

Please do not discuss the case with other witnesses nor indicate in any way that you have identified someone.

No other instructions about the photographs, the defendant, or procedures were given to me before viewing the photographic line-up.

____________________________________  ______________________________________
Photo Selected                          Signature of Victim/Witness Viewing

____________________________________  ______________________________________
Location                               Victim/Witness Viewing (Printed)

____________________________________  ______________________________________
Officer Showing Photographs           Other Officers present

Comments, including any statements or confidence level in the accuracy of the identification:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Revised 5/9/2024
PHOTOGRAPHIC LINE-UP INSTRUCTIONS

You are about to be shown a group of photographs. Before you view these photographs, please read the following carefully:

1. Because a police officer is showing you a group of photographs, this should not influence your judgement in any way.
2. The person who committed the crime may or may not be in the group of photographs.
3. You are in no way obligated to identify anyone.
4. Study each photograph carefully before making any comments. Consider that the photographs could be old or new, that hair styles change and that persons can alter their identity by growing or shaving facial hair. Photographs do not always depict the true complexion of a subject; they can be darker or lighter.
5. An identification or failure to make an identification will not end the investigation.

Please do not discuss the case with other witnesses nor indicate in any way that you have identified someone.

No other instructions about the photographs, the defendant, or procedures were given to me before viewing the photographic line-up.

________________________________________             ________________________________
Photo Selected                                                   Signature of Victim/Witness Viewing

________________________________________             ________________________________
Location                                                           Victim/Witness Viewing (Printed)

________________________________________             ________________________________
Officer Showing Photographs                                      Other Officers present

Comments, including any statements or confidence level in the accuracy of the identification:

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

Revised 5/9/2024
BEVERLY HILLS POLICE DEPARTMENT
PEER SUPPORT

CONFIDENTIALITY AGREEMENT

Except as provided herein, I agree not to divulge any confidential personal information obtained in the course of my duties on the Peer Support Team. I further agree that confidentiality regarding co-workers in the course of my duties on the Peer Support Team must be maintained indefinitely, even after my separation from the Beverly Hills Police Department (“BHPD”).

I recognize my participation on the BHPD Peer Support Team is a privilege, not a right, and any future reassignment from the Peer Support Team is not subject to grievance or appeal. I agree any unauthorized release of confidential verbal or written information may be cause for discipline, including termination without progressive discipline, from the Peer Support Team and may also result in civil litigation as applicable.

I understand that any communication with any BHPD employee may not be a privileged communications under the law, and disclosure may be compelled in civil litigation or criminal proceedings.

I understand the exceptions to rights of confidentiality as mandated by our policy and Cal. Gov. Code § 8669.4 in the following instances:

1. To make a referral to receive crisis referral services.
2. Disclosure is necessary to prevent death, substantial bodily harm, or commission of a crime.
3. Employee provides express written consent.
4. In a criminal proceeding.
5. In a consultation between two Peer Support Team members.
6. If otherwise required by law.

I further understand and agree that I am required to disclose to the Peer Support Team Lieutenant any information I receive indicating an employee or a third party is a danger to themselves or others, as well as any information I receive concerning the commission of a crime.

I agree to discuss any concerns or questions I may have about this Confidentiality Agreement with the Peer Support Team Lieutenant.

By signing below, I acknowledge that I have read, understand, and agree to abide by the terms of this Confidentiality Agreement, and shall continue to do so after my separation from BHPD.

________________________________  ____________________
SIGNATURE                                DATE SIGNED
Supplemental Hate Crime Report.pdf
### VICTIM

**VICTIM TYPE**

- [ ] Individual  
  Legal name (Last, First):

- [ ] School, business or organization  
  Name:  
  Type:  
  (e.g., non-profit, private, public school)

- [ ] Faith-based organization  
  Name:  
  Faith:  

- [ ] Other  
  Name:  
  Type:  
  Address:  

**Date of Birth**  
**Age**  
**Sex**  
**Race**

**Date and time of incident:**

**Location of incident:**

**Date and time of report:**

**Location of report:**

**Agency Case #:**

**NATURE OF CALL FOR SERVICE (check all that apply)**

- [ ] Crime against persons
- [ ] Crime against property
- [ ] Gang activity
- [ ] Other:  

### 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)*
- [ ] Association with a person or group with  
  one or more of these characteristics  
  (actual or perceived)
- [ ] Other:

**ACTUAL OR PERCEIVED BIAS – VICTIM’S STATEMENT**

- [ ] Actual bias [Victim has the indicated characteristic(s)].
- [ ] Perceived bias [Suspect believed victim had the indicated characteristic(s)].

**REASON FOR BIAS:**

Do you feel you were targeted based on one of these characteristics?

- [ ] Yes  
- [ ] No

Do you know what motivated the suspect to commit this crime?

- [ ] Yes  
- [ ] No

Do you feel you were targeted because you associated yourself with an individual or a group?

- [ ] Yes  
- [ ] No

Are there indicators the suspect is affiliated with a Hate Group  
*(i.e., literature/tattoos)*?

- [ ] Yes  
- [ ] No

Are there indicators the suspect is affiliated with a criminal street gang?

- [ ] Yes  
- [ ] No

**BIAS INDICATORS (CHECK ALL THAT APPLY):**

- [ ] Hate speech
- [ ] Acts/gestures
- [ ] Property damage
- [ ] Symbol used
- [ ] Written/electronic communication
- [ ] Graffiti/spray paint
- [ ] Other:  

---

State of California – Department of Justice  
SUPPLEMENTAL HATE CRIME REPORT  
POST 2-365 (01/2023)  
Page 1 of 2
### HISTORY

#### SUSPECT INFORMATION

- **Legal name (Last, First):**
- **Other Names used (AKA):**
- **Date of Birth**
- **Age**
- **Sex**
- **Race**
- **Relationship to Victim:**

#### RELATIONSHIP BETWEEN SUSPECT & VICTIM

- **Suspect known to victim:** Yes/No
- **Nature of relationship:**
- **Length of relationship:**
- **Prior reported incidents with suspect:** Total #
- **Prior unreported incidents with suspect:** Yes/No/Unknown

### WEAPONS/FORCE

- **Weapon(s) used during incident:** Yes/No
- **Force used during incident:** Yes/No
- **Type:**

### EVIDENCE

- **Witnesses present during incident:** Yes/No
- **Statements taken:** Yes/No
- **Evidence collected:** Yes/No
- **Photos taken:** Yes/No
- **Recordings:** Video/Audio/Booked
- **Suspect identified:** Field ID/By photo/video/Known

### RESOURCES

- **Resources offered at scene:** Yes/No
- **Marsy’s Law Handout**
- **Hate Crimes Brochure**
- **Other:**

### MEDICAL

- **Victim**
- **Suspect**
  - Declined medical treatment
  - Will seek own medical treatment
  - Received medical treatment
  - Injuries observed

**Completed by**

**Date**

**Name/Title/ID number**
Approved PMO Models.pdf
## Approved PMO Models:

<table>
<thead>
<tr>
<th>Trijicon</th>
<th>Holosun</th>
<th>Sig Sauer</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RMR Type 2</strong></td>
<td><strong>407</strong></td>
<td><strong>507</strong></td>
</tr>
<tr>
<td>1, 3.25, or 6.5 MOA red dot</td>
<td>2, 6, or 8 MOA red/green dot</td>
<td>2 MOA red green dot, 32 MOA red/green circle</td>
</tr>
<tr>
<td>Matte black or sniper gray</td>
<td>Matte black</td>
<td>Matte black</td>
</tr>
<tr>
<td>Adjustable or auto-adjust settings</td>
<td>CR1632 battery on side</td>
<td>CR1632 battery on side</td>
</tr>
<tr>
<td>If selecting an RMR for mounting on the Glock® MOS system or Springfield® OSP pistol, a Trijicon RMR® mounting kit (AC32064) is required.</td>
<td><strong>508</strong></td>
<td><strong>509</strong></td>
</tr>
<tr>
<td>CR2032 battery on bottom</td>
<td>2 MOA red/green dot, 32 MOA red/green circle</td>
<td>2 MOA red dot, 32 MOA red circle</td>
</tr>
<tr>
<td><strong>RMR cc</strong></td>
<td><strong>507</strong></td>
<td><strong>508</strong></td>
</tr>
<tr>
<td>3.25 or 6.5 MOA red dot</td>
<td>2 MOA red/green dot, 32 MOA red/green circle</td>
<td>2 MOA red dot, 32 MOA red circle</td>
</tr>
<tr>
<td>Matte black</td>
<td>Matte black</td>
<td>Matte black</td>
</tr>
<tr>
<td>CR2032 battery on bottom</td>
<td>CR1632 battery on side</td>
<td>CR1632 battery on side</td>
</tr>
<tr>
<td><strong>SRO</strong></td>
<td><strong>508</strong></td>
<td><strong>509</strong></td>
</tr>
<tr>
<td>1, 2.5 or 5 MOA red dot</td>
<td>2 MOA red/green dot, 32 MOA red/green circle</td>
<td>2 MOA red dot, 32 MOA red circle</td>
</tr>
<tr>
<td>Matte black</td>
<td>Matte black</td>
<td>Matte black</td>
</tr>
<tr>
<td>CR2032 battery on top</td>
<td>CR1632 battery on side</td>
<td>CR1632 battery on side</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Aimpoint</th>
<th>Leupold</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Acro P-1</strong></td>
<td><strong>DeltaPoint Pro</strong></td>
</tr>
<tr>
<td>3.5 MOA red dot</td>
<td>2.5 MOA red dot</td>
</tr>
<tr>
<td>Matte black</td>
<td>Matte black</td>
</tr>
<tr>
<td>CR1225 battery on side</td>
<td>CR2032 battery on top</td>
</tr>
<tr>
<td><strong>DeltaPoint Pro Night Vision</strong></td>
<td></td>
</tr>
<tr>
<td>2.5 MOA red dot</td>
<td>2.5 MOA red dot</td>
</tr>
<tr>
<td>Matte black</td>
<td>Matte black</td>
</tr>
<tr>
<td>CR2032 battery on top</td>
<td>CR2032 battery on top</td>
</tr>
</tbody>
</table>
TO: Sworn Personnel
FROM: Chief Dominick Rivetti
DATE: December 3, 2020
SUBJECT: Authorization to use Pistol Mounted Optics (PMO)

Pistol mounted optics have been approved for use after successful completion of a sixteen hour transition course. Details about the course and approved pistol mounted optics and their use are detailed below.

**Approved Pistol Mounted Optics (PMO):**

Members choosing to use a PMO shall provide the approved PMO and the required accompanying equipment such as back up iron sights and holsters at their own expense. Authorized equipment requirements are subject to change and it is the responsibility of the member to ensure their equipment is in compliance with any of the changes.

**Lexipol Policy 306 – Firearms:**

306.4.4 OPTICS OR ALTERNATE SIGHTS
Optics or alternate sights may only be installed on a firearm carried on-duty 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 and/or attend a transition course with the firearm to ensure proper functionality and sighting of the firearm prior to deploying it.

Any personnel desiring to install a PMO on the Department issued handgun or an authorized privately owned handgun must receive written approval from the Rangemaster, Personnel & Training Lieutenant, and the Chief of Police or the authorized designee prior to deployment. The handgun must also meet the parameters mentioned in the Private-Purchased Duty Handgun memo.

Members are subject to the following restrictions to participate in the PMO Program:

A. Members shall have qualified with their duty pistol (iron sights) on the BHPD 20/20 Pistol Qualification course (with the Intermediate Standard) within 12 months of attending the transition course.
a. Eligibility list for attending the transition course will be compiled based on the overall qualification score and having all the necessary equipment to attend the course.

B. Member will purchase all necessary equipment (PMO, mounts/adapters, holster, batteries, etc.) at their own expense and assume all maintenance costs thereafter. It is highly recommended to consult with the Rangemaster prior to any purchases.

   a. Only approved models of the PMO shall be permitted (see list below).
   b. Only handguns with approved PMO mounting solutions shall be permitted. Members are strictly prohibited from making any modifications to department issued handguns to accommodate the PMO.
   c. Gunsmith machining on privately purchased handguns to accommodate the PMO is permitted with prior approval by the Rangemaster under certain circumstances.
   d. Back-up iron sights shall be installed and tall enough to be seen through the PMO window.
   e. The holster shall accommodate the PMO.

C. Members shall have their handgun, PMO, and all accompanying equipment inspected by the Rangemaster prior to deploying the system on duty and/or attending the transition course. The Rangemaster has the discretion of inspections on the equipment at any time.

D. On Department issued handguns equipped with a factory PMO mounting solution, the installation of the PMO and back-up iron sights shall be performed by the Rangemaster or certified armorer only.

E. After the initial inspection and installation, the member shall be required to take and successfully pass the 2-day, 16 hour transition course.

F. The member shall be responsible for the maintenance of their equipment, including and not limited to batteries, etc.
### Approved PMO Models:

<table>
<thead>
<tr>
<th></th>
<th>Trijicon</th>
<th>Holosun</th>
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<td></td>
</tr>
<tr>
<td>▪ 1, 3.25, or 6.5 MOA red dot</td>
<td></td>
<td></td>
<td>Romeo Zero</td>
</tr>
<tr>
<td>▪ Matte black or sniper gray</td>
<td></td>
<td></td>
<td>▪ 3 or 6 MOA red dot</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>▪ Matte black</td>
</tr>
<tr>
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<td>▪ CR1632 battery on top</td>
</tr>
<tr>
<td>▪ CR2032 battery on bottom</td>
<td></td>
<td></td>
<td>Romeo 1</td>
</tr>
<tr>
<td></td>
<td>407</td>
<td></td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>▪ Matte black</td>
<td></td>
<td></td>
<td>▪ Matte black</td>
</tr>
<tr>
<td>▪ CR1632 battery on side</td>
<td></td>
<td></td>
<td>▪ CR1632 battery on top</td>
</tr>
<tr>
<td>▪ 507</td>
<td></td>
<td></td>
<td>Romeo 3</td>
</tr>
<tr>
<td>▪ 2 MOA red/green dot</td>
<td></td>
<td></td>
<td>▪ 3 or 6 MOA red dot</td>
</tr>
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<td>▪ Matte black</td>
<td></td>
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<td></td>
<td></td>
</tr>
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<td></td>
</tr>
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</tr>
<tr>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>▪ CR1632 battery on side</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

|                      |          |         |            |
| ▪ 3.25 or 6.5 MOA red dot | RMR cc | Matte black | CR2032 battery on bottom |
| ▪ Matte black | | | |
| ▪ CR2032 battery on top | | | |

|                      | SRO      |         |            |
| ▪ 1, 2.5 or 5 MOA red dot | | Matte black | |
| ▪ Matte black | | | CR2032 battery on top |

### Aimpoint

|                      | Acro P-1 |         |            |
| ▪ 3.5 MOA red dot | | Matte black | |
| ▪ Matte black | | | CR1225 battery on side |

### Leupold

|                      | DeltaPoint Pro |         |            |
| ▪ 2.5 MOA red dot | | Matte black | |
| ▪ Matte black | | | CR2032 battery on top |

|                      | DeltaPoint Pro Night Vision |         |            |
| ▪ 2.5 MOA red dot | | Matte black | |
| ▪ Matte black | | | CR2032 battery on top |
Statutes and Legal Requirements.pdf
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.
Hate Crime Checklist.pdf
# HATE CRIME CHECKLIST

**VICTIM**

<table>
<thead>
<tr>
<th>Victim Type:</th>
<th>Target of Crime (Check all that apply):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td>Person  Private property  Public property</td>
</tr>
<tr>
<td>Legal name (Last, First):</td>
<td>Other</td>
</tr>
<tr>
<td>Other Names used (AKA):</td>
<td></td>
</tr>
<tr>
<td>School, business or organization</td>
<td></td>
</tr>
<tr>
<td>Name:</td>
<td></td>
</tr>
<tr>
<td>Type:</td>
<td></td>
</tr>
<tr>
<td>(e.g., non-profit, private, public school)</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>Faith-based organization</td>
<td></td>
</tr>
<tr>
<td>Name:</td>
<td></td>
</tr>
<tr>
<td>Faith:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
</tbody>
</table>

**BIAS**

<table>
<thead>
<tr>
<th>Type of Bias (Check all characteristics that apply):</th>
<th>Actual or Perceived Bias – Victim’s Statement:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>Actual bias [Victim actually has the indicated characteristic(s)].</td>
</tr>
<tr>
<td>Gender</td>
<td>Perceived bias [Suspect believed victim had the indicated characteristic(s)].</td>
</tr>
<tr>
<td>Gender identity/expression</td>
<td>If perceived, explain the circumstances in narrative portion of Report.</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td></td>
</tr>
<tr>
<td>Race</td>
<td></td>
</tr>
<tr>
<td>Ethnicity</td>
<td></td>
</tr>
<tr>
<td>Nationality</td>
<td></td>
</tr>
<tr>
<td>Religion</td>
<td></td>
</tr>
<tr>
<td>Significant day of offense (e.g., 9/11, holy days)</td>
<td></td>
</tr>
<tr>
<td>Other: Specify disability (be specific):</td>
<td></td>
</tr>
</tbody>
</table>

**HISTORY**

<table>
<thead>
<tr>
<th>Relationship Between Suspect &amp; Victim:</th>
<th>Weapons used during incident?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspect known to victim? Yes No</td>
<td>Yes No</td>
</tr>
<tr>
<td>Nature of relationship:</td>
<td>Type:</td>
</tr>
<tr>
<td>Length of relationship:</td>
<td></td>
</tr>
<tr>
<td>If Yes, describe in narrative portion of Report</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weapon(s) used during incident?</th>
<th>Prior reported incidents with suspect? Total #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes No</td>
<td></td>
</tr>
</tbody>
</table>

**WEAPONS**

<table>
<thead>
<tr>
<th>Weapon(s) booked as evidence?</th>
<th>Yes No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Automated Firearms System (AFS) Inquiry attached to Report?</th>
<th>Yes No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes No</td>
<td></td>
</tr>
</tbody>
</table>

POST 05/19 (Based on LAPD’s Hate Crime Supplemental Report, used with permission)
## 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: __________  
- Taken by: __________  
- D#: __________  
- Serial #: __________  
- Recordings:  
  - [ ] Video  
  - [ ] Audio  
  - [ ] Booked  
- Suspect identified:  
  - [ ] Field ID  
  - [ ] By photo  
  - [ ] Known to victim

### OBSERVATIONS

#### VICTIM
- [ ] Tattoos  
- [ ] Shaking  
- [ ] Unresponsive  
- [ ] Crying  
- [ ] Scared  
- [ ] Angry  
- [ ] Fearful  
- [ ] Calm  
- [ ] Agitated  
- [ ] Nervous  
- [ ] Threatening  
- [ ] Apologetic  
- [ ] Other observations: __________

#### SUSPECT
- [ ] Tattoos  
- [ ] Shaking  
- [ ] Unresponsive  
- [ ] Crying  
- [ ] Scared  
- [ ] Angry  
- [ ] Fearful  
- [ ] Calm  
- [ ] Agitated  
- [ ] Nervous  
- [ ] Threatening  
- [ ] Apologetic  
- [ ] 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

### 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

---

POST 05/19
To: Click or tap here to enter text.
From: Click or tap here to enter text.
c: Chief Spagnoli, Risk Management and Click or tap here to enter text.
Date: Click or tap to enter a date.

As of Click or tap to enter a date., you have been placed on temporary totally disabled (TTD) status.

You are required to phone in and speak with the Police Department IOD Coordinator Click or tap here to enter text. every Day of week at Click or tap here to enter text. hours. Click or tap here to enter text.can be reached at (310) Click or tap here to enter text.

EMPLOYEE INSTRUCTIONS WHILE TTD:

- It is the EMPLOYEE’s responsibility to provide the City with a Work Status Report.
- EMPLOYEE must request a copy of the Work Status Report before leaving the Dr. Office.
- A copy of the Work Status shall be provided to your immediate supervisor on the day of your doctor’s appointment.
- Your supervisor must provide a copy of the Work Status Report to Risk immediately upon receiving it from you. Risk and your supervisor must review the ongoing TTD or new work restrictions before making changes to existing duties.
- An EMPLOYEE cannot return to FULL DUTY and MAY NOT be offered MODIFIED DUTY without providing a Work Status Report from PTP to Supervisor/Risk.
- It is the EMPLOYEE’s responsibility to keep his/her supervisor informed regarding appointment dates.
- Employees who are TTD must be available Mon-Fri 0800-1700 hours to attend appointments and treatment. Prior notice must be given to the department for vacation or personal leave time during TTD period.
- Employees should follow the doctor’s instructions and must attend all follow up appointments.
- Employees must contact the doctor’s office directly before their scheduled appointment if they cannot attend. Missed appointments are billed to the City. Missed appointment may result in termination of benefits and expired work restrictions which will result in placing the employee off work and require him/her to use their own time until an updated work status can be updated.
- Risk is here to assist you with questions and concerns - call Risk x 1072/1073.
- Athens Risk Management contact is Nancy Gonzales 949-648-5858.
I have had a conversation to discuss my TTD status and have read and understand the “Employee Instructions” for TTD. I agree and understand I will need to follow these instructions.

___________________________________         __________________________________
Employee Signature                                  Supervisor & Title

___________________________________                  __________________________________
Date                                                        Date

*Provide a copy of this form to the employee and submit the original to the Executive Assistant. Email a copy to the following: Chief, Assistant Chief, Executive Assistant, Risk Management, IOD Coordinator, Affected Bureau Commander and Division Commander.
Narcotics Packaging Procedure.pdf
Step 1

• Package your narcotics in plastic (as you normally would) and seal it. Write the case # on the plastic. No need to place evidence tape on the plastic.

Step 2

Use a paper envelope and fill out all pertinent information.
Step 3

- Print out label and affix to the front of your envelope. Then place the narcotics sealed in plastic inside of the envelope.
Step 4

- Place evidence tape over the top flap of the envelope and seal it. Do not forget to initial over the tape or LASD will not accept and you will need to come back to property to fix. Put it in the locker and secure.
- You are done!
Modified Duty Instructions for Supervisors
September 28, 2017

- Modified duty is temporary accommodation of work duties based upon work restrictions provided to an injured worker by his/her primary treating physician (PTP).
- The Employee is responsible for providing the Work Status Report to his/her supervisor immediately upon receipt.
- An employee with work restrictions cannot return to FULL DUTY and MAY NOT be offered TEMPORARY LIGHTDUTY without first providing his/her Supervisor with a Work Status Report.
- Supervisor is responsible for providing the Work Status Report to Risk immediately upon receipt.
- The dept. may not offer Modified/Temporary Duty to the employee without first reviewing the Work Status Report with Risk.
- The employee is required to provide a copy of his/her Work Status to Supervisor immediately following every appointment and in turn the supervisor must provide a copy to Risk. This IS VERY IMPORTANT because these documents can affect the employees leave and WC benefits.
- Supervisors are responsible for tracking follow up appointments and should request updated documentations if the employee does not provide them.
- An employee that cannot provide the work status should not be allowed to return to work. Call Risk and ask that the employee leave work until they obtain the Work Status Report.
- A review of “new or continued work restrictions” must be done by Risk & Dept. following every appointment. If the restrictions are unclear, Risk will obtain clarification.
- The assigned Supervisor is responsible for supervising employee to ensure he/she is complying with their restrictions.
- Supervisors may not discriminate or retaliate against an employee because of his/her medical condition or modified duty status. Supervisors are also responsible to ensure that coworkers do not retaliate or discriminate.
- Check in with the employee periodically (do not ask about medical diagnosis or treatment’) to see if they have any questions or concerns.
- Notify Risk when an employee with a WC claim calls out sick because / related to their WC claim.
- Report any issues or concerns with the Workers’ Compensation Program to Risk.
- Employees must coordinate physical therapy or other medical appointments they wish to attend during their work day with the Supervisor/Dept. prior to the appointment. Employees should be encouraged to make the appointments before or after work or as close to the beginning or end of the day as possible to minimize disruption of work duties.
- Employees who are off work for an industrial injury must be available during business hours to attend appointments and treatment. Additionally, prior notice to the department must be given for vacation or personal leave time during this period.
- Follow the City’s sick leave policy. Time off for doctors’ appointments is not generally considered regular pay.
- Risk is here to assist you and the employee with Modified Duty. Please let us know if you have any questions or feedback about the modified duty process or these instructions.
Learning for Life LE Explorer
Ride-Along Cert Checklist.pdf
LAW ENFORCEMENT EXPLORING RIDE-ALONG PROGRAM
CERTIFICATION CHECKLIST

Reference is made to the Law Enforcement Exploring Program Guidelines, Section 3.0, for important information regarding the Ride-Along Program and certification process. The following checklist may be used as a guide to ensure the sponsoring agency’s Law Enforcement Exploring Ride-Along program policy and standard operating procedures, at a minimum, includes language that addresses the following criteria. The sponsoring agency may wish to refer to the sample Justice Police Department Ride-Along program policy and standard operating procedures for guidance. As a reminder, a Ride-Along application will not be approved if the agency’s policy and standard operating procedures do not address the below outlined criteria.

✓ Purpose and objectives statement.
✓ Hold harmless and release form for the participating agency and Learning for Life executed by the parent or legal guardian and/or the Explorer if of legal age to sign such a form.
✓ Medical release form permitting participating agency representatives to authorize emergency medical treatment for Explorers.
✓ Prohibition of Explorers under 18 years of age participating in the program between 12 midnight and 6 AM.
✓ Prerequisite training for adults and Explorers (to include youth protection training overview) participating in the Ride-Along program. Posts that permit Ride-Alongs in/on authorized special police conveyances must include training requirements and protocols for each conveyance.
✓ Police actions and calls for service that Explorers are permitted to be present while participating in the Ride-Along program.
✓ Advanced notice police actions and calls for service which Explorers are excluded from being present while participating in the Ride-Along program.
✓ Spontaneous emergency protocols and standard operating procedures for Officers and Explorers.
✓ Adherence to Law Enforcement Exploring policy on driving police vehicles, bloodborne pathogens, Hepatitis B declination, covert activities and all other applicable policies.
✓ Authorized uniform and equipment for Explorer along with recommendation that, if available, a protective vest be worn by the Explorer while participating on a Ride-Along. Explorers on a Ride-Along where authorized special police conveyances are used must wear the same safety equipment (i.e., helmet for bike patrol, personal flotation device for marine patrol, etc.) required for law enforcement officers.

Each participating agency is responsible for ensuring their Law Enforcement Exploring program policy and standard operating procedures are in compliance with any future Learning for Life/Law Enforcement Exploring policy additions or modifications. Please contact the national office for Law Enforcement Exploring, via e-mail at www.nleec2@lflmail.org, if you have any questions or require any assistance. Thank you for your commitment to and support of the Law Enforcement Exploring program.
Waiver and Release Form.pdf
## MANUAL SECTION REVISION
Retired Officer CCW Endorsements

<table>
<thead>
<tr>
<th>Date Delivered</th>
<th>Division Commander</th>
<th>Approve</th>
<th>Disapprove</th>
<th>Signature</th>
<th>Date</th>
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<tr>
<td>08-30-16</td>
<td>Captain Tony Lee</td>
<td>✔️</td>
<td></td>
<td>30</td>
<td>9-5-16</td>
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<tr>
<td>9/13/16</td>
<td>Captain Mark Rosen</td>
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<td>9/13/16</td>
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<tr>
<td>08-30-16</td>
<td>Acting Captain Hamel</td>
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Reviewed by Lieutenant Lincoln Hoshino (Executive Officer) \[Signature\] Date 08-30-16.

Special Order # \[Signature\] approved by Chief Spagnoli on 10/15/16.

**PLEASE CONTACT LIEUTENANT HOSHINO IF YOU WISH TO AMEND THE TEXT OR HAVE QUESTIONS CONCERNING THE PROPOSED REVISION.**
Subject: Retired Officer CCW Endorsements

Special Order # __________________________ Date Adopted: ________________

Revision(s) to Current Manual Sections Drafted:

<table>
<thead>
<tr>
<th>Type of Amendment</th>
<th>Vol/Section</th>
<th>Title</th>
<th>Alpha Index Titles</th>
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<td>NEW SECTION</td>
<td>1/777</td>
<td>Retired Officer CCW Endorsements</td>
<td>Retired Officer CCW Endorsement</td>
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<td>[ ] REVIEW</td>
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<td>1/777.30</td>
<td>Identification Card Format</td>
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<td>Denial or Revocation of State CCW Endorsement</td>
<td>Denial Revocation State CCW Endorsement</td>
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<tr>
<td>[ X] NEW SECTION</td>
<td>1/777.50</td>
<td>Watch Commander Responsibility</td>
<td>Watch Commander Responsibility</td>
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</table>

[ ] NEW SECTION
[ ] REVIEW

[ ] NEW SECTION
[ ] REVIEW

[ ] NEW SECTION
[ ] REVIEW

[ X] Draft & supporting documentation routed to Division Commanders for approval on ________________

[ ] Amend section(s) as required

[ ] Amend sequential and alphabetical indexes

[ ] Affected Manual sections printed

[ ] Updates sent to Manual recipients on ________________

[ ] Update on-line version of Manual on ________________

[ ] Update Manual revision chronological list on

[ ] Signed Special Order and Manual Revision memorandum filed

Signature of Person Handling Revision __________________________  Title __________________________  Date __________________________
1/777 Retired Officer CCW Endorsements
The purpose of this policy is to outline the process and conditions associated with the issuance, revocation, and denial of a concealed weapons (CCW) endorsement for retired officers of this department. 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 CCW Approved endorsement upon honorable retirement (Penal Code § 25455).

1. For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, shall not include any officer who retires in lieu of termination.
2. No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code 26305).

1/777.10 MAINTAINING A CCW ENDORSEMENT
In order to maintain a "CCW Approved" endorsement on an identification card, the retired officer shall (Penal Code § 26305):
1. Qualify every other year with the authorized firearm at a course approved by this department at the retired officer's expense.
2. Remain subject to all department rules and policies as well as all federal, state and local laws.
3. Only be authorized to carry a concealed firearm inspected and approved by the Department.

1/777.20 CARRYING FIREARMS OUT OF STATE
4. Subject to 18 USC § 926C and the Firearms and Qualification Policy, qualified retired officers of this department may be authorized to carry a concealed weapon in other states. Qualified retired officers must complete a CCW Waiver and release form.

1/777.30 IDENTIFICATION CARD FORMAT
The identification card issued to any qualified and honorably retired officer shall be two inches by three inches and minimally contain the following (Penal Code § 25460):
1. Photograph of the retiree.
2. Retiree's name and date of birth.
3. Date of retirement.
4. Name and address of this department.
5. A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege".
6. If applicable, a notation that "This person is in compliance with 18 U.S.C. § 926C(d)(1)."

1/777.40 DENIAL OR REVOCATION OF STATE CCW ENDORSEMENT
The CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or permanently revoked only upon a showing of good cause. Any denial or revocation under this section shall also be considered disqualification under 18 USC § 926C(d). The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety. Good cause, if challenged, shall be determined in the following manner:
1. 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.

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

3. The 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).
   a. The decision of such hearing board shall be binding on the Department and the retiree.
   b. 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.

1/777.50 WATCH COMMANDER RESPONSIBILITY
Employees who have reason to suspect a retiree's conduct has compromised public safety should notify the Watch Commander as soon as practical. The Watch Commander should take the following steps in these instances:

1. Take appropriate steps to promptly look into the matter.
2. If warranted, contact the retiree in person and advise him/her in writing of the following:
   a. The retiree's CCW endorsement is immediately and temporarily revoked.
   b. The retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.
   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.
   d. The retiree may waive his/her right to a hearing.
3. A current copy of Penal Code § 26305, 26312 and 26315 should be attached to the written notice.
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 peace officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a peace officer of that agency act as the Department's agent to deliver the written notification.
5. If personal service of the retiree is not available, notification of the temporary suspension shall be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested at the retirees last known address. (Penal Code § 26312).
6. The Watch Commander should document in a memo the investigation, the actions taken, and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
BEVERLY HILLS POLICE DEPARTMENT
18 U.S.C. Sec. 926 B and C / LEOSA / HR 218 WAIVER & RELEASE FORM

I am a retired / separated police officer of the Beverly Hills Police Department who is eligible to attempt to qualify to carry a concealed firearm under certain conditions, pursuant to the Law Enforcement Safety Act of 2004 (LEOSA), commonly referred to as HR 218 and codified as 18 U.S.C. Sec. 926B and C.

To be eligible, I understand that I must not have been adjudicated mentally defective as defined by the Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives (which includes a determination by a court, board, commission, or other lawful authority that I am a danger to myself or to others or am incompetent to manage my own affairs), never have been committed to a mental institution, never have been convicted of a misdemeanor for any use or attempted use of physical force or threatened use of force against any individual with whom I was in a domestic relationship (i.e. Spouse, ex-spouse, cohabitant, parent or child), AND not be a person who is prohibited from possessing a firearm and/or ammunition.

I recognize that the Beverly Hills Police Department is not legally required to provide a firearms instruction course or a qualification course and I understand that to do so, I will be required to fire my weapon(s) under the supervision of the Beverly Hills Police Department Rangemaster.

I agree to indemnify and hold harmless the City of Beverly Hills and the Beverly Hills Police Department, or its agents and employees, for any injury caused by my participation in this qualification process. I further waive any claim for damages against the City of Beverly Hills and the Beverly Hills Police Department, or its agents and employees, for any injury suffered by me while participating in this qualification process.

Further, I hereby specifically agree to indemnify and hold harmless the City of Beverly Hills and the Beverly Hills Police Department and/or its officers and employees, from any and all liability resulting from my carrying and/or use of any weapon allowed under the Law Enforcement Safety Act of 2004 and also these acts were not taken as an employee or former employee of the Beverly Hills Police Department.

I also understand that laws may differ across jurisdictions and it is my responsibility to familiarize myself and abide by these laws governing the use and possession of firearms and ammunition.

SIGNATURE: ___________________________ DATE: ________________
PRINT NAME: ___________________________ D.O.B.: ___________

ADDRESS: ________________________________
TELEPHONE NUMBER OR EMAIL: ________________________________

FIREARM(S): ____________________________
Inmate Search Record.pdf
CITY OF BEVERLY HILLS
POLICE DEPARTMENT
ARRESTEE AND INMATE SEARCH RECORD

(1) SUSPECT INFORMATION
Name_________________________________ Booking Number__________
Arrest Charge(s):_______________________________________________
Sex: ☐ Male ☐ Female

(2) SEARCHING OFFICER INFORMATION
Name_________________________________ ID Number______________
Sex: ☐ Male ☐ Female

(3) SEARCH INFORMATION
Date of search:______________ Time of search:______________

(4) PLEASE CHECK THE TYPE AND BASIS FOR SEARCH:
☐ Strip Search ☐ Visual Body Cavity Search
☐ Arrestee in custody for charge involving weapons, controlled substances or violence
☐ Reasonable suspicion that arrestee or inmate is concealing weapons or contraband (*must have prior Watch Commander approval)

State facts supporting reasonable suspicion:
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

Approved by:______________________________________________

☐ Felony arrestee being transferred to General Jail Population
   (**ONLY strip search permitted)

☐ Physical Body Cavity Search

☐ Search Warrant signed by Magistrate attached hereto

☐ Approved by:______________________________________________

(5) DESCRIBE RESULTS OF SEARCH, INCLUDING LISTING ANY ITEMS REMOVED FROM THE PERSON SEARCHED:
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

White copy-Arrest Packet
Reviewed By:_________________________
Yellow copy-Senior Jailer
Date and Time Reviewed:______________

Form: AISR#1
If you feel you are in danger, call 911 immediately. Since VINE calls automatically when an offender's custody status changes, you may get a call from VINE in the middle of the night. If you do not answer a notification call, VINE will leave a message. If there is no answer, VINE will continue calling back until you enter your PIN or until up to 48 hours have passed. Do not register a phone number that rings to a switchboard. VINE is confidential. The offender will not know you are registered with VINE. You can register multiple phone numbers and e-mail addresses for notifications. If you forget your PIN, call the toll-free number and press zero. You will be transferred to an operator who can help you reset your PIN or cancel notification. Operators are available 24 hours a day, seven days a week to assist you.

Information
Call 1-877-846-3452 or visit www.vinelink.com and follow the instructions to access custody information.

Registration
If the offender is in custody, you can register to receive notifications. If registering a phone number, you will be asked to create a four-digit personal identification number (PIN) that will be used to confirm that the call was received. Make sure your PIN is easy to remember.

Notification
You will be notified about the following events:
- Release
- Transfer
- Escape
- Return from escape

When VINE calls, listen to the message, then enter your PIN followed by the pound (#) key when asked. Entering the PIN lets VINE know that you received the call and will stop the service from calling you again.

Do not rely solely on VINE for your safety. If you feel that you may be at risk, take precautions as if the offender has already been released.
DV Worksheet.pdf
<table>
<thead>
<tr>
<th>Circumstances</th>
<th>Occurred Incident Type</th>
<th>Offense Information</th>
<th>Other Requirements</th>
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<tbody>
<tr>
<td>Domestic Violence Crime and Incident Reports</td>
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<td></td>
</tr>
<tr>
<td>Relationship + Willful Infliction of Corporal Injury + Traumatic Condition</td>
<td>DOMESTIC VIOLENCE INCIDENT</td>
<td>273.5(A) PC-F</td>
<td>Offer an EPO</td>
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<tr>
<td>Report of willful infliction of corporal injury resulting in a traumatic</td>
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<td>Provide Domestic</td>
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<tr>
<td>condition upon:</td>
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<td></td>
<td>Violence Pamphlet.</td>
</tr>
<tr>
<td>• Current or Former Spouse</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Current or Former Cohabitant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Current Fiancé/Fiancée or Previously Engaged</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Current or Previous Dating Relationship</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Parties have a child in common</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Relationship + Battery (Injury not necessary)</td>
<td>DOMESTIC VIOLENCE INCIDENT</td>
<td>243(E)(1) PC-M</td>
<td>Offer an EPO</td>
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<tr>
<td>Report of a battery committed against:</td>
<td></td>
<td></td>
<td>Provide Domestic</td>
</tr>
<tr>
<td>• Current or Former Spouse</td>
<td></td>
<td></td>
<td>Violence Pamphlet.</td>
</tr>
<tr>
<td>• Current Cohabitant (note: former cohabitant excluded)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Current Fiancé/Fiancée or Previously Engaged</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• Current or Previous Dating Relationship</td>
<td></td>
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</tr>
<tr>
<td>• Parties have a child in common</td>
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<td></td>
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</tr>
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<td>Relationship + Fear Only</td>
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<td>DV INCIDENT</td>
<td>Offer an EPO</td>
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<tr>
<td>• The parties involved are a qualifying relationship (listed above),</td>
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<td></td>
<td>Violence Pamphlet.</td>
</tr>
<tr>
<td>and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• There is no evidence of criminal conduct which would support an arrest</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>or crime report, and</td>
<td></td>
<td></td>
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<tr>
<td>• The conduct of the PCO places the complainant in reasonable apprehension</td>
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<td>of imminent serious bodily injury to herself/himself or another person</td>
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<td>(i.e. child)</td>
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<td>Family disputes that involve no crime and no apprehension of imminent</td>
<td>DISPUTE - FAMILY</td>
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<td>serious bodily injury to any party.</td>
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<td>Domestic Violence Arrest Reports</td>
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<td>ARREST for 273.5 PC</td>
<td>ARREST/PC FELONY</td>
<td>273.5(A) PC-F</td>
<td>Offer an EPO</td>
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<td>*836(d) PC authorizes arrest without a warrant when there is probable</td>
<td>ARREST/PC MISDEMEANOR</td>
<td>243(E)(1) PC-M</td>
<td>Provide Domestic</td>
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<td>cause to believe the suspect committed an assault or battery</td>
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<td>Violence Pamphlet.</td>
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### Definitions

**Traumatic Condition** = a wound or injury (internal or external), minor or serious in nature, caused by physical force. (273.5 PC)

**Dating Relationship** = frequent intimate associations characterized by affectional or sexual involvement. (243(e)(1) PC)

**Cohabitant** = two unrelated persons living together for a substantial period of time resulting in some permanency of relationship (13700(b) PC). Factors to be considered:
- Sexual relations while sharing the same living quarters,
- Sharing of income or expenses,
- Joint use or ownership of property,
- Parties hold themselves out as husband and wife,
- Continuity and length of the relationship.

**Dominant Aggressor** = the person who is most significant, rather than the first, aggressor (13701 PC). The officer shall consider:
- The intent of the law to protect victims of domestic violence from continuing abuse,
- The threats creating fear of physical injury,
- The history of domestic violence,
- Whether either person acted in self-defense.

### Reporting Requirements

(13730 PC)

All domestic violence related calls for assistance shall be supported with a written incident report including the following:

1. Whether the alleged abuser was under the influence of alcohol or a controlled substance.
2. Whether any law enforcement agency had previously responded to a domestic violence call at the same address involving the same alleged abuser or victim.
3. If a firearm or other deadly weapon was present at the location during the incident. **Must seize firearm or deadly weapon is discovered in plain view, consent or other lawful search.**

### OR Releases

An arrestee in custody for a violation of 273.5 PC, 273.6 PC, 243(e)(1) PC, or 646.9 PC cannot be released on his/her own recognizance. The arrestee must post the scheduled (or deviated) bail, otherwise appear before a magistrate of judge prior to release. (1270.1 PC)

An arrestee in custody for a misdemeanor violation of a domestic violence restraining order should not be released on his/her own recognizance if (853.6 PC):

- There is a reasonable likelihood that the offense will continue or resume, or
- The safety of persons or property would be imminently endangered by release of the person arrested.
DV Pamphlet to Victims.pdf
Domestic Violence is a Crime

You do not deserve to be hit, pushed, shoved, threatened, forced to have sex against your will, or be abused in any way, regardless of the abuser's relationship to you.

Intervention

Without some type of intervention, violent behavior usually does not stop. In fact, it often gets more frequent and severe. Children who witness domestic violence are greatly affected and may be harmed emotionally and developmentally.

Law Enforcement Response

Officers responding to a "911" call will take a statement from you to find out what has happened. The officer will decide if there is enough reason (probable cause) to make an arrest. It is important to tell the officer if the suspect has abused you in the past, or has threatened you and you believe that the abuse will continue after the officer leaves.

Warning: Even if the suspect was arrested and taken to jail, he/she may be released at any time. Victims can be notified of the arrested offender's release by registering with VINE at (877) 411-5588 or VINELINK.COM.

Citation and Release: Depending on the severity of the violence and whether or not there is past history of assaults, the officer may make a misdemeanor arrest. The officer may cite (write a ticket)

Private Person's Arrest: Sometimes the officer does not make any arrest. You have the right to ask for a "private person's arrest," and the officer may be able to take the person to jail.

You have the right to have a domestic violence counselor and/or a support person present at any follow-up interview by law enforcement, district attorney, or defense attorney. It is your responsibility to have these parties present on your behalf.

Emergency Protective Orders

If you feel in danger from the abuser, even if he/she has been arrested, you can ask the officer for an Emergency Protective Order. Tell the officer why you are afraid of the abuser. An Emergency Protective Order is good for 5 court days and can be issued 24 hours a day, 365 days a year.

Note: Sometimes bruises take time to appear. Make sure to call the police if you notice injuries in the hours or days following the assault so that they can take photographs of the injuries.

Restraining Orders

You have the right to go to the Superior Court in Santa Monica or Downtown Los Angeles to file a restraining order for your protection at no cost. Temporary Restraining Orders (TRO) may be good for up to three years. The judge may issue orders that:

- Restrain the attacker from abusing you, other family members;
- Require the attacker to leave the household;
- Prevent the attacker from entering your residence, school, business, or place of employment;
- Award custody of or visitation with minor children to you or the other parent;
- Restrain the attacker from molesting or interfering with minor children in the custody of the victim;
- Require the person not granted custody to pay support of minor children if the person has a legal obligation to do so;
- Require the abuser to make specific debt payments coming due while the order is in effect;
- Direct that either parties participate in counseling.

Assistance: If you need assistance on how to file a Temporary Restraining Order (TRO), call your attorney, one of the agencies listed on the back of this pamphlet, or go to the Superior Court and file the papers.

It can happen to anyone.

Plan For Your Safety When Filing A Restraining Order

Many abusers obey restraining orders, but some do not. Threats of retaliation for your leaving the relationship should always be taken seriously.

- Call for information about a safe shelter;
- Do not go places where you know the abuser might be or have access to, for example a parent's or friend's home;
- Secure your home by changing locks, installing a deadbolt and securing windows;
- Never allow the abuser to come into your home "just to visit together as a family;"
- Consider changing your telephone number;
- The order is a very powerful way for you to set a boundary of safety. However, it will be "just a piece of paper" unless you enforce it by reporting EVERY violation no matter how minor) to the police.

Help is available.

Criminal Charges

The District Attorney (D.A.) may file criminal charges against the person who hurt you, or you may ask the D.A. to file a criminal complaint. It is impossible for you to "drop the charges," because it is the D.A. who files them, not you. Call the Victim Advocate at the D.A.'s office for more information.

Financial Reimbursement

Under California law, you have the right to file a civil suit for losses suffered as a result of the abuse, including medical expenses, lost wages, counseling charges, and other expenses for injuries sustained and damage to property and any other related expenses incurred by you or an agency that shelters you. For more information regarding financial reimbursement, call the Victim Center.

For information about the California Victim's Compensation program, contact: 1-800-777-9229.
Sexual Assault is a Crime

Forced sexual contact by a person who is known to you, including your spouse, is against the law. The prospect of facing the legal process and having to repeat the story of what happened to you may feel like too much. Victims who do report, however, often feel stronger knowing that they are taking action. By doing so, you acknowledge that what happened to you was wrong. Investigation into the crime will involve an examination and follow-up care. Call The Rape Treatment Center for more information.

What to do following a sexual assault:
• Do not wash, douche or change clothes.
• Immediately contact local law enforcement.
• Obtain immediate emergency treatment.
• Do not clean the house if the attack occurred there.
• Call the local rape treatment center.

Leaving Plans
Develop a safety plan before you leave the relationship. The abuser may view your leaving the relationship as a loss of control over you which may lead to more violence. Call one of the hotlines listed in this brochure for assistance.

Resources

- LACAAW - Peace Over Violence - Los Angeles Commission on Assaults Against Women
  Hotline: (213) 626-3393
- Los Angeles County District Attorney’s Domestic Violence Safety Plan
  Hotline: (800) 978-3600
- Santa Monica Rape Treatment Center
  Hotline: (310) 319-4503
  1250 16th Street
  Santa Monica, California 90404
- Sojourn Services for Battered Women
  Hotline: (310) 264-6644 (available 24 hours)
- Child Abuse
  County Hotline: (800) 540-4000 (available 24 hours)
- Beverly Hills Police Department
  Non Emergency: (310) 550-4951 (available 24 hours)
  Emergency: 911
- VINE
  VINELINK.COM
  Hotline: (877) 411-5588

Legal Assistance

- District Attorney’s Office: Victim Services
  Phone: (800) 380-3811
- Temporary Restraining Orders:
  Santa Monica Courthouse
  1725 Main Street
  Santa Monica, California 90401
  Hours: Monday-Friday
  8:30 a.m.–11:30 a.m. or 1:30 p.m.–3:30 p.m.

NOTICE TO:
Victims of Domestic Violence
Penal Code Sections 13701
Victims of Sexual Assault
Penal Code Section 264.2a
Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf
POST Mission Statement
The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California Law Enforcement in serving its communities.
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FOREWORD

Hate Crimes (i.e. crimes motivated by bias) convey a message of terror and exclusion, not just to the immediate victims but to entire communities. They often target victims who are least able to defend themselves. They cause trauma that is more extreme and longer lasting than similar crimes committed for other motivations. They can spark retaliatory crimes, escalating the cycle of crime and violence. If not addressed professionally and thoroughly they may undermine public confidence in law enforcement.

The 2018 California State Auditor’s Report, titled “Hate Crimes in California,” found that California law enforcement has not taken adequate action to identify, report, and respond to hate crimes. The report found that agencies did not properly identify some hate crimes, and underreported or misreported hate crimes as well. The report also noted that hate crimes are on the rise in California, increasing in both 2015 and 2016.

California Penal Code (CPC) 422.87 added new language and requirements to any newly created or updated agency hate crimes policy. Effective January 1, 2019, any local law enforcement agency that updates an existing hate crimes policy, or adopts a new one, shall include the content of the model policy framework provided in this document as well as any revisions or additions to the model policy in the future.

These guidelines are the primary elements that law enforcement executives are now required to incorporate into their hate crimes policy if an agency creates a new hate crimes policy or updates an existing one. The guidelines are designed for department-wide application and are intended to reflect a values-driven “top-down” process. They are intended to assist with the development and delivery of training and ensure proper identification, investigation, and reporting of hate crimes within each agency’s jurisdiction.
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POLICY GUIDELINES

GUIDELINE #1
Develop the foundation for the agency’s hate crimes policy.

The law enforcement executive is responsible for providing leadership, communicating organizational values to the department and the community, paying attention to hate crime trends and current events that could trigger hate incidents and/or hate crimes in the community, and providing education and training to establish the foundation for the agency’s hate crimes policy. Employees’ ability to respond appropriately to hate crimes and hate incidents is maximized when the executive effectively establishes and communicates the foundational values of the organization.

GUIDELINE #2
Develop a hate crimes policy for the agency.

I. An agency’s hate crimes policy shall include the statutory definition of a hate crime, and its policy and programs should minimally include the following:
   A. Response
   B. Training
   C. Planning and Prevention
   D. Reporting

The law enforcement executive is responsible for the initial development of the policy and should be actively involved in its implementation. See the appendix for the exemplar “Message from the Agency Chief Executive”.

GUIDELINE #3
Develop expertise to identify and investigate hate crimes.

The law enforcement executive is responsible for ensuring that the agency possesses expertise to identify and investigate hate crimes, as well as ensuring compliance with state and federal reporting and public information requirements. Agencies should assign identified personnel to appropriate training to develop expertise and knowledge to investigate hate crimes.

Hate crimes are low-frequency events with high-risk consequences for the agency and community. Agencies shall provide a checklist to first responders to provide direction for the investigation of all hate crimes as mandated by CPC 422.87.

GUIDELINE #4
Develop and implement cooperative hate crimes plans with other law enforcement agencies.

I. Coordinate cooperative efforts among regional, state, federal, and tribal law enforcement agencies to share information and training, and develop strategies to prevent hate crime activity.

II. Develop and/or participate in law enforcement intelligence networks to enhance the agency’s ability to anticipate potential hate crime targets. This interaction should include sharing intelligence information with other jurisdictions and cooperative investigations, arrests, and prosecutions if appropriate.

GUIDELINE #5
Develop and implement cooperative hate crime plans with the community and related governmental and non-governmental organizations, as appropriate.

I. Collaborate with the community, including human relations/civil rights organizations, advocacy groups, service organizations, neighborhood associations, religious institutions, local schools and colleges, to do the following:
   • Develop a network to build rapport with community groups
• Develop a protocol for response to hate crimes
• Obtain witness and victim cooperation
• Provide support services to victims
• Collect demographic information about specific communities
• Identify hate crime trends based upon current events and activity (hate crimes and/or hate incidents)
• Identify periods of increased vulnerability based on significant dates and events for affected communities

II. Law enforcement should identify and seek out cultural diversity training and information from/about specific communities within its jurisdiction (immigrant, Muslim, Arab, LGBTQ, Black or African American, Jewish, Sikh, disability, etc.) to strengthen agency awareness.

GUIDELINE #6

Conduct an annual assessment of the agency’s hate crimes policy and its ongoing implementation.

The assessment should include:

I. A review to ensure compliance with the POST Hate Crimes Model Policy and California law.

II. A review and analysis of the agency’s data collection, policy, and annual mandated reporting of hate crimes.

III. A review and updating of the agency’s hate crimes brochure to ensure compliance with CPC 422.92.

IV. A review of any existing or available data or reports, including the annual California Attorney General’s report on hate crimes, in preparation for, and response to, future hate crime trends.

V. Annual outreach to the community including human relations/civil rights organizations, advocacy groups, service organizations, neighborhood associations, religious institutions, local schools, and colleges assessing the agency’s responsiveness to hate crimes.
MINIMUM LEGAL REQUIREMENTS FOR AN AGENCY’S HATE CRIMES POLICY

CPC 13519.6, effective January 1, 2005, minimally requires:

1. A message from the law enforcement agency’s chief executive officer to the agency’s officers and staff concerning the importance of hate crime laws and the agency’s commitment to enforcement.
2. The definition of “hate crime” in Penal Code section 422.55.
3. References to hate crime statutes including Penal Code section 422.6.
4. A title-by-title specific protocol that agency personnel are required to follow, including, but not limited to, the following:
   a. Preventing and preparing for likely hate crimes by, among other things, establishing contact with persons and communities who are likely targets, and forming and cooperating with community hate crime prevention and response networks.
   b. Responding to reports of hate crimes, including reports of hate crimes committed under the color of authority.
   c. Accessing assistance, by, among other things, activating the Department of Justice hate crimes rapid response protocol when necessary.
   d. Providing victim assistance and follow-up, including community follow-up.
   e. Reporting

CPC 422.87, effective January 1, 2019, states and minimally requires:

Each local law enforcement agency may adopt a hate crimes policy. Any local law enforcement agency that updates an existing hate crimes policy or adopts a new one shall include, but not limited to, the following:

1. The definitions in Penal Code sections 422.55 and 422.56.
2. The content of the model policy framework that the Commission on Peace Officer Standards and Training developed pursuant to Section 13519.6 (above) and any content that the commission may revise or add in the future, including any policy, definitions, response and reporting responsibilities, training resources, and planning and prevention methods.
3. Information regarding bias motivation
   a. For the purposes of this paragraph, “bias motivation” is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 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.
   i. In recognizing suspected disability-bias hate crimes, the policy shall advise officers to 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.

ii. In recognizing suspected disability-bias hate crimes, the policy also shall advise officers to 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, if 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 than those of the victim, those 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.

b. Information regarding the general underreporting of hate crimes and the more extreme underreporting of anti-disability and anti-gender hate crimes and a plan for the agency to remedy this underreporting (emphasis added).

c. A protocol for reporting suspected hate crimes to the Department of Justice pursuant to Penal Code section 13023.

d. A checklist of first responder responsibilities, including, but not limited to, being sensitive to effects of the crime on the victim, determining whether any additional resources are needed on the scene to assist the victim or whether to refer the victim to appropriate community and legal services, and giving the victims and any interested persons the agency’s hate crimes brochure, as required by Section 422.92.

e. A specific procedure for transmitting and periodically retransmitting the policy and any related orders to all officers, including a simple and immediate way for officers to access the policy in the field when needed.

f. The title or titles of the officer or officers responsible for assuring that the department has a hate crime brochure as required by Section 422.92 and ensuring that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons.

g. A requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the chief, sheriff, director, or other chief executive of the law enforcement agency or other command-level officer to whom the chief executive officer formally delegates this responsibility.

h. Any local law enforcement agency that updates an existing hate crimes policy or adopts a new hate crimes policy may include any of the provisions of a model hate crime policy and other relevant documents developed by the International Association of Chiefs of Police that are relevant to California and consistent with this chapter.
MODEL POLICY FRAMEWORK

Purpose

This model policy framework 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 law enforcement agencies may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy.

Policy

It is the policy of this agency 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 agency will employ necessary 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 agency should attend to the security and related concerns of the immediate victims and their families as feasible.

The agency policy shall include a requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the chief, sheriff, director, or other chief executive of the law enforcement agency or other command-level officer to whom the chief executive officer formally delegates this responsibility.

The agency policy shall provide a specific procedure for transmitting and periodically retransmitting the policy and any related orders to all officers, including a simple and immediate way for officers to access the policy in the field when needed.

Response, Victim Assistance and Follow-up

Initial response

First responding officers should know the role of all department personnel as they relate to the agency’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. Responding officers should ensure the crime scene is properly protected, preserved and processed.

At the scene of a suspected hate or bias crimes, officers should take preliminary actions deemed necessary, to include, but not limited to, the following:

1. Use agency checklist (per CPC 422.87) to assist in the investigation of any hate crime (see appendix, page 21, for exemplar checklist based on the Los Angeles Police Department Hate Crimes Supplemental Report with the agency’s permission).
2. Stabilize the victim(s) and request medical attention when necessary.

3. Ensure the safety of victims, witnesses, and perpetrators.
   a. Issue a Temporary Restraining Order (if applicable).

4. 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.

5. Ensure that the crime scene is properly protected, preserved, and processed and that all physical evidence of the incident is removed 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 ensure that it is removed or covered up as soon as possible. Agency personnel should follow-up to ensure that this is accomplished in a timely manner.

6. Collect and photograph physical evidence or indicators of hate crimes such as:
   a. Hate literature.
   b. Spray paint cans.
   c. Threatening letters.
   d. Symbols used by hate groups.

7. Identify criminal evidence on the victim.

8. Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.

9. Conduct a preliminary investigation and record pertinent information including, but not limited to:
   a. Identity of suspected perpetrator(s).
   b. Identity of witnesses, including those no longer at the scene.
   c. The offer of victim confidentiality per Government Code (GC) 5264.
   d. Prior occurrences, in this area or with this victim.
   e. Statements made by suspects; exact wording is critical.
   f. The victim’s protected characteristics and determine if bias was a motivation “in whole or in part” in the commission of the crime.

1. “Bias motivation” is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 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.

   (a) In recognizing suspected disability-bias hate crimes, the policy shall advise officers to 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

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1See Appendix, page 15, for definition
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.

(b) In recognizing suspected disability-bias hate crimes, the policy also shall advise officers to 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, if 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 than those of the victim, those 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.

10. Adhere to CPC 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.

11. Provide information regarding immigration remedies available to victims of crime. (U-Visa, T-Visa, S-Visa, etc.).

12. Provide the agency’s Hate Crimes Brochure (per CPC 422.92) if asked, if necessary or per policy (if applicable).

13. Utilize proper techniques for interviewing people with disabilities and being aware of and providing appropriate accommodations (such as ADA standards, Braille, visuals, translators for the deaf or hard of hearing, etc.).

14. Report any suspected multi-mission extremist crimes to the agency Terrorism Liaison Officer (TLO), or assigned designee, and direct the TLO/ designee to send the data to the Joint Regional Information Exchange System.

Investigation

Investigators at the scene of or while performing follow-up investigation on a suspected hate or bias crimes (or hate incident if agency policy requires it) should take all actions deemed necessary, including, but not limited to, the following:

1. Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).

2. Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.

3. Utilize proper techniques for interviewing people with disabilities and being aware of and providing appropriate accommodations (such as ADA standards, Braille, visuals, translators for the deaf or hard of hearing, etc.).

4. Fully investigate any report of hate crime committed under the color of authority per CPC 422.6 and CPC 13519.6.
5. Collect and photograph physical evidence or indicators of hate crimes such as:
   a. Hate literature.
   b. Spray paint cans.
   c. Threatening letters.
   d. Symbols used by hate groups.
   e. Desecration of religious symbols, objects, or buildings.

6. Request the assistance of translators or interpreters when needed to establish effective communication.

7. Conduct a preliminary investigation and record information regarding:
   a. Identity of suspected perpetrator(s).
   b. Identity of witnesses, including those no longer at the scene.
   c. Offer of victim confidentiality per GC 5264.
   d. Prior occurrences, in this area or with this victim.
   e. Statements made by suspects; exact wording is critical.
   f. Document the victim's protected characteristics.

8. Provide victim assistance and follow-up.

9. Canvass the area for additional witnesses.

10. Examine suspect’s social media activity for potential evidence of bias motivation.

11. Coordinate the investigation with agency, state, and regional intelligence operations. These sources can provide the investigating officer with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.

12. Coordinate the investigation with the crime scene investigation unit (if applicable) or other units of the agency.

13. Determine if the incident should be classified as a hate crime.

14. Take steps to ensure appropriate assistance is provided to hate crime victim(s), including the following measures:
   a. Contact the victim periodically to determine whether he/she is receiving adequate and appropriate assistance.
   b. Provide ongoing information to the victim about the status of the criminal investigation.
   c. Provide the victim and any other interested person the brochure on hate crimes per CPC 422.92 and information on any local advocacy groups (if asked).

15. Report any suspected multi-mission extremist crimes to the agency TLO, or assigned designee, and direct the TLO or designee to send the data to the Joint Regional Information Exchange System.

16. Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents (if directed by policy), and determine if organized hate groups are involved.
**Supervision**

The supervisor shall confer with the initial responding officer(s) and ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

1. Provide immediate assistance to the crime victim by:
   a. Expressing the law enforcement agency’s official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.
   b. Expressing the department’s interest in protecting victims’ anonymity (confidentiality forms GC 6254) to the extent possible. Allow the victim to convey his/her immediate concerns and feelings.
   c. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy or departmental chaplain, as well as community service agencies that provide shelter, food, clothing, child care, or other related services (per CPC 422.92).

2. 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.

3. 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.

4. 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 officer at specific locations that could become targets).

5. Ensure hate crimes are properly reported, including reporting to the Department of Justice, pursuant to CPC 13023.

6. Ensure adherence to CPC 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. (U-Visa, T-Visa, S-Visa, etc.)

7. Respond to and investigate any reports of hate crimes committed under the color of authority.

8. Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For information see the California Department of Justice webpage or use following link: https://oag.ca.gov/sites/all/files/agweb/pdfs/civilrights/AG-Rapid-Response-Team-Protocol-2.pdf

9. Report or ensure any suspected multi-mission extremists crimes are reported to the agency TLO, or assigned designee, and direct the TLO/designee to send the data to the Joint Regional Information Exchange System.

10. Make a final determination as to whether the incident should be classified as a hate crime.
Training

All staff, including dispatch, desk personnel, volunteers, records, support staff, officers, supervisors, and managers shall be properly trained on the department’s hate crimes policy. The agency will follow all legislatively mandated training requirements.

POST offers training and video courses to assist law enforcement in the identification, investigation, documentation and reporting of hate crimes. These courses provide officers with information and skills necessary to effectively identify, investigate, document and report hate crimes. Various training programs include the history and definitions of hate crimes, recognition of hate groups, international terrorism, legal considerations, victims’ considerations, initial response duties, victim interviewing and care, suspect identification and interrogation, evidence identification, report writing, the role of law enforcement, investigative strategies, intelligence collection, supervisory roles, community relations, media relations and local program training development, and other topics such as proper use of computer systems and methods for reporting. POST also maintains an extensive array of training videos on applicable topics such as working with those with mental illness and intellectual disabilities, hate crimes, and working with minority communities.

For more information on POST training opportunities and available videos, visit the POST website at www.post.ca.gov. In conjunction with POST training opportunities, trainers may utilize other state and federal agencies that offer training courses, such as the U.S. Department of Justice.

Planning and Prevention

The general underreporting of hate crimes is an identified issue in California. Underreporting is caused by victims not reporting hate crimes or hate incidents due to a number of factors, including fear of reprisal and the belief that law enforcement will not properly investigate them. A report by the State Auditor in 2018 determined that California law enforcement has not taken adequate action to identify, report and respond to hate crimes. There is also an extreme underreporting of anti-disability and anti-gender hate crimes. The agency’s plan to remedy this underreporting shall be inserted into the policy (emphasis added).

In order to facilitate the recommendations contained within this policy, it is strongly recommended that agencies build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Agency personnel are also encouraged to learn about the inherent issues concerning their communities in relation to hate crimes. Assigned personnel should perform the following:

1. Meet with residents in target communities to allay fears; emphasize the agency’s concern over this and related incidents; reduce the potential for counter-violence; and provide safety, security, and crime prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.

2. Provide direct and referral assistance to the victim and his/her family.

3. Conduct public meetings on hate crime threats and violence in general.

4. Establish relationships with formal community-based organizations and leaders.

5. Expand, where appropriate, preventive programs such as hate, bias, and crime reduction seminars for school children.
6. Review 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 Islamic communities.²

7. Provide orientation of and with communities of specific targeted victims such as immigrants, Muslims, Arabs, LGBTQ, Black or African-American, Jewish, Sikh, disabled persons, etc.

Hate crimes are not only a crime against the targeted victim(s) but also have impacts on the victim’s family and community. Working constructively with segments of this larger community after such crimes is essential to help reduce fears, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to step forward and report such crimes. This is particularly important if an upward trend has been identified in these crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Most California law enforcement agencies do not track hate incidents. It is recommended that hate incidents be investigated and documented, if directed by policy, as part of the overall planning to prevent hate crime.

Tracking social media is also another identified area to find indicators of, or precursors to, hate crimes. It is recommended that agencies assign personnel to find, evaluate and monitor public social media sources to identify possible suspects in reported hate crimes, or to determine suspects or suspect groups in future hate crimes or hate incidents affecting the identified individuals, groups or communities that may be victimized, and planned hate-based events.

**Release of Information**

 Agencies should have procedure and/or policy on public disclosure of hate crimes. Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure would assist greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:

1. Dissemination of correct information.

2. Assurance to affected communities or groups that the matter is being properly and promptly investigated.

3. The ability to request information regarding the commission of the crime(s) from the victimized community.

Agencies should provide the supervisor, public information officer, or designee with information that can be responsiblly reported to the media. When appropriate, the law enforcement media spokesperson should reiterate that the hate crimes will not be tolerated, will be taken seriously, and will be prosecuted to the full extent of the law.

Agencies are encouraged to consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

---

²As described in CPC 13519.6(b)(8)
1. Informing community organizations in a timely manner when a community group has been the target of a hate crime.

2. Informing the community of the impact of these crimes on the victim, the victim’s family, and the community, and the assistance and compensation available to victims.

3. Informing the community regarding hate crime law and the legal rights of, and the remedies available to, victims of hate crimes.

4. Providing the community with on-going information regarding hate crime and/or hate incidents (if policy requires it).

**Reporting**

The agency policy shall require development of a procedure for data collection, documentation, and mandated reporting requirements. The agency shall:

1. Ensure that hate crimes are properly investigated, documented and reported.

2. During documentation, ensure hate crimes are flagged properly to allow for required reporting to the California Department of Justice. This is typically indicated by the title/penal code section identifying the report as a hate crime. Some agencies have added a check box specifically indicating a hate crime that could, if required by the agency policy, require a secondary review by an investigator/detective, supervisor or other identified party. It is the agency executive's responsibility to determine the form of documentation and type of indicators on crime reports.

3. The agency head or their designee (identified in the agency policy) should make a final determination as to whether the incident should be classified as a hate crime by the agency.

4. Agencies shall develop procedures to comply with legally mandated reporting, including the California Department of Justice, pursuant to CPC 13023.
Checklist for the agency’s policy creation

☐ Message from the law enforcement’s agency’s chief executive is included

☐ The updated existing policy or newly adopted policy includes the content of the model policy framework from POST.

☐ Definition of “hate crime” included from:
  ☐ CPC 422.55
  ☐ CPC 422.56
  ☐ CPC 422.6

☐ Title by title specific protocol regarding:
  ☐ Prevention
    ☐ Is contact is established with identified persons and/or communities who are likely targets?
    ☐ Have we formed and/or are we cooperating with hate crime prevention and response networks?
    ☐ Has a plan for the agency to remedy underreporting of hate crimes and the more extreme underreporting of anti-disability and anti-gender hate crimes been created?
  ☐ Response
    ☐ Requirement that all hate crimes be properly investigated and supervised
    ☐ Requirement that any hate crimes committed under the color of authority are investigated
  ☐ Accessing Assistance
    ☐ Information provided for activating the Department of Justice hate crime rapid response protocol when necessary
  ☐ Victim assistance and follow-up
  ☐ Reporting
    ☐ Protocol for reporting suspected hate crimes to the Department of Justice per CPC 13023
  ☐ Training
    ☐ Has a checklist for first responders been created and provided personnel (see exemplar officer checklist in appendix)
      ☐ Does the checklist include first responder responsibilities include:
        ☐ Determining the need for additional resources if necessary?
        ☐ Referral information for appropriate community and legal services?
        ☐ The requirement to provide the agency’s hate crimes brochure per CPC 422.92?
      ☐ Information regarding bias motivation from CPC 422.87
      ☐ Information regarding the general underreporting of hate crimes and the more extreme underreporting of anti-disability and anti-gender hate crimes
  ☐ Definitions of terms used in the policy are listed
  ☐ Specific procedure for transmitting and periodically retransmitting the policy and any related orders to officers is included.
    ☐ Procedure shall include a simple and immediate way for officers to access the policy in the field when needed
  ☐ Title or titles of the officer or officers responsible for assuring the department has a hate crime brochure (per CPC 422.92) and ensuring that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons.
  ☐ A requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the law enforcement chief executive or the chief executive’s designee.
APPENDIX

Definitions and Laws

In accordance with CPC sections 422.55, 422.56, 422.6, and 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:

Hate crime

“Hate crime” 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:

1. Disability.
2. Gender.
3. Nationality.
4. Race or ethnicity.
5. Religion.
7. Association with a person or group with one or more of these actual or perceived characteristics.

(b) “Hate crime” includes, but is not limited to, a violation of Section 422.6.

“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 CPC 422.55 subdivision (a).

Note: A “hate crime” need not be motivated by hate but may be motivated by any bias against a protected characteristic.

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 and solicitation to commit any crime.

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
**Bias Motivation**

Bias motivation is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 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 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, if 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 than those of the victim, those 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.

**Disability**

Disability includes mental disability and physical disability as defined in GC 12926, regardless of whether those disabilities are temporary, permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Gender**

Gender means sex and includes a person gender identity and gender expression. Gender expression means a person’s gender-related appearance and behavior, whether or not stereotypically associated with the persons assigned sex at birth. A person’s gender identity and gender related appearance and behavior, whether or not stereotypically associated with the person’s assigned sex at birth.

**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 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, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public
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.
# HATE CRIME CHECKLIST

## 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: ________________________________

## 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: ________________________________

### 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.

## 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 #
- Yes  No

## Prior unreported incidents with suspect? Total #
- Yes  No

## Restraining orders?  Yes  No

If Yes, describe in narrative portion of Report

## Type of order: ________________________________  Order/Case#

## 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

POST 05/19 (Based on LAPD’s Hate Crime Supplemental Report, used with permission)
## HATE CRIME CHECKLIST

### EVIDENCE

<table>
<thead>
<tr>
<th>Witness present during incident?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence collected?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Photos taken?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

- Total # of photos: __________  D#: __________________________
- Taken by: _______________  Serial #: ____________
- Recording: Video  Audio  Booked
- Suspect identified: Field ID  By photo  Known to victim

### OBSERVATIONS

#### VICTIM
- Tattoos
- Shaking
- Unresponsive
- Crying
- Scared
- Angry
- Fearful
- Calm
- Agitated
- Nervous
- Threatening
- Apologetic
- Other observations: _____________________________

#### SUSPECT
- Tattoos
- Shaking
- Unresponsive
- Crying
- Scared
- Angry
- Fearful
- Calm
- Agitated
- Nervous
- Threatening
- Apologetic
- 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

### MEDICAL

<table>
<thead>
<tr>
<th>Victim</th>
<th>Suspect</th>
<th>Paramedics at scene?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Declined medical treatment</td>
<td>Yes  No Unit # __________</td>
</tr>
<tr>
<td></td>
<td>Will seek own medical treatment</td>
<td></td>
</tr>
</tbody>
</table>
|        |Received medical treatment| Name(s)/ID #: ____________________________

- Authorization to Release Medical Information, Form 05.03.00, signed? Yes  No

### Officer (Name/Rank) Date

### Officer (Name/Rank) Date

### Supervisor Approving (Name/Rank) Date

---

POST 05/19
Emergency Operations Procedures_Checklist.jpg
City Drug-Free Workplace Policy Statement and Drug and Alcohol Policy.pdf
TO: All Employee
FROM: Shelley Ovrom, Asst. Director Admin. Services/Human Resources
SUBJECT: Drug-Free Workplace Policy Statement & Drug and Alcohol Policy

Drug use has become a national crisis both in the workplace and in social settings. To help combat this crisis, the federal government enacted the Drug-Free Workplace Act of 1988. This law requires federal contractors, such as the City of Beverly Hills, to certify that they will provide drug-free workplaces.

This memo and enclosures serve to distribute the formalized Drug-Free Workplace Policy Statement in addition to introducing the City's Drug and Alcohol Policy. This Drug-Free Workplace Policy Statement and accompanying Drug and Alcohol Policy are effective immediately and supersede any policies and procedures previously issued by the City of Beverly Hills on this subject.

This policy has been provided to all employee bargaining groups, prior to its distribution. If you have any questions, please feel free to contact me at X1066.
DRUG-FREE WORKPLACE POLICY STATEMENT

The following is provided to you as required by the Drug-Free Workplace Act. A signed and dated acknowledgment must be returned to Human Resources within five working days of receipt.

Prohibition of Controlled Substances

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on City property, in City vehicles, or while conducting City business is strictly prohibited.

Discipline for Violation of Policy

Compliance with this Drug-Free Workplace Policy statement is a condition of employment for work on a covered government contract. Further, any individual who is found to be in violation of the Drug-Free Workplace Policy Statement will be subject to disciplinary action, up to and including immediate discharge.

Workplace Drug Conviction

Under the Drug-Free Workplace Act, an individual directly performing work under a covered federal contract is required to notify Human Resources of a conviction under any criminal drug statute if the violation occurred in the workplace. The individual must provide notice within five (5) days of the conviction. In accordance with the Drug-Free Workplace Act, the City will notify the applicable government contract officer about the conviction.

Within thirty (30) days after the City of Beverly Hills receives notice of such a conviction, the convicted individual may be disciplined up to and including immediate discharge. Alternatively, at the City's discretion, such individual may be required to participate in an approved drug assistance or rehabilitation program.
CITY OF BEVERLY HILLS

Drug and Alcohol Policy

The City of Beverly Hills has a continuing objective to provide the highest quality service to its citizens. Therefore, we are taking this opportunity to continue our commitment against drug and alcohol abuse in the workplace and to introduce this Drug and Alcohol Policy to all employees:

Possessing, using, purchasing, distributing, selling or having controlled substances in your system without medical authorization or consuming alcohol during the workday, on City premises, while conducting City business at other locations or while attending any training conferences, is inconsistent with the City's interests and may result in disciplinary action and/or immediate discharge. As used in this policy, the term "controlled substances" includes, but is not limited to, prescription drugs, intoxicants, hallucinogens and generic or synthetic "drugs" or legal substances taken in a dosage or combination which results in mental/physical effects that simulate other controlled substances.

The City of Beverly Hills also wishes to remind all employees of their obligation to be fully able to perform their job responsibilities satisfactorily during their working hours, whether on City premises, while conducting City business at other locations or while attending any training conferences. Consistent with our Drug and Alcohol Policy, all employees who, for example, arrive at work or return to work from lunch or an appointment and cannot satisfactorily perform their job duties because of their use of controlled substances and/or alcohol may be subject to disciplinary action and/or immediate discharge.

Finally, we want to advise individuals who may have either an alcohol or a controlled substance abuse problem that assistance is available through various sources, such as the Human Resources Department and the Maple Center. This service is provided on a strictly confidential basis. However, recognition and treatment of an alcohol or controlled substance abuse problem will not excuse individuals from satisfactorily performing all of their job duties or from complying with all City policies and procedures, including this Drug and Alcohol Policy.
This is to acknowledge that I have read, fully understand and have been given a copy of the City of Beverly Hills' Drug-Free Workplace Statement.

This signed and dated acknowledgment must be forwarded to Human Resources within five business days of receipt of the Drug-Free Workplace Policy Statement.

_____________________________________
Employee’s Signature

_____________________________________
Employee’s Name (Print)

_____________________________________
Department

_____________________________________
Date

8:19 AM 10/05/65
MP Worksheet Jan 2018.pdf
WITHOUT DELAY BROADCAST ALL POINTS BULLETIN
to all Police Communication Channels, Other Patrol Officers, Other Law Enforcement Agencies

**DESCRIPTION OF MISSING PERSON**

<table>
<thead>
<tr>
<th>Name</th>
<th>Nickname(s) / AKA</th>
<th>Gender</th>
<th>Race/Ethnicity</th>
<th>Citizenship</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>☐ Female ☐ Male</td>
<td></td>
<td></td>
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</tbody>
</table>

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<thead>
<tr>
<th>Age</th>
<th>Date of Birth</th>
<th>Hair Color</th>
<th>Eye Color</th>
<th>Height/Weight</th>
<th>Languages Spoken at Home</th>
<th>Disabilities</th>
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</thead>
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Clothing at Time of Disappearance:

Distinguishing Features or Marks:

Medical Conditions:

**CIRCUMSTANCES OF DISAPPEARANCE**

<table>
<thead>
<tr>
<th>Last Seen By (witnesses)</th>
<th>Relationship</th>
<th>At (location)</th>
<th>At/Around (time)</th>
<th>With</th>
</tr>
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</table>

Reason the person is perceived as missing:

**DESCRIPTION OF ALLEGED SUSPECT IF KNOWN**

<table>
<thead>
<tr>
<th>Name</th>
<th>Aliases/Monikers</th>
<th>Gender</th>
<th>Race/Ethnicity</th>
<th>Citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>☐ Female ☐ Male</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Age</th>
<th>Date of Birth</th>
<th>Hair Color</th>
<th>Eye Color</th>
<th>Height/Weight</th>
<th>Languages Spoken</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Disabilities/Medical Conditions:

<table>
<thead>
<tr>
<th>Vehicle Description (make, model, year, color, etc.)</th>
<th>License/State</th>
<th>Occupation</th>
<th>Criminal Record</th>
<th>Relationship to Child</th>
</tr>
</thead>
</table>

Notes:

Clothing at Time of Abduction

Other Observations/Distinguishing Marks/Tattoos

Residential Address

Work Address

Potential Destinations:

Potential Routes of Escape:

Type of Abduction: ☐ Non-family ☐ Family ☐ International Risk ☐ Removal from the United States

**RISK ASSESSMENT** (Degree of risk that child may be injured, killed or removed from the United States.) Complete risk assessment, then summarize concerns:
## RELEVANT INFORMATION

<table>
<thead>
<tr>
<th>Missing Person's Residential Address</th>
<th>Family Status</th>
<th>Legal Caretaker-Custodial Situation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- [ ] Intact Two-Parent
- [ ] Divorce/Separation
- [ ] Step/parent

<table>
<thead>
<tr>
<th>Telephone:</th>
<th>Out-of-Home Placement</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- [ ] Out-of-Home Placement
- [ ] Other

### School/Day Care:

- [ ] Contact Two-Parent

- [ ] Divorce/Separation

- [ ] Step/parent

### Individual Living in Household:

<table>
<thead>
<tr>
<th>Relationship to MP</th>
<th>Current Location</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### INTERNATIONAL RISK (Complete only if indicated)

<table>
<thead>
<tr>
<th>Current Passport</th>
<th>Current Foreign Passport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country of Origin</td>
<td></td>
</tr>
<tr>
<td>Abductor:</td>
<td></td>
</tr>
<tr>
<td>Child:</td>
<td></td>
</tr>
</tbody>
</table>

- [ ] yes
- [ ] no
- [ ] unknown

<table>
<thead>
<tr>
<th>Dual Citizen</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] yes</td>
</tr>
<tr>
<td>[ ] no</td>
</tr>
</tbody>
</table>

### Out-of-Country Relatives/Friends:

<table>
<thead>
<tr>
<th>Relationship to Abductor/Child</th>
<th>Country</th>
<th>Contact Information (address, telephone, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

### BROADCAST UPDATED ALL POINTS BULLETIN

- to all Police Communication Channels, Other Patrol Officers, Other Law Enforcement Agencies

### NOTIFY APPROPRIATE AGENCIES TO ASSIST WITH ON SCENE INVESTIGATION

- Provide MP form to Records Bureau for entry into MUPS without delay.
- Broadcast to surrounding Agencies (LAPD WLA; LASD WHD; LAPD HWD, LAPD WILSHIRE)
- Notify MTA – provide a picture of MP
- Contact Hotzolah 800-613-1911
- Contact hospitals (locate hospitals: www.dhs.lacounty.gov/wps/portal/dhs/locations/)

### OBTAIN ADDITIONAL EVIDENCE/INFORMATION TO ASSIST IN SEARCH

- Department of Justice Missing & Unidentified Persons Unit
- California Highway Patrol
- Local FBI
- AMBER ALERT
- SILVER ALERT
- District Attorney Child Abduction Unit

### DEPARTMENT OF JUSTICE MISSING & UNIDENTIFIED PERSONS UNIT . . . . . . (916) 227-3290

<table>
<thead>
<tr>
<th>Federal Bureau of Investigation</th>
<th>Missing Children Hotline</th>
<th>National Center for Missing &amp; Exploited Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Angeles…………………………(310) 996-5000</td>
<td>1(800) 222-FIND (3463)</td>
<td>1 (800) 843-5678</td>
</tr>
<tr>
<td>Sacramento…………………………..(916) 481-9110</td>
<td>California Highway Patrol or………………………….. (800) TELL-CHP</td>
<td>nearest CHP Communications Center</td>
</tr>
<tr>
<td>San Diego…………………………..(858) 565-1255</td>
<td>District Attorney's Child Abduction Unit………………………….. (213-257-2600)</td>
<td></td>
</tr>
</tbody>
</table>
BHPD First Responder MP Checklist.pdf
# First Responder Checklist: Missing Persons Investigations

## Duty to Assist

It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or runaway. [14214(a) Cal Pen Code]

## Report Requirement

- Shall accept any report, by any party, including any telephonic report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property. [14211(a) Cal Pen Code]
- Report shall be accepted regardless of jurisdiction.
- There is no minimum timeframe before a report can be made.
- Report shall be recorded on the DOJ Standard Missing Person Reporting Form [13519.07(d) Cal Pen Code]

## Initial Investigation

- Identify and interview witnesses.
- Obtain all pertinent details about the missing person as necessary to complete the missing persons report.
- Obtain a list of locations frequented by the missing person.
- Provide DOJ Authorization to Release Dental/Skeletal X-Rays/Photographs of Missing Juvenile/Adult Form to the reporting party [14212(b) Cal Pen Code]
- Obtain reporting party’s initials to authorize/decline the release of photograph, dental and skeletal x-rays on the missing person report form [14212(a) Cal Pen Code]
- Obtain reporting party’s initials to authorize/decline release of information to the National Missing and Unidentified Person System on the missing person report form [14209 Cal Pen Code]
- Obtain reporting party’s signature on missing person report

## Evidence Collection

- Obtain a recent photograph of the missing person (preferably showing the missing person’s smile/teeth)
- Accept any fingerprint or DNA evidence offered by the Reporting Party or Family

## Attempt to Locate

- Make an assessment of reasonable steps to be taken to locate the missing person [14211(c) Cal Pen Code]
- Conduct a search of the immediate, surrounding area, and likely locations where the person may have gone

## Broadcasts and Notifications

- Broadcast a “Be On the Look-Out” bulletin without delay if the missing person is under 21 OR “At-Risk*” [14211(d) Cal Pen Code]
- Submit report to Records within 2 hours of the radio call if the missing person is under 21 OR “At-Risk*” 14211(e) Cal Pen Code
- Notify the law enforcement agency where the missing person was last seen
- Notify surrounding agencies
- Notify a supervisor if missing person is “At-Risk” or Alert System activation is needed

## AMBER Alert

A request to activate the Emergency Alert System shall be made when ALL of the following exist:

- Police receive a report that an abduction has occurred, or that a child has been taken by anyone (including a parent)
- The child is 17 years of age or younger OR has a proven mental or physical disability,
- The victim is in imminent danger of serious bodily injury or death, AND
- There is information available that if disseminated to the general public could assist in the safe recovery of the victim.

The Emergency Alert System is not intended to be used for abductions resulting from custody disputes that are not reasonably believed to endanger the life or physical health of a child. [Cal Govt Code 8594]
First Responder Checklist: Missing Persons Investigations

SILVER Alert

A request to activate a Silver Alert shall be made when ALL of the following exist:

☐ The missing person is 65 years of age or older, developmentally disabled, or cognitively impaired.
☐ The investigating law enforcement agency has utilized all available local resources.
☐ The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances.
☐ The law enforcement agency 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. AND
☐ There is information available that if disseminated to the general public could assist in the safe recovery of the missing person.

[Cal Govt Code 8594.10]

Found Persons

☐ In the event that a missing person has been found before he or she has been reporting missing to DOJ, a missing person report and subsequent CLETS entry shall be submitted to DOJ, followed by a cancellation [14213(c) Cal Pen Code]
☐ When a missing person has been found, the agency locating the missing person shall immediately report that information to the DOJ [14213(a) Cal Pen Code]

Definitions

Missing Person

Includes, but is not limited to:

☐ An “At-Risk” adult.
☐ A child who has been taken, detained, concealed, enticed away, or retained by a parent in violation of PC 278.
☐ Any child who is missing voluntarily or involuntarily.

☐ Any child who is missing under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance.

[14215(a) Cal Pen Code]

“At Risk”

Evidence that a person is “at risk”: includes, but is not limited to:

☐ The person missing is the victim of a crime or foul play.
☐ The person missing is in need of medical attention.
☐ The person missing has no pattern of running away or disappearing.
☐ The person missing may be the victim of parental abduction.
☐ The person missing is mentally impaired

[14215(b) Cal Pen Code]

Additional Resources

Alzheimer’s Safe Return Program
www.alz.org
800-660-1993

National Center for Missing and Exploited Children
www.missingkids.com
800-843-5678

California Department of Justice
24-Hour Missing Children Hotline 800-222-3463
Missing Persons Unit 916-227-3290

LASD Communications Center (AMBER & Silver Alerts)
323-881-8100

National Runaway Switchboard
www.1800runaway.org
800-RUNAWAY

Child Abduction Taskforce
www.childabductions.org

CA Attorney General
http://ag.ca.gov/missing

National Missing and Unidentified Persons System
www.namus.gov

POST Guide to Missing Persons Investigations
http://lib.post.ca.gov/Publications/missing.pdf
Witness Admonition For Field Identification.PDF
Prior to custodial interrogation, the suspect shall be read, and a verbal acknowledgement should be received from, the following:

1. You have the right to remain silent. Do you understand?
2. Anything you say may be used against you in court. Do you understand?
3. You have the right to the presence of an attorney before and during any questioning. Do you understand?
4. If you cannot afford an attorney, one will be appointed for you, free of charge, before any questioning, if you want. Do you understand?
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