

San Francisco Sheriff's Department

Administration and Field Operations Policy Manual

MISSION STATEMENT

The San Francisco Sheriff's Department works with the public, and criminal justice and community stakeholders to safeguard the lives, rights, and property of all people we serve. We strive to complete our mission in a manner that maintains the trust and confidence of the people of San Francisco.

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LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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

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

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the San Francisco Sheriff's Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the San Francisco Sheriff's 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, deputies shall 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 INSIDE THE JURISDICTION OF THE SAN FRANCISCO SHERIFF'S DEPARTMENT

The arrest authority within the jurisdiction of the San Francisco Sheriff's Department includes (Penal Code § 830.1; Penal Code § 836):

- (a) When the deputy has probable cause to believe the person has committed a felony, whether or not committed in the presence of the deputy.
- (b) When the deputy has probable cause to believe the person has committed a misdemeanor in this jurisdiction and in the presence of the deputy.
- (c) When the deputy has probable cause to believe the person has committed a public offense outside this jurisdiction, in the presence of the deputy and the deputy reasonably believes there is an immediate danger to person or property, or of escape.
- (d) When the deputy 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 deputy.
- (e) In compliance with an arrest warrant.

Procedure Reference:

[Administration and Field Operations Procedure: 100.1 ARREST/DETENTION PROCEDURE](#)

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE SAN FRANCISCO SHERIFF'S DEPARTMENT

The arrest authority outside the jurisdiction of the San Francisco Sheriff's Department includes (Penal Code § 830.1; Penal Code § 836):

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

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- (b) When the deputy has probable cause to believe the person has committed a misdemeanor in the presence of the deputy and the deputy reasonably believes there is immediate danger to person or property or of escape.
- (c) When the deputy 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 deputy 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 and County or while assisting another agency.

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

100.3.3 DELIVERY TO NEAREST MAGISTRATE

When a deputy makes an arrest pursuant to a warrant with bail set, and the warrant was issued in a county other than where the person was arrested, a deputy shall inform the person in writing of the right to be taken before a magistrate in the county where the arrest occurred without unnecessary delay (Penal Code § 821; Penal Code § 822).

100.3.4 TIME OF MISDEMEANOR ARRESTS

Deputies 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 deputy.
 - 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 a deputy 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).

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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).

Whenever practicable, deputies shall seek permission from a department supervisor in the other state before entering a state to provide law enforcement services. As soon as practicable, deputies exercising law enforcement authority in any state outside of California shall submit an appropriate written report concerning the incident to the state agency having primary jurisdiction over the area in which the incident occurred.

100.5 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 Sheriff is the Chief Executive Officer.

101.1.1 SHERIFF CANDIDATE REQUIREMENTS

At the time of the final filing date for an election, any candidate for Sheriff shall at minimum meet the requirements of Government Code § 24004.3.

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 San Francisco Sheriff's 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:

"I, (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). The department's Personnel Unit files the oath of office with the Office of the County Clerk, who retains the original, and stamps a copy for the department. The copy is placed in the employee's Personnel File.

Policy Manual

103.1 PURPOSE AND SCOPE

The manuals of the San Francisco Sheriff's Department are hereby established and shall be referred to as the Administration and Field Operations Policy Manual and Custody and Court Operations Policy Manual or the manuals. Both manuals are a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of both manuals.

All prior and existing manuals, orders and regulations that are in conflict with both manuals 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 both manuals. Adoption and implementation of these manuals does not modify any provisions in the collective bargaining agreements, letters of agreement, or MOU provisions.

103.2 POLICY

Except where otherwise expressly stated, the provisions of both manuals 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 both manuals 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 policies contained within both manuals are for the internal use of the San Francisco Sheriff's Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City and County, its officials or members. Violations of any provision of any policy contained within both manuals may form the basis for department administrative action, training or discipline. The San Francisco Sheriff's Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Sheriff shall be considered the ultimate authority for the content and adoption of the provisions of both manuals and shall ensure compliance with all applicable federal, state and local laws. The Sheriff or designee is authorized to issue Sheriff Directives, which shall modify those provisions of both manuals to which they pertain. Sheriff Directives shall remain in effect until such time as they may be permanently incorporated into both manuals. Bargaining units do not waive their meet and confer or bargaining rights regarding directives, policies, or procedures.

103.4 DEFINITIONS

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

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Adult - Any person 18 years of age or older.

BSCC - Board of State and Community Corrections

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

CHP- California Highway Patrol.

CFR - Code of Federal Regulations.

City and County - The City and County of San Francisco.

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

Department - The San Francisco Sheriff's Department.

DMV - The Department of Motor Vehicles.

Employee - Any person employed by the Department.

Impact Bargaining (also known as "effects bargaining") - A meeting to discuss the impacts caused by a decision made by management within its management rights.

Juvenile- Any person under the age of 18 years.

Manual - The San Francisco Sheriff's Department Administration and Field Operations Policy Manual and Custody and Court Operations Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Meet and Confer - A meeting between management and a union in which the parties discuss in good faith their view and positions on a matter within the scope of bargaining in the hope of reaching an agreement.

Member - Any person employed or appointed by the San Francisco Sheriff's Department, including:

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

Deputy - Those employees, regardless of rank, who are sworn peace officers of the San Francisco Sheriff's Department.

On-duty - A member's status during the period when they are engaged in the performance of their duties.

Order - A written or verbal instruction issued by a superior, supervisor and/or Acting Watch Commander.

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

Procedures - An established or official way of doing something.

Professional - Employees who are not sworn peace officers.

Rank - The job classification title held by a deputy.

Shall, will, or must - 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 or participation in 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 shall not be merely routine or clerical in nature but requires the use of independent judgment.

USC - United States Code.

103.5 ISSUING THE POLICY MANUALS

An electronic version of both manuals will be made available to members and individuals identified by bargaining groups as needing access on the department network for viewing and printing. No changes shall be made to either manual without authorization from the Sheriff or the authorized designee.

Employees are required to acknowledge that they have been provided access to both manuals. Employees shall seek clarification as needed from a supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUALS

The Sheriff will ensure policies are reviewed at least every two years.

103.7 REVISIONS TO POLICIES

Revisions to policies or procedures will be provided to employees on or before the date the policy becomes effective. Employees will be required to acknowledge that they have reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Department initiated changes to any policy should be made within 30 calendar days of any emergency directive. Failure to do so will not nullify any labor agreements or association rights.

Employees are responsible for keeping current on revisions to both manuals. Each Division Commander will ensure employees under their command are aware of revisions to either manual.

All department employees suggesting a revision of the contents to either manual shall submit a Policy Recommendation Form to the Policy and Procedure Committee for review.

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103.7.1 POLICY RECOMMENDATIONS

Employees may submit suggested changes or corrections to current policies. Employees may also send proposals for new policies. Those suggestions, corrections, or proposals should be sent to SHF-PolicyandProcedure@sfgov.org.

Suggested changes or corrections should include, when appropriate and as needed:

- A copy of the policy or procedure attached..
- An explanation of what the language may be problematic.
- Suggested replacement language

Proposed new policies should include:

- Reason for a new policy as opposed to inclusion in current policy.
- What, if any, legal basis or need there is for the new policy.
- Suggested language for proposed policy.

Suggested changes or corrections of procedures or proposals for new procedures should be sent to a supervisor responsible for those procedures.

103.8 ATTACHMENTS

See attachment: [Policy Recomendation Form.pdf](#)

Watch Commanders

104.1 PURPOSE AND SCOPE

Each shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with department policies, procedures, practices, functions, and objectives. To accomplish this goal, a Watch Commander (WC) heads each watch and is supported by the Assistant Watch Commander.

104.2 WATCH COMMANDER

The Watch Commander for a San Francisco Sheriff's Department Facility, Section or Unit reports to the Facility, Section, or Unit Commander, and is responsible for the safe and efficient management of all assigned department members and functions of that Facility/Section/Unit for an assigned shift. In some Facility/Section/Units, a Watch may not be staffed with a supervisor, and in this case, the most senior Deputy Sheriff on the Watch will be the acting Watch Commander.

Watch Commanders must prioritize daily tasks, and direct and support subordinates assigned to those tasks, ensuring their job responsibilities are completed in the safest and most efficient manner. The Watch Commander provides direction and coordination of shift objectives and tasks for completion to the Assistant Watch Commander.

In some Facility/Section/Units a Watch may not be staffed with a supervisor, and in this case the most senior Deputy Sheriff on the Watch will be the acting Watch Commander. In those instances, that person shall:

- Manage incidents that arise during the shift/watch
- Ensure staffing for the on-coming watch is sufficient
- Brief the on-coming watch
- Process requests for PTO when appropriate

Procedural link:

- [Custody and Court Operations Procedure Manual: 104.1 WATCH COMMANDER PRIMARY DUTIES](#)
- [Custody and Court Operations Procedure Manual: 104.2 WATCH COMMANDER AT WARD 7D/7L](#)

104.3 ASSISTANT WATCH COMMANDER

The Assistant Watch Commander for a San Francisco Sheriff's Department Facility, Section, or Unit reports to the Watch Commander and is responsible for the safe and efficient management of all assigned staff and to assist in the operations of the watch.

Procedural link:

[Custody and Court Operations Procedure Manual: 104.3 ASSISTANT WATCH COMMANDER/ BOOKING SUPERVISOR AT IRC](#)

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

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

200.2 COMMAND STAFF AND DIVISIONS

- Executive Command Staff includes the Sheriff, Undersheriff, Assistant Sheriff, and all Division Chiefs.
- Command staff includes all members of the Executive Command Staff and all Sheriff Captains.

The Sheriff is responsible for administering and managing the San Francisco Sheriff's Department. There are four divisions and the Office of the Sheriff in the Sheriff's Department:

- Administration and Programs Division
- Custody Operations Division
- Field Operations Division
- Planning and Projects Division

The Office of the Sheriff is made up of entities within the Department that report directly to the Sheriff, without going through the chain of command. The Office of the Sheriff includes the: Sheriff's Legal Counsel, Chief Financial Officer, Sheriff's Chief of Staff, Director of Communications, Internal Affairs Unit and Prisoner Legal Services.

200.2.1 ADMINISTRATION AND PROGRAMS DIVISION

The Administration and Programs Division is commanded by a Chief Deputy, whose primary responsibility is to provide general management direction and control for the Administration and Programs Division. The Administration and Programs Division includes the Background Investigations Unit, Criminal Investigations Unit, Personnel Unit, and Training Unit, Recruitment and Community Outreach, Community Programs, and in-custody program-related services.

200.2.2 CUSTODY OPERATIONS DIVISION

The Custody Operations Division is commanded by a Chief Deputy, whose primary responsibility is to provide general management direction and control for the Custody Operations Division. The Custody Operations Division includes multiple county jails, Central Records and Warrants Unit, Classification Unit, and ZSFGH Ward 7D/7L.

200.2.3 FIELD OPERATIONS DIVISION

The Field Operations Division is commanded by a Chief Deputy, whose primary responsibility is to provide general management direction and control for the Field Operations Division. The Field Operations Division includes the Court Services Section, Civil Section, Field Operations Section, Patrol Section, and Special Operations Section.

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200.2.4 PLANNING AND PROJECTS DIVISION

The Planning and Projects Division is commanded by a Chief Deputy, whose primary responsibility is to provide general management direction and control for the Planning and Projects Division.

The Planning and Projects Division includes Fleet and Communications, Information and Technology Support Services, Sheriff's Bureau of Building Services, Professional Standards, and Policy and Procedures Oversight.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The elected Sheriff is the head of the Department and has final authority for all functions, and command over all personnel in the Department. Except when designated as above, the order of command authority in the absence or unavailability of the Sheriff is as follows:

- (a) Undersheriff
- (b) Assistant Sheriff
- (c) Chief Deputy
- (d) Captain

Outside of the Sheriff, the order of succession is:

- (a) The Undersheriff is the first designee of the Sheriff.
- (b) The Assistant Sheriff is the second designee of the Sheriff.
- (c) Chief Deputies are Division Commanders and are the 3rd level of designees of the Sheriff.
- (d) All employees fall within their division chains of command.

200.3.2 CHAIN OF COMMAND

The chain of command of the Department begins with the Sheriff, to whom all employees of the Department are responsible. To maintain continuity, order and effectiveness in the Department, a chain of command has been established and shall be respected. All employees should adhere to the chain of command in communications and official actions. However, nothing in this policy prevents an employee from initiating immediate action outside of the chain of command if it is necessitated by a complaint of discrimination, sexual harassment, a violation of the law, or in an emergency.

- (a) Supervisors may delegate supervisory authority and duties to subordinates, but not supervisory accountability.
- (b) Employees are accountable to their immediate supervisor(s) and to all other supervisors in their chain of command.
 - 1. Subordinates shall obey any lawful order or directive (written or oral), issued by any supervisor in the course of duty.

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Organizational Structure and Responsibility

2. **Internal Affairs Officers** are designated as special investigators. They fall outside the normal chain of command and are not subject to supervision or orders of supervisors other than the Sheriff, Undersheriff or Assistant Sheriff when fulfilling the duties and responsibilities of the IAU.
- (c) Transfer of authority during absences will be based on the rank structure as follows:
1. In the absence of the Sheriff, transfer of authority will proceed to the Undersheriff.
 2. In the absence of the Undersheriff, transfer of authority will proceed to the Assistant Sheriff.
 3. In the absence of the Assistant Sheriff, transfer of authority will proceed to a Chief Deputy according to seniority in rank and permanent before temporary employees.
 4. In the absence of a Chief Deputy, transfer of authority will proceed to a Captain or designee in that division according to seniority in rank and permanent employees before temporary employees.
 5. In the absence of a captain, transfer of authority will proceed to a lieutenant or designee according to seniority in rank and permanent employees before temporary employees at that Facility/Section/Unit.
 6. On a watch/shift where there are supervisory minimums, the transfer of authority in the absence of the watch commander will proceed to the next subordinate supervisor at that facility/section/unit. If there is no available subordinate supervisor, a supervisor from another facility/section/unit within the division may be detailed.
 - (a) In the absence of a watch commander, on a watch/shift, where there is no supervisory minimum, the transfer of authority will proceed to sworn employees according to seniority in rank and permanent employees before temporary employees.
 1. Deputies may decline watch commander duties. In this situation, the transfer of authority will continue to proceed according to seniority in rank until a deputy accepts the watch commander duties.

200.4 ATTACHMENTS

See attachment: [Department Org Chart](#)

Written Directives

201.1 PURPOSE AND SCOPE

Sheriff Directives and written directives establish an inter-departmental communication that may be used by the Sheriff to make immediate changes to policy and procedure in accordance with and as permitted by statutes and regulations, as permitted by Government Code § 3500 et seq, or consistent with the current Memorandum of Understanding, and other labor agreements. Sheriff Directives will immediately modify or change and supersede sections of one or both of the manuals to which it pertains.

Employees shall operate in conformance with Department rules, policies, procedures, orders, and directives. The burden for justifying any deviation shall be placed on the employee.

201.1.1 DEFINITIONS

Policies, Procedures, and Sheriff's Directives - are issued at the Department level by the Sheriff. Policies, Procedures, and Sheriff's Directives remain in full force and effect until amended, superseded, or canceled by the Sheriff. Department Policies and Procedures establish policy, procedure, and/or regulations governing matters which affect the Department. They may be used to amend, supersede, or cancel any other rule, regulation, or order.

Written Directives - are issued at the Division level by the Sheriff, Undersheriff, Assistant Sheriff, or Division Commander. They specify instructions governing particular situations and may be used to cover that situation until a revised Policy and/or Procedure can be issued. Division written directives are effective only within the division in which issued. A copy of all Division written directives shall be forwarded to the Undersheriff. Facility/Section/Unit Commanders may issue written directives affecting changes to their respective Facility/Section/Unit until a revised Policy and/or Procedure can be issued. All directives issued at the Facility/Section/Unit level should be forwarded to the Division Chief through the chain of command.

Changes to existing policies or procedures, absent an emergency should be forwarded to any affected bargaining units prior to distribution to ensure time for any needed impact bargaining.

1. Changes made in an emergency shall be forwarded to the affected bargaining units immediately.

201.1.2 SHERIFF DIRECTIVE PROTOCOL

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

201.2 RESPONSIBILITIES

201.2.1 SHERIFF

The Sheriff, with the assistance of command staff, shall issue and be responsible for all Sheriff Directives, including their publication and dissemination throughout the department.

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201.3 ACCEPTANCE OF SHERIFF DIRECTIVES

All employees are required to read and obtain any necessary clarification of all Sheriff Directives. All employees are required to acknowledge in writing the receipt and review of any new Sheriff Directive. Signed acknowledgment forms and/or e-mail receipts showing an employee's acknowledgment will be maintained by the Division Commander and forwarded to the Training Unit for placement in the employees training file.

Emergency Management Plan

202.1 PURPOSE AND SCOPE

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

Procedure Reference:

[Administration and Field Operations Procedure: 200.2 INCIDENT COMMAND PROCEDURES](#)

202.1.1 RECALL OF PERSONNEL

In the event that the Emergency Management Plan is activated, all employees of the San Francisco Sheriff's Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Sheriff, Sheriff's authorized designee, or the authorized designee of the City and County of San Francisco. Failure to promptly respond to an order to report for duty may result in discipline.

Off-Duty Reporting: All employees off duty shall, upon official notice, report for duty in a timely manner upon receipt of and in compliance with the directions given at the time of notification. Employees shall be familiar with the Emergency Mobilization Plan so they know the appropriate reporting times and shall, without notice, report for duty in the event of a major disaster and in any other emergency wherein it would be reasonably expected that the Department would require the added service of all employees.

Procedure Reference:

[Administration and Field Operations Procedure Manual: 200.1 EMERGENCY MOBILIZATION PLAN](#)

202.2 LOCATION OF THE MOBILIZATION PLAN

The Emergency Mobilization Plan instructs what actions to take when an emergency is declared by the City and County of San Francisco and is available in each Facility/Section/Unit and online. All supervisors should familiarize themselves with the Emergency Mobilization Plan. All supervisors should ensure that department members are familiar with the roles all personnel play when the plan is implemented.

202.3 UPDATING OF MANUALS

The Sheriff or designee shall review the department's Emergency Management Plan at least once every two years to ensure the plan conforms to revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) and should appropriately address any needed revisions.

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 seeks to provide ongoing training and encourages all employees to participate in advanced training and formal education on a continual basis. The Sheriff's Department provides training to meet legal mandates, and additional training to achieve the mission and objectives of the City and County of San Francisco. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST) and/or the California Board of State and Community Corrections (BSCC) Standards and Training for Corrections (STC). All employees shall attend training as assigned by the Sheriff's Department.

203.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Improve the competency of staff at all levels
- (b) Ensure employees can carry out the mission of the Department through demonstrated knowledge of department policies and procedures.
- (c) Increase the technical expertise and overall effectiveness of our employees.
- (d) Provide for continued professional development of department employees.

203.4 TRAINING PLAN

A training plan will be developed and maintained by the Training Unit Commander with annual updates. The plan will address the following areas:

Mandated Training

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

The California Board of State and Community Corrections (BSCC) mandates training for sworn staff working in a custody setting.

- (a) Training in this category is required by Federal law, State law, local ordinance, and/or Department policy. Examples include, but are not limited to, the following:
 1. Continuing Professional Training (CPT) as mandated by POST
 2. Perishable Skills Program (PSP) as mandated by POST
 3. Annual training as required by the BSSC

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(b) Essential Training

1. This training has been designated by the Department as necessary for the professional development of an employee by specified rank and/or task assignment.

(c) Desirable Training

1. Upon completion of the mandatory and essential courses, an employee may pursue additional interests in their law enforcement training.
2. The Department will make a positive effort to accommodate an individual's desired career path, with consideration for the needs of the department and anticipated employee career direction.

(d) Best Practices

203.5 TRAINING NEEDS ASSESSMENT

The Training Unit will conduct an annual training-needs assessment of the Department with input from the Training Committee. The needs assessment will be reviewed by the Training Committee and Command Staff, with final approval by the Sheriff. The needs assessment will form the basis for the training plan for the upcoming fiscal year.

Sworn personnel shall attend and complete annual training mandated by STC, POST, and the Department.

Non-sworn personnel do not have an annual mandated training requirement. Training is provided for new employees, then on an as-needed basis and bi-annually for specific classes of instruction.

All employees must attend training when directed by the Department.

203.6 TRAINING COMMITTEE

The Department shall establish a Training Committee to assist with identifying training needs for the Department. The Committee is formed to comply with union Collective Bargaining Agreements of the MSA and DSA.

The Training Committee shall consist of two representatives designated by the DSA, two representatives designated by the MSA, and two or more persons designated by the Sheriff. The primary purpose of the Training Committee is to assist in identifying specific training needs and suggesting solutions to meet those needs.

The chairperson is determined by the Sheriff or Executive Command. Employees should be selected based on their abilities at post-incident evaluation and at assessing related training needs.

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

- (a) Incidents directed by the Sheriff.
- (b) Incidents involving a high risk of death, serious injury or civil liability.

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

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

The Unit Commander will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources. The Unit Commander will forward the Training Committee's recommendations and their assessment through the chain of command for review.

203.7 TRAINING ASSIGNMENTS

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor or Personnel Unit. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. Approved Personal Time Off (PTO)
 - 3. Approved Time Off
 - 4. Sick leave
 - 5. Physical limitations preventing the employee's participation as accepted by the Department's Personnel Unit
 - 6. Emergency Situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify their supervisor as soon as possible but no later than one hour prior to the start of training.
 - 2. If less than 48 hours prior to the start of the assigned training document their absence in a memorandum to their supervisor.
 - 3. Make arrangements through their supervisor to attend the required training on an alternate date.

Procedure Reference:

[Administration and Field Operation Procedures: 201.1 TRAINING FOR DEPUTY SHERIFFS](#)

[Administration and Field Operation Procedures: 201.2 TRAINING FOR SUPERVISORS](#)

[Administration and Field Operation Procedures: 201.3 TRAINING REQUESTS](#)

[Administration and Field Operation Procedures: 201.4 TRAINING ATTENDANCE](#)

[Administration and Field Operation Procedures: 201.5 TRAINING COMPENSATION AND REIMBURSEMENT](#)

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[Administration and Field Operation Procedures: 201.6 TRAINING OVERTIME AND TRAINING HOLIDAY PAY](#)

203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are a web-accessed system that provides training on the San Francisco Sheriff's Department Policy Manuals and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the manual project manager.

Employees are required to participate and acknowledge DTBs and shall only use the password and login name assigned to them. Personnel shall not share their password with others. After each session, employees shall log off the system to prevent unauthorized access. The content of the DTBs shall not be shared with others outside of the Department, absent departmental approval or as otherwise provided by law.

Employees shall complete each DTB before the end of the month in which they were issued or as otherwise arranged by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Employees shall only take DTBs as part of their on-duty assignment.

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

203.9 TRAINING RECORDS

It shall be the responsibility of the Training Unit Commander to ensure that the following is maintained on file for all training provided by the Department:

- The course outline or lesson plan,
- A roster signed and dated by those in attendance,
- The name of the person coordinating the training.

The Training Unit Commander shall ensure that copies of such training records are retained in accordance with established records retention schedules and certificates/attestations are placed in the employee's training file.

203.10 TRAINING CONDUCTED AT FACILITIES, SECTIONS, AND UNITS

- (a) Training pay premium shall be paid in accordance with the employee's Collective Bargaining Agreement (CBA). A Facility/Section/Unit must have the following steps in place:
1. A document used to record the training given, date, and number of hours, signed by the trainee and the trainer.
 2. Supervisor approval to train during specified working hours.

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- (b) Employees will be compensated for training hours as articulated in their CBA. Deputies compensated for training hours submit a Training Pay form.

203.11 REQUESTS FOR TRAINING

Sheriff employees may also request to attend or participate in training that is not mandated or hosted by the Department. To do so, the employee must fill out a Training Request Form. The completed form should be given to their supervisor.

Use of training reimbursement will be based on POST, BSCC and CBA rules and language.

[Training Request Form](#)

203.12 TRAINING OFFICER ANNOUNCEMENTS

Any department announcements requesting employees to apply to be a trainer must list any restrictions for that particular subject that are listed in law, statute or POST guidelines.

203.13 ATTACHMENTS

See attachment: [Training Pay.xlsx](#)

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. 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, CCSF Sunshine Ordinance).

At present, this policy does not apply to SEIU members. SEIU members seeking direction regarding electronic mail should click on the link below:

Link to [SFSD 03-01 Employee Rules and Regulations.pdf](#)

Link to <https://sfdhr.org/sites/default/files/documents/Forms-Documents/Employee-Handbook.pdf>

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 private system since all communications transmitted on, to or from the system are the property of the Department. 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.

Email messages addressed to the entire department are only to be used for business-related items and topics that are of particular interest to all users. Personal advertisements are not acceptable. It is a violation of this policy to transmit a message under another user's name without their approval.

No officer or employee may use City letterhead, City title, City e-mail, or any other City resource, for any communication that may lead the recipient of the communication to think that the officer or employee is acting in an official capacity when the officer or employee is not. See Sheriff Statement of Incompatible Activities.

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204.4 EMAIL RECORD MANAGEMENT

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

204.5 EMAIL USE FOR UNION BUSINESS

The use of department electronic mail for union business must be done in accordance to any agreements listed in the union's Collective Bargaining Agreement or as outlined in precedential law.

204.6 ATTACHMENTS

[Statement of Incompatible Activities](#)

Administrative Communications

205.1 PURPOSE AND SCOPE

Effective communications within the Department are critical to the accomplishment of the mission of the Department and the effective operation of all the Divisions. Administrative communications of this department are governed by the following policy (15 CCR 1029(a)(1)).

205.2 POLICY

The San Francisco Sheriff's Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

205.3 MEMORANDUMS

Memorandums are intended for internal use by the department. Some instances when a memo may be used in lieu of an Incident Report, are:

- At the request of a supervisor
- An unusual event witnessed, or information received by the employee
- Absence from assigned training with less than 48 hours notice
- Absence without Leave (AWOL)
- Illnesses or absences that require documentation based on the Sick Leave policy
- Request for discipline
- Harassment
- Conduct that reflects adversely on the Department

205.4 COMMUNICATIONS AND CORRESPONDENCE

The Department uses a variety of different platforms when communicating and corresponding:

- All department correspondence is to be written in a clear, concise manner, consistent with the formats and guidelines prescribed in this policy and reflecting the highest possible quality in organization, grammar, punctuation, and spelling. This includes but is not limited to incident reports.
- No member may use City or Department letterhead, title, e-mail, or any other City resource, for any communication that may lead the recipient of the communication to think that the member is acting in an official capacity when the officer or employee is not.
- A standard business card approved by the Sheriff may be used by employees. Nothing will be entered on any Department business card, which confers special consideration to the recipient.

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205.5 ALERT SERVICES AND NOTIFICATIONS

The San Francisco Sheriff's Department provides alert services and emergency notifications to specifically identified employees to provide them with timely information.

Information and Technology Support Services (ITSS) is responsible for the maintenance and support of the software and ensuring that whatever service used meets industry best practices and Department of Justice standards to ensure data privacy and security.

The Central Warrants and Records Unit (CRW) is responsible for triaging and transmitting notifications based on predetermined criteria. CRW is also responsible for data analysis/statistics of activity (number and/or types of messages, etc.) and shall produce reports at the direction of the Sheriff.

- Command Staff shall have one cell phone number on record.
- A member assigned to a Group can communicate freely within the platform.
- Movement or addition of new members is restricted to the approval of the Sheriff or Undersheriff.
- CRW, in conjunction with the ITSS, is responsible for adding or removing members from the Call Tree and Groups.

Employees will call the 24 Hr. line at Central Records and Warrants to request a notification.

ITSS has provided a Department phone programed with Group Text String

- CRWU Supervisors shall ensure that phone numbers and Notification Groups are up to date and any changes or updates are completed as soon as possible.
- The phone shall be located in an area where it can be charged and available at all times.
- Watch Commanders are responsible in assuring the phone is charged at all times.

[See attachment: Everetel Notification Procedure.pdf](#)

205.6 SURVEYS

All surveys conducted in the name of the Department shall be authorized by the Sheriff or Sheriff's designee.

205.7 ATTACHMENTS

[Statement of Incompatible Activities](#)

License to Carry a Firearm

207.1 PURPOSE AND SCOPE

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

207.2 POLICY

It is the policy of the Sheriff's Department to process all completed CCW applications in a timely manner and to grant CCWs only to applicants who are law-abiding, responsible persons who are not "disqualified persons" as defined by law.

207.3 APPLICATION PROCESS AND INVESTIGATION

In order to qualify for a license to carry a firearm, the applicant must:

- (a) Be deemed not to be a disqualified person as provided in Penal Code § 26202.
- (b) Be deemed not to be prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm (Penal Code § 26185; Penal Code § 26195).
- (c) Be a resident of the City and County of San Francisco (CCSF) (Penal Code § 26150; Penal Code § 26155) or reside in other counties but whose principle place of employment or business is in the CCSF and who spend a substantial period of time in that place of employment or business.
- (d) Appear in person for an interview.
- (e) Be at least 21 years of age, and present clear evidence of identity and age as defined in Penal Code § 16400 (Penal Code § 26150; Penal Code § 26155).
- (f) Fully complete the California Department of Justice (DOJ) application (Penal Code § 26175), which includes information about prior detentions, arrests and criminal convictions, as well as information regarding court orders related to stalking, harassment, witness intimidation, or firearm possession, and proof of residency and at least three character references, including a cohabitant, a spouse, a former spouse, a former cohabitant, and/or parent of his or her child, as applicable.
- (g) Submit fingerprints and a complete criminal background check (Penal Code § 26185).
- (h) Pay all associated application fees (Penal Code § 26190).
- (i) Be the recorded owner of the firearm, with the California DOJ, for which the license will be issued, as determined by the San Francisco Sheriff's Department (Penal Code § 26162).
- (j) Complete a psychological examination with an SFSD-approved psychologist and be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).
- (k) Once the Department has made an initial determination that the person is not disqualified, complete required, approved training described in Penal Code § 26165.

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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 APPLICATION AND BACKGROUND INVESTIGATION

The Sheriff's Department will conduct a DOJ criminal background check to determine if the applicant is eligible to possess a firearm and to confirm legal ownership of the firearm.

The Sheriff's Department will also review materials such as citations, arrests, convictions, civil lawsuits, employment discharges, military discharges, license denials, license revocations, other actions indicating a possible propensity for violence or moral turpitude, drug and/or alcohol abuse, carelessness with weapons, and/or dishonesty to determine whether the applicant is a law-abiding, responsible citizen.

Records that include information provided by the applicant and obtained by the Sheriff's Department in investigating and processing the application may be public records subject to disclosure, with redactions required by state law. (See Cal. Gov. Code § 6254, subd. (u)).

207.5 CCW LICENSE RENEWALS

To obtain a renewal of the CCW license the applicant must:

- (a) Prove continued residency and/or employment in CCSF. Applicants employed in CCSF but who do not reside in CCSF must prove that the licensing authority in the applicant's place of residence concurs in the decision to renew.
- (b) Prove continued lawful ownership of the firearm for which the license was issued.
- (c) Continue to be a responsible, law-abiding person.
- (d) Provide identification sufficient to provide positive identification to the DOJ.
- (e) Attend an additional Department-approved training course.
- (f) If there is compelling evidence to indicate that an additional psychological test is necessary, undergo an additional psychological test.
- (g) Pay all required fees for renewal.

207.6 CCW LICENSE REVOCATIONS

The Sheriff may revoke the CCW license when:

- (a) The licensee is prohibited by state or federal law from owning or purchasing a firearm or otherwise becomes disqualified.
- (b) The licensee violates any of the conditions placed on the license.
- (c) If any information provided by the licensee in connection with the application is inaccurate or incomplete.
- (d) As otherwise required by law.

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The issuance of a license by the Sheriff 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 Sheriff as set forth herein. If the SFSD revokes any license, it will immediately notify the licensee in writing and the California DOJ.

207.7 WRITTEN NOTICE FOR DENIAL OF LICENSE

The Sheriff shall grant or deny an application, which are currently 90 days of the application, or 30 days after the Department's receipt of the applicant's DOJ criminal background check, whichever is later. For renewals, the current for notification is 120 days of receiving the completed application.

The Sheriff or the authorized designee shall give written notice of the grant or denial of the application within the statutory timelines. For a new license, the current timeline is 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).

For a renewal license, the current timeline to provide notice is within 120 days of receiving the completed application (Penal Code § 26205).

Additionally, regardless of the type of license, if the Department denies the license, the notice shall state the Department's reason for denial (Penal Code § 26205).

207.7.1 ADDITIONAL REQUIREMENTS

If the Department denies or revokes an application, the Department shall, in addition to stating the reason for the denial or revocation, inform the applicant that they may request a hearing from a court to review the denial or revocation. The Department shall also provide the most recent California DOJ hearing request form to the applicant (Penal Code § 26206).

207.8 ISSUED FIREARMS PERMITS

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

- (a) The license will be subject to any and all reasonable restrictions or conditions the Sheriff has deemed warranted, including restrictions as to the time, place, manner, and circumstances under which a person may carry the firearm (Penal Code § 26200(b)).
 - 1. All such restrictions or conditions imposed by the Sheriff shall be conspicuously noted on any license issued (Penal Code § 26200(c)).
 - 2. If the Sheriff imposes restrictions and conditions beyond those required by law, the licensee will be required to sign a Restrictions and Conditions Agreement.
 - 3. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.
- (b) The license shall be laminated, clearly identify the licensee, bear a photograph and fingerprints of the licensee with the expiration date, type of firearm, restrictions, and other pertinent information clearly visible as described by Penal Code § 26175.
- (c) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220), except:

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1. A license issued to a state or federal magistrate, commissioner, or judge will be valid for a period not to exceed three years.
 2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.
 3. If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).
- (d) The licensee shall notify this department in writing within 10 days of any change of place of residency. Within 10 days of receiving such notice, the Department shall notify the California DOJ (Penal Code § 26210).

207.8.1 LICENSE RESTRICTIONS

Each licensee shall comply with the restrictions set forth in state and local law, including Penal Code Section 26200, which prohibits the licensee from:

- (a) Consuming an alcoholic beverage or controlled substance as described in Sections 11053 to 11058, inclusive, of the Health and Safety Code.
- (b) Being in a place having a primary purpose of dispensing alcoholic beverages for onsite consumption.
- (c) Being under the influence of any alcoholic beverage, medication, or controlled substance as described in Sections 11053 to 11058, inclusive, of the Health and Safety Code.
- (d) Carrying a firearm not listed on the license or a firearm for which they are not the recorded owner. This paragraph does not apply to a licensee who was issued a license pursuant to Section 26170, in which case they may carry a firearm that is registered to the agency for which the licensee has been deputized or appointed to serve as a peace officer, and the licensee carries the firearm consistent with that agency's policies.
- (e) Falsely representing to a person that the licensee is a peace officer.
- (f) Engaging in an unjustified display of a deadly weapon.
- (g) Failing to carry the license on their person.
- (h) Impeding a peace officer in the conduct of their activities.
- (i) Refusing to display the license or to provide the firearm to a peace officer upon demand for purposes of inspecting the firearm. The Sheriff reserves the right to inspect any license or licensed firearm at any time.
- (j) Violating any federal, state, or local criminal law.
- (k) Loading the permitted firearm with illegal ammunition.

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207.8.2 AMENDMENTS TO LICENSES

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

- (a) Add or delete authority to carry a firearm listed on the license.
- (b) Change restrictions or conditions previously placed on the license.
- (c) Change the address or other personal information of the licensee (Penal Code § 26210).

In the event that any amendment to a valid license is approved by the Sheriff, 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.

207.8.3 REVOCATION OF LICENSES

Any license issued pursuant to this policy shall be immediately revoked by the Sheriff for any of the following reasons (Penal Code § 26195):

- (a) The licensee has violated any of the restrictions or conditions placed upon the license.
- (b) The licensee is prohibited by state or federal law from owning or purchasing a firearm.
- (c) The licensee becomes psychologically unsuitable to carry a firearm.
- (d) The licensee has become a disqualified person in accordance with the standards set forth in Penal Code § 26202.
- (e) Any information provided by a licensee in connection with an application for a new license or a license renewal is inaccurate or incomplete.
- (f) 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.

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 Sheriff 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 Sheriff as set forth herein.

207.8.4 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 Sheriff for a renewal by:

- (a) Verifying all information submitted in the original application under penalty of perjury.
- (b) Completing a department-approved training course pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to the determination of good cause Penal Code § 26165.

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- (c) Submitting any firearm to be considered for a license renewal to the Rangemaster for a full safety inspection. The Sheriff reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- (d) Paying the applicable renewal application fee.

Within 90 days of receiving the completed application for a renewal license, the Department shall give written notice to the applicant of the department's initial determination whether or not the applicant is a disqualified person (Penal Code § 26202).

If the determination is that the applicant is not a disqualified person, the notice shall inform the applicant to proceed with the training requirements as specified in Penal Code § 26165. The Department shall then submit the renewal notification to the California DOJ as provided in Penal Code § 26185.

Once the Sheriff or the authorized designee has verified the successful completion of the renewal process, the Sheriff will inform the applicant of the renewal or denial of renewal of the license to carry a firearm in writing. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

207.9 DEPARTMENT REPORTING AND RECORDS

The Department shall maintain a record of the following and immediately provide copies of each to the California DOJ (Penal Code § 26225):

- (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 Planning and Projects Division - Professional Standards Unit shall annually submit to the State Attorney General the total number of licenses to carry firearms issued to reserve peace officers and judges.

207.10 CONFIDENTIAL RECORDS

The following are not public records (Government Code § 7923.805):

- The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner, or judge contained in an application.
- Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history.

Retiree Concealed Firearms

208.1 PURPOSE AND SCOPE

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

208.2 POLICY

The San Francisco Sheriff's Department may provide identification cards to qualified former or retired deputies as provided in this policy.

208.3 LEOSA

The Sheriff may issue an identification card for LEOSA purposes to any qualified retired San Francisco Sheriff's deputy who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this Department as a deputy.
- (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 deputy acknowledges that they are 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 shall contain a photograph of the retired deputy and identify them as having been employed as a deputy.

208.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former deputy of this Department, may carry a concealed firearm under 18 USC § 926C when they are:

- (a) In possession of photographic identification issued by the agency from which the individual separated from service in good standing as a law enforcement officer that identifies the person as having been employed as a law enforcement officer, and one of the following:
 1. An indication from the San Francisco Sheriff's Department that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the Department to meet Department-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, not less recently than one year before the date the individual is carrying the concealed firearm, 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 state law or by a private person or entity on their property if such prohibition is permitted by state law.

208.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

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

208.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired deputy 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."

The card issued by the Department shall contain a current photograph of the retiree and an expiration date of five years after the date of issue.

208.5 FORMER DEPUTY RESPONSIBILITIES

A retired Sheriff's deputy with a card issued under this policy shall immediately notify the Personnel Unit, or if after business hours, the Watch Commander of the Central Records and Warrants Unit via the Sheriff's Emergency Line at (415) 558-2411 of their arrest or conviction in any jurisdiction, or that they are 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 retired deputy shall:

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Sign a waiver of liability of the San Francisco Sheriff's Department for all acts taken related to carrying a concealed firearm, acknowledging both their 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 Sheriff's Department.

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 deputy shall (Penal Code § 26305):

- (a) Qualify annually with an authorized firearm at a state-approved course.
- (b) Remain subject to all applicable Department policies and federal, state and local laws.
- (c) Not engage in conduct that compromises public safety.

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 retired deputy may request a review by the Sheriff. The decision of the Sheriff is final.

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

A CCW endorsement for any deputy 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 Sheriff or designee when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

- (a) In the event that a CCW endorsement is initially denied, the retired deputy shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 - 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 - 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 - 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or their employee organization and one selected jointly (Penal Code § 26320).

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Retiree Concealed Firearms

1. The decision of such hearing board shall be binding on the Department and the retiree.
 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender their identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."
- (d) Employees who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Personnel Unit Manager as soon as practical. The Personnel Unit Manager shall promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise them of the temporary suspension and hearing information listed below.
1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
 2. The Personnel Unit Manager should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Sheriff.
 3. The personal and written notification should be as follows:
 - (a) The retiree's CCW endorsement is immediately and temporarily suspended.
 - (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 - (c) The retiree will forfeit their right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
 4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Personnel Unit Manager 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 Personnel Unit Manager 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 retired deputies from this Department an opportunity to qualify. Written evidence of the qualification, the weapons used and the date of the qualification will be documented and maintained by the Rangemaster.

Retired deputies using the LEOSA statute to be able to have CCW rights shall inquire with the state they live in regarding qualifications and carry.

Financial Practices

209.1 PURPOSE AND SCOPE

The Department's responsibilities include the development of a budget, submitting the budget to the Mayor's Office of Public Policy and Finance, advocating for the budget prior to review and approval by the Board of Supervisors and monitoring the progress toward meeting budget objectives throughout the fiscal year.

A fiscal system has been established that accounts for all income and expenditures on an ongoing basis. Methods for collecting, safeguarding and disbursing monies shall comply with established accounting procedures as mandated by the City and County of San Francisco (CCSF).

209.2 POLICY

The Sheriff shall prepare and present an annual budget request that ensures an adequate allocation of resources for department operations and programming. Budget requests shall be prepared in the manner and detail prescribed by the CCSF. Service goals and objectives should be delineated in the budget.

209.3 BUDGET

Each Chief Deputy will propose expenditures to the Sheriff (with a copy of all proposals to the CFO) for their Division to include for personnel, operating expenses, equipment, and capital projects. A record of a historical pattern of expenditures along with a justification for new expenditures should be used as the supporting documentation in the development of the budget plan.

Once completed, the budget plan will be submitted to the Mayor's Office of Public Policy and Finance for review and approval and/or returned to the Department for additional development. Once the budget has been approved by the Board of Supervisors and entered into the City's financial system, the Department may initiate expenditures in accordance with the budget.

209.4 FISCAL ACCOUNTING AND MANAGEMENT OF APPROVED BUDGET

The Sheriff, Undersheriff, Assistant Sheriff, CFO, and Division Chiefs receive budget reports to review the expenditure accounts for risk indicators, such as:

- Significant variations and analysis of expenditures relative to the budget and prior year spending.
- Actual pay period spending is more than the budgeted allowance,
- Large balances of/or long-term outstanding encumbrances.

Fiscal data collected during the year should be used to:

- Provide an analysis and plan for corrective action during the budget year,
- Formulate a budget for the following year.

The Financial Services Section is responsible for monitoring each budget area's progress toward meeting its financial objectives throughout the fiscal year. Data on key performance indicators

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should be collected and evaluated at regular intervals and reviewed by the Sheriff, Undersheriff, Assistant Sheriff, Chief Financial Officer (CFO) and Division Chiefs. Reports should contain at a minimum:

- The budget amount
- The amount expended for the period
- The year-to-date amount expended
- Variance between actual spending and the budget
- Variance between actual spending and the prior year spending
- A projection of year-end spending relative to the budget
- Period financials to the Controller and Mayor's Offices

209.5 TRANSFERRING FUNDS AMONG BUDGET CATEGORIES

The transfer of funds among budget categories requires the approval of the Sheriff and in some instances, the Board of Supervisors.

209.6 FINANCIAL AUDITS

The Sheriff will support the City's annual financial audit that is managed by the Controller's Office.

209.6.1 PERFORMANCE MONITORING

The Sheriff shall develop budget benchmarks so that actual performance output can be compared with these targets to determine whether the Department is meeting the goals and objectives articulated in the budget.

Regular reports assessing the effectiveness, efficiency, and quality of operations will be provided to the Sheriff for the purpose of developing the budget for the following year.

Revolving Funds

210.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members use Revolving Funds for department-related purchases and account for cash expenditures as authorized in the performance of their duties. This policy does not address cash-handling issues specific to the Property and Evidence Policy.

210.2 POLICY

The San Francisco Sheriff's Department shall establish an accounting system to enable employees to purchase department-related equipment and supplies that cannot be obtained through purchase order, office supply order or from storekeeper order procedures. It is the policy of the San Francisco Sheriff's Department to properly handle and document cash transactions and to maintain accurate records of cash transactions.

210.3 REVOLVING FUNDS

The Sheriff shall designate each Division Commander as the fund manager responsible for maintaining and managing the Revolving Fund for that Division if needed. Authority for expenditures from the fund rests with the Division Commander or designee. Non-authorized expenditures, or expenditures that are considered private transactions and for the benefit of an individual, may subject the individual to being solely liable.

Each revolving fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

The Revolving Fund, revolving, may be used for material items costing less than \$200. The fund cannot include travel, subscriptions or memberships. Office supplies must be purchased by the City's office supply vendor unless it is urgent, and that urgency shall be thoroughly documented on the Revolving Reimbursement Request form. The fund should not be used for food unless authorized by the Sheriff, Undersheriff, Assistant Sheriff or Chief Deputy.

210.4 REVOLVING FUND TRANSACTIONS

Each Facility/Section/Unit Commander shall request funds from their fund manager through the Request for Revolving Reimbursement Request form. If the request was approved, the fund manager shall document the transaction on the form and the requestor shall sign for receipt of the money attesting to the accuracy of the entry. The requestor will submit the purchase receipt. All receipts are reviewed by the Controller's Office prior to approval.

The fund manager shall complete a Revolving Fund Voucher Form and shall submit it to the department's fiscal operations by the 10th of every month. Replenishment requests will only be filled once per month if needed.

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Revolving Funds

210.5 REVOLVING FUND AUDITS

The fund manager shall perform an audit as transactions are processed. This audit requires the fund manager and the Chief Financial Officer (CFO), review the transaction ledger and verify the accuracy of the accounting. The fund manager and the CFO shall sign or otherwise validate the transaction attesting to the accuracy of all documentation and fund accounting. A discrepancy in the transaction requires documentation by those performing the transaction and an immediate reporting of the discrepancy shall be resolved by the fund manager and CFO.

Transference of fund management to another Division Commander shall require a separate Revolving Fund audit and involve the CFO.

A separate audit of each Revolving Fund should be completed on a random date, approximately once each year by the CFO.

Management and Labor

211.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process whereby the San Francisco Sheriff's Department meets with unions in order to comply with the Collective Bargaining Agreements (CBA) and Federal, State, and Local labor laws as well as maintain appropriate and productive employee labor relations.

211.2 POLICY

To promote and provide communication, cooperation, and understanding between the Department and its members.

211.3 MEETINGS

Management and Labor Meetings shall be conducted at a mutually agreed upon date and time.

- (a) Management or Labor may request a formal Meet and Confer session or Caucus time.

Additional meeting may include:

- Grievance investigations
- Joint Department/Labor Committees
- Attendance at City and County of San Francisco meetings/hearings
- Attendance at City and County of San Francisco Commission meetings/hearings

The Sheriff or designee shall advise Facility/Section/Unit Commanders in advance of a member requiring release time for union meetings or business. Such notification shall include the member's name and the specific date and hours for the member to be released.

Matters regarding representation, hours, wages, benefits and other management/employee rights are found within each union's respective CBA. Refer to the respective unions current CBA for additional information.

Federal and state law, the collective bargaining agreement (including mutually agreed to side letters), and arbitration awards all may set forth the legal rights and responsibilities of both labor and management.

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, deputies and Institutional Police (IP officers) of this department are expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

300.1.1 DEFINITIONS

Definitions related to this policy include the following Penal Code and Government Code sections and subsections:

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 deputy or another person (Government Code § 7286(a)).

Use of 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 themselves to be searched, escorted, handcuffed, or restrained. Intentionally pointing a gun at another person may under certain circumstances be considered a use of force.

Intercede - Intercede includes, but is not limited to, physically stopping the excessive use of force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to de-escalate the offending officer's excessive use of force, and confronting the offending officer about the excessive force during the use of force and, if the officer continues, reporting to dispatch or the watch commander on duty and stating the offending officer's name, unit, location, time, and situation, in order to establish a duty for that officer to intervene. (Government Code § 7286(a))

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

Totality of the circumstances - All facts known to or perceived by the deputy at the time, including the conduct of the deputy and the subject leading up to the use of force. The totality of the circumstances shall account for occasions when deputies may be forced to make quick judgments about using force (Penal Code § 835a).

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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. Deputies and IP officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

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

The Department recognizes and respects the value of all human life and dignity. Vesting deputies and IP officers with the authority to use reasonable force and to protect all persons requires monitoring and evaluation. Deputies and IP officers must carry out all of their duties, including use of force, in a manner that is fair and unbiased.

It is the policy of this Department to accomplish the Department's functions with minimal reliance on the use of force and generally as the last alternative.

300.2.1 FAIR AND UNBIASED USE OF FORCE

Deputies and IP 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 deputy or IP officer present and observing another deputy or IP officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall intercede to prevent the use of unreasonable force.

The observing deputy 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 FAILURE TO INTERCEDE

A deputy who has received all required training on the duty to intercede but fails to act to intercede when required by law, may be disciplined in the same manner as the deputy who used excessive force (Government Code § 7286(b)).

300.2.4 DUTY TO REPORT EXCESSIVE FORCE

Any deputy or IP officer who observes a law enforcement officer or an employee use force beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer shall immediately report the use of force to a superior officer (Government Code § 7286(b)).

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

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300.3 USE OF FORCE

Deputies and IP officers may use force as reasonably appears necessary in the performance of their duties, but no deputy or IP officer shall use excessive force. Deputies and IP Officers should use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance or harm. (Government Code § 7286(b)).

Deputies and IP officers must use only that amount of force that appears reasonably necessary under the totality of the circumstances known to the deputy or IP officer at the time. A deputy or IP officer may use reasonable force in order to gain control of the person, to protect and ensure the safety of all persons, to prevent serious property damage, prevent escape, obtain compliance with deputy's or IP officer's orders, facility security and rules; or for other lawful purposes including to effect an arrest, prevent escape and overcome resistance. However, a deputy or IP officer may use deadly force only when necessary in defense of human life. Cal. Penal Code § 835a (2). Deputies and IP officers must consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm. Cal. Gov't Code Section 7286(b).

Deputies and IP officers shall use only that amount of force that reasonably appears necessary to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable deputy or IP officer in the same situation, based on the totality of the circumstances known to or perceived by the deputy or IP officer in the same situation, rather than with the benefit of hindsight. Any evaluation of reasonableness must allow for the fact that deputies and IP officers are often forced to make split-second decisions about whether to use force and 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 a deputy or IP officer might encounter, deputies and IP officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

The Department has provided a number of tools, weapons, and training on techniques to use when responding to resistance and violent persons. While various degrees of force exist, each officer is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy. Deputies and IP officers are expected whenever possible to follow the specific guidelines regarding approved use of force methods and devices available for the use of force as set forth in the Firearms Policy, Control Devices and Techniques Policy, and Conducted Electrical Weapons Policy.

It is also recognized that circumstances may arise in which deputies and IP officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by the Department and/or taught during the deputy's or IP officer's training. Deputies and

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IP 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 be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

Prior to resorting to the use of force, deputies and IP officers should, when feasible, attempt verbal persuasion, orders, or other tactics to avoid or mitigate the need for forceful action. Nothing in this policy is intended to require that force options be used in a particular order. However, the force option used must be objectively reasonable under the circumstances to accomplish a lawful objective. (Government Code § 7286(b))

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy or IP officer to retreat or be exposed to possible physical injury before applying reasonable force. For purposes of effecting an arrest, preventing escape, or overcoming resistance, retreat does not mean tactical repositioning or other de-escalation tactics.

Deputies on duty and wearing plain clothes shall identify themselves as peace officers prior to the use of force, when feasible.

300.3.1 DE-ESCALATION, CRISIS INTERVENTION AND OTHER ALTERNATIVES

When feasible, deputies and IP officers shall use de-escalation techniques, crisis intervention tactics, and other alternatives to force. For example, deputies should consider actions that may increase deputy and IP officer safety and may decrease the need for using force, such as:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding law enforcement personnel before entering an unstable situation that does not reasonably appear to require immediate intervention.

300.3.2 NO REQUIREMENT TO RETREAT OR DESIST

A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall a peace officer be deemed the aggressor or lose their 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).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When evaluating whether a deputy or IP officer has used reasonable force, a number of factors shall be considered to determine if the force was reasonable. These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to the safety of deputies or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy or IP officer at the time (Penal Code § 835a).

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- (c) Deputy/IP officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).
- (d) The conduct of the involved deputy leading up to the use of force (Penal Code § 835a).
- (e) The apparent effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's known or apparent physical, mental, or developmental disabilities, if any.
- (h) The individual's apparent ability to understand and comply with deputy or IP officer commands (Penal Code § 835a).
- (i) Proximity of weapons or dangerous devices/objects that could be used as weapons.
- (j) The degree to which an individual has been effectively restrained and their ability to resist despite being restrained.
- (k) The availability of other reasonable and feasible options known to the deputy or IP officer and the reasonable belief such options would be effective (Penal Code § 835a).
- (l) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (m) Training and experience of the deputy or IP officer.
- (n) Potential for injury to deputies, IP officers, suspects, bystanders, and others.
- (o) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy or IP officer.
- (p) The risk and reasonably foreseeable consequences of escape.
- (q) The apparent need for immediate control of the person or a prompt resolution of the situation.
- (r) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy, IP officers, or others.
- (s) Prior contacts with the person or awareness of the person's propensity for violence, if known.
- (t) Any other exigent circumstances.

300.3.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies or IP officers utilizing any pain compliance technique should consider these factors before applying the technique:

- (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 was given sufficient opportunity to comply.

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The deputy or IP officer shall discontinue the application of any pain compliance technique once the deputy or IP officer determines that control has been achieved.

300.3.5 CAROTID CONTROL HOLD AND CHOKE HOLDS PROHIBITED

Sheriff's deputies and IP Officers are prohibited from choking and/or using the carotid control hold on any person. Any deputy or IP Officer who is aware of or witnesses the application of a carotid or chokehold on a person. shall:

- (a) Regardless of whether the person was rendered unconscious, summon paramedics or other qualified medical personnel to examine the person as soon as possible and monitor the person until examined by paramedics or medical personnel.
- (b) Inform any person receiving custody of the individual, or any person that will provide care for the individual, that the individual has been subjected to choking or the carotid control hold and whether the individual lost consciousness as a result.
- (c) Promptly notify a supervisor of the use or attempted use of such hold or choking.
- (d) Thoroughly document the use or attempted use of the carotid control hold or choking in an Incident Report.

300.3.6 USE OF FORCE TO SEIZE EVIDENCE

In general, deputies and IP officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, deputies and IP officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, deputies and IP officers shall 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. Deputies and IP officers shall only use techniques and methods taught by the San Francisco Sheriff's Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances (Government Code § 7286(b)):

- (a) A deputy or IP officer may use deadly force only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for one of the following reasons:
 - 1. To protect themselves or others from what they reasonably believe to be an imminent threat of death or serious bodily injury.
 - 2. To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the deputy reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.
- (b) A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that the person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to another person. A deputy's or IP officer's subjective fear of harm alone is insufficient as an imminent threat. An imminent harm is not merely the threat of future harm, no matter how great the fear and no matter how great the

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likelihood of harm, but is one that, from appearances must be instantly confronted and addressed.(Penal Code § 835a).

- (c) A deputy or IP officer shall use other available resources and techniques rather than deadly force of reasonably safe and feasible to an objectively reasonable officer.
- (d) Where feasible, prior to the using deadly force, the deputy or IP officer must make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the deputy has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a).
- (e) To the extent that it is reasonable under the circumstances, deputies must consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).
- (f) A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Deputies and IP officers should attempt to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. A deputy or IP officer should only discharge a firearm at a moving vehicle or its occupants when the deputy or IP officer reasonably believes that the vehicle poses an imminent threat of death or serious bodily injury to another person, and there are no other reasonable means available to avert the imminent threat of the vehicle, or a vehicle occupant is directing deadly force other than the vehicle such as a firearm at the deputy, IP officers, or others (Government Code § 7286(b)).

Deputies and IP officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, deputies or IP 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)):

- (a) A deputy or IP officer may draw, exhibit or point a firearm in the line of duty when the officer has reasonable cause to believe it may be necessary for the safety of others or for their own safety.

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

300.5 REPORTING THE USE OF FORCE

A deputy or IP Officer or their supervisor shall promptly, completely, and accurately document any use of force. (Government Code § 7286(b)).

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300.5.1 NOTIFICATION TO SUPERVISORS

Deputies and IP officers shall immediately notify a supervisor of all uses to force, including instances where deputies or IP officers take enforcement action on- or off-duty and a use of force occurred.

300.5.2 DOCUMENTATION

An incident report is required, except:

- (a) When applying handcuffs, shackles or belly chains to a compliant person.
- (b) When using Department-trained pain compliance or control holds that do not cause more than momentary discomfort to the person or when applying handcuffs, shackles or belly chains to a resistant person.
- (c) When discharging a firearm at a person or animal.
 - For a, no documentation is required.
 - For b, while an Incident Report may be written regarding this type of use of force, this use of force ONLY requires documentation in a use of force log.
 - For c, the issue is ensuring the employee's rights under the government code.

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.

300.6 PLANNED RESPONSES - VIDEO RECORDING

Any supervisor overseeing a planned response where the potential for injury in a use of force exists (i.e. SORT response) must assign a deputy to video-record the planned response. The deputy recording the planned response shall require all officers participating in the response to identify themselves on the video-recording at the start of the recording and before the planned response (Government Code § 7286(b)).

Deputies and IP Officers shall include the recording and documentation in the investigation package, if applicable. The supervisor shall ensure the recording is properly processed for retention and a copy is forwarded with the report to the Facility/Section/Unit Commander within three working days.

300.7 ADDITIONAL RESTRICTIONS RE POSITIONING DETAINEES

Deputies are not authorized to use any restraint or transportation method that creates a substantial risk of "positional asphyxia," which is defined as "situating a person in a manner that compresses their airway and reduces the ability to sustain adequate breathing."

This includes physical restraints that cause a person's respiratory airway to be compressed or impairs the person's breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person's neck, torso, or back.

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After gaining control of a person following an application of force, deputies and IP Officers shall:

- (a) Avoid sitting, kneeling or standing on the person's back or chest which may reduce their ability to breathe and when feasible, do not force a person to lie on their stomach.
- (b) Place the person in a recovery position to allow free breathing (position of recovery: lying on their side, seated on the floor, etc.). See the Medical Aid and Response Policy for additional guidelines.
- (c) Reasonably monitor the person for signs of asphyxia or medical distress.

300.8 DUTY TO PROVIDE MEDICAL CARE

Deputies, IP officers, and/or supervisors shall provide, if properly trained, medical assistance or otherwise promptly procure medical assistance and follow the Medical Aid and Response policy, including ensuring a medical check is performed on all persons who have been subjected to force as soon as practical, regardless of an apparent injury (Government Code § 7286(b)).

Prior to booking or release, deputies and IP officers shall ensure medical assistance is 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 they can be medically assessed.

Based upon the deputy's initial assessment of the nature and extent of the person'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 deputy 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 deputy 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 deputy 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 deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

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300.9 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident or was notified of an incident, in which there has been a reported use of force, the supervisor shall (Government Code § 7286(b)):

- (a) Obtain the basic facts from the involved deputies. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) In cases involving the use of deadly force or when a deputy's or IP officer's use of force has caused serious injury, obtain an oral statement from the deputy or IP officer. The statement should be restricted to concerns that may pose an ongoing threat to the deputy or IP officer, the involved individual or the security of the facility/building, or public (number of shots fired, location of shots fired, number of suspects, etc.). The supervisor shall then take appropriate measures to address public safety concerns, document the essence of the oral statements in writing and submit it to the Watch Commander or Facility/Section/Unit Commander.
- (c) Ensure that any injured parties are examined and treated by medical staff.
- (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.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) (a) If the supervisor believes that any use of force was not within policy, the supervisor shall detail those findings in a separate memo and submit it to the Watch Commander and Facility/Section/ Unit Commander.

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

If a person has made an allegation of any unnecessary or excessive use of force, the employee who receives the complaint shall forward it to the Undersheriff (or Assistant Sheriff in the Undersheriff's absence) (Government Code § 7286 (b)).

300.9.1 WATCH COMMANDER RESPONSIBILITY

Every Watch Commander shall review each use of force by deputies and IP officers within their command to ensure compliance with this policy and to address any training issues.

300.10 CIVILIAN 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)).

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300.11 TRAINING

Deputies and IP officers will receive periodic training on this policy and demonstrate their knowledge and understanding of it.

The Training Unit Commander shall identify required training and the Division Commanders shall ensure that employees under their chain of command attend the required training. This training shall include periodic training on de-escalation tactics, including alternatives to force (Government Code § 7286(b)):

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, people who are pregnant, 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.

No employee with a substantiated use of force complaint shall be assigned to train employees on use of force for three years following substantiation of the complaint.

300.12 USE OF FORCE ANALYSIS

At least annually, the Undersheriff, or the Assistant Sheriff in the Undersheriff's absence should prepare a report analyzing all use of force incidents. The report should be submitted to the Sheriff. The report should not contain the names of deputies, suspects or case numbers, and should include (Government Code § 7286(b)):

- (a) The identification of any trends in the use of force by employees.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

300.13 POLICY REVIEW

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

300.14 POLICY AVAILABILITY

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

300.15 PUBLIC RECORDS REQUESTS

Requests for public records involving a deputy'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)).

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300.16 RETALIATION PROHIBITED

No employee shall retaliate against an officer that reports a suspected violation of a law or regulation of another officer to a supervisor or other person of the law enforcement agency who has the authority to investigate the violation (Government Code § 7286(b)).

300.17 ATTACHMENTS

See attachment: [Use of Force Log.pdf](#)

Use of Force Review Board

301.1 PURPOSE AND SCOPE

This policy establishes a process for the San Francisco Sheriff's Department to review assaults of staff and the use of force by its employees in order to learn from experiences, adjust policies and procedures as needed, and conduct recommended training.

This review process shall be in addition to any other review or investigation that may be conducted by an internal, outside, or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY

The San Francisco Sheriff's Department will objectively evaluate the use of force to ensure that policies and training are sufficient in regards to the use of force. If appropriate, the Board will make recommendations to changes in policy and/or training.

301.3 REVIEW BOARD

The Undersheriff or Assistant Sheriff shall convene the Use of Force Review Board ("Board") when an assault on staff or use of force results in great bodily injury or death to another.

The Board will review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding department-approved training or as a private person as provided by law unless a negligent or reckless act occurred.

The Internal Affairs Unit (IAU) staff and/or the involved employee's Division Commander or designee shall ensure all relevant reports, documents and materials are available for consideration and review by the board and the affected employee(s). However, no IAU staff shall attend or participate in the review.

301.3.1 COMPOSITION OF THE BOARD

The Sheriff shall select at least three Board members from the following, as appropriate:

- Supervisory representatives of each division
- Facility/Section/Unit Commander of the involved employee (mandatory selection)
- A peer deputy of the same rank
- A sworn peace officer from an outside law enforcement agency
- Department training instructor for the type of weapon, device or technique used (mandatory selection)

The senior ranking representative who is not in the same Division as the involved employee shall serve as chairperson.

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301.3.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to review and inquire into the circumstances of an incident, as directed by the Undersheriff or Assistant Sheriff.

The board members may request that employees submit all relevant available material and reports for the board's consideration, call persons to present information and request the involved employee provide a voluntary interview in order to assist the Department in an effort to improve policies, procedures, and training, and to reduce the use of force incidents. The Board shall notify the involved employee in writing, at least 10 calendar days prior to the meeting of the board, and the employee shall be informed that:

- (a) The interview will be conducted in accordance with all aspects Government Code § 3303
- (b) Their interview is voluntary
- (c) A decision not to volunteer won't negatively affect the employee.
- (d) The employee may choose to have a representative present for the meeting.
- (e) The employee will be given a list of people that will be present during the interview and the nature of the interview.
- (f) Absent an express waiver from the employee, no more than two members of the board may ask questions of the involved employee (Government Code § 3303).
- (g) The Board will allow the employee or their representative to present their opinions of the incident or pertinent policies and/or training.

In advance of the interview other Board members may provide questions to the two Board members designated to ask questions during the interview.

The Undersheriff shall determine when the board should conduct its review. The Board shall base its review upon those facts that were reasonably believed or known by the deputy at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. The Board may not rely on facts later discovered but unknown to the deputy at the time to justify or call into question a deputy's decision regarding the use of force.

No Board member shall question or interrogate the employee in any way that would violate the employee's rights, or department policy, or any applicable state or federal law. The purpose of the Board interview with the involved employee is to gain clarity on decisions made, and information available to the deputy at the time prior to and after the use of force.

Based on the information gathered, the board may make one of the following determinations and recommendations:

- (a) The employee's actions were within department training, policy and procedure guidelines and recommend no changes to those guidelines.
- (b) The employee's actions were within department training, policy and procedure guidelines and recommend specific revisions to existing, or development of new, guidelines.

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- (c) The employee's actions were inconsistent with department training, policy and procedure guidelines and recommend revisions to, or development of, guidelines.
- (d) The employee's actions were inconsistent with department training, policy and procedure guidelines and recommend no changes to the guidelines.

Within 21 days of the meeting's conclusion, the board chairperson will submit to the Undersheriff a memorandum with the written determination and any recommendations, including, if applicable, recommended language changes to policy and procedures, and revised changes to training. Those employees that were directly involved in the incident will also be given copies of all relevant reports and information that was provided to the Undersheriff.

The Undersheriff shall review the recommendations and make a final determination as to the necessary follow-up actions associated with training, policy, and procedures. The Undersheriff will submit the recommendations to the Sheriff for review.

The disclosure of any findings of the Board shall be in accordance with current law.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

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

This policy shall apply to the use of specific types of restraints, restraint chairs, and similar restraint systems, as well as all other restraints, including handcuffs, plastic (flex) cuffs, waist/belly chains, and leg irons.

302.2 POLICY

The San Francisco Sheriff's 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.

This policy does not apply to the temporary use of restraints, such as handcuffing or the use of leg restraints to control an incarcerated person during movement and transportation inside or outside a jail facility.

302.3 USE OF RESTRAINTS

Only department-authorized devices may be used.

Restrained persons should be protected from abuse by others. Under no circumstances will restrained incarcerated persons be housed with persons who are not in restraints. In most instances, restrained incarcerated persons are housed alone or in an area designated for restrained incarcerated persons (15 CCR 1058).

Only employees who have successfully completed San Francisco Sheriff's Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the person. Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of a person have failed or appear likely to fail (15 CCR 1029(a)(4); 15 CCR 1058). Incarcerated persons shall have restraint gear applied according to their classification Mandatory Restraint Level during movement and transport.

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

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a disability. In such cases in which they need to use one or both hands to communicate.
- Whether the person has any other apparent disability.

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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. A peace officer may handcuff a detainee without converting the detention into an arrest, if the handcuffing is brief and reasonably necessary under the circumstances, and to assure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies and IP 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 and in no event shall these persons be restrained by the use of leg irons, waist chains, or handcuffs behind the body. Persons who are known to be pregnant will be handcuffed in the front.

No person who is in labor or delivery shall be handcuffed. No person that is in recovery from a birth or abortion shall be restrained by the use of leg restraints/irons, waist chains, or handcuffs behind the body (Penal Code § 3407; 15 CCR 1058.5).

Restraints shall be removed when medical staff responsible for the medical care of the pregnant person determines that the removal of restraints is medically necessary (Penal Code § 3407; Penal Code § 6030).

302.3.3 RESTRAINT OF JUVENILES

A peace officer can take a juvenile into custody based on probable cause. If the charges follow, handcuffing a person for an arrest, transport or officer's safety is allowed. A juvenile under 14 years of age should not be restrained unless they are suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure themselves, injure the deputy or damage property. If the juvenile is only being interviewed (with the consent of a parent) or detained, whether or not to handcuff a minor is dependent on the circumstances.

302.3.4 NOTIFICATIONS

Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy 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 flex cuffs, may be used to restrain a person's hands to ensure officer safety.

Handcuffs shall be applied with the hands behind the person's back (exceptions may include during transport between jail facilities or court when two incarcerated persons share one pair of handcuffs, persons known to be pregnant or when medically indicated). Handcuffs shall be double-locked to prevent tightening with space to allow for proper circulation.

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In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the size of the person's wrists, deputies should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs. Plastic cuffs may also be used when there is an insufficient number of handcuffs relative to the number of persons being handcuffed.

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

302.5 APPLICATION OF SPIT MASKS

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

Spit masks may be placed upon persons in custody/detained when the deputy reasonably believes the person will spit, or has spat on/at a person. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Deputies utilizing a spit mask should remove eyeglasses from the person before applying the spit mask. Deputies shall ensure the spit mask is properly applied to allow for adequate ventilation so that the restrained person can breathe normally. The person wearing the spit mask shall be placed in an area where they are closely monitored for signs of distress, breathing difficulties and vomiting. Deputies shall provide assistance during the movement of a restrained person due to the potential of the mask impairing or distorting that person's vision. Deputies should avoid comingling those wearing spit masks with others. The spit mask shall be removed as soon as the individual is no longer deemed a threat.

Spit masks shall 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 mask, the spit mask should be promptly removed and discarded. Persons who have been exposed to oleoresin capsicum (OC) should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit mask.

Those who have been placed in a spit mask shall be continually monitored and shall not be left unattended until the spit mask is removed. Spit masks shall be discarded after each use. Deputies shall document the use of the spit mask as required by the Use of Force Policy or Incident Report Policy and on the Field Arrest Card.

302.6 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person, or for those who are a flight risk, 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, deputies should consider:

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

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- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting their head against the interior of the patrol vehicle, running away from the deputy while handcuffed, kicking at objects or deputies, etc.).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of a patrol vehicle).

302.7 REQUIRED DOCUMENTATION

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related Incident Report. The deputy or IP Officer shall document in reports when restraints other than handcuffs are used on a person and:

- (a) The type of restraint applied.
- (b) How the person was transported and the position of the person during transport.
- (c) Observations of the person's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems.

302.8 TRAINING

The Training Unit Commander should ensure that deputies and IP 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

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy. Conducted Electrical Weapons are covered by their own policy (See Conducted Electrical Weapon Policy).

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the San Francisco Sheriff's Department authorizes deputies to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. Control devices are used to minimize the potential for injury to deputies, arrestees/incarcerated persons and others. Control devices should only be used in situations where such force reasonably appears justified and necessary.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Use of a control device is a use of force (See Use of Force Policy).

Control devices described in this policy may be carried and used by deputies of this department on duty and only if the device has been issued by the Department and approved by the Sheriff. On a daily basis, deputies carry OC spray and baton control devices based on their assignment. Other control devices listed in this policy are not always carried by deputies on a daily basis, however, these control devices are available for deputies to use in exigent circumstances in order to ensure the safety of all persons. Deputies shall not modify a control device.

Only deputies who have successfully completed department-approved training and have shown adequate proficiency in the use of any control device and the Use of Force Policy, are authorized to carry and use the device.

303.4 RESPONSIBILITIES

303.4.1 SUPERVISOR RESPONSIBILITIES

A supervisor may authorize the use of a control device by who have successfully completed the required training.

303.4.2 TRAINING UNIT RESPONSIBILITIES

The Training Unit in collaboration with the Range Master 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.

The Training Unit or the designated training instructor of a particular control device will periodically inspect and document the inspection.

303.4.3 USER RESPONSIBILITIES

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

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Any damaged, inoperative, outdated control devices or munitions, along with documentation in an Incident Report explaining the cause of the damage, shall be returned to the Training Unit for disposition.

As with all uses of force, the decision to use force, and the type and amount of force, must be reasonable and meet federal constitutional and state law standards (Penal Code Section 835a).

303.5 BATON GUIDELINES

Before using a baton, a deputy must weigh, the need to immediately control a subject against the risk of causing serious injury. A deputy should not intentionally target the head, neck, throat, spine, heart, kidneys and groin except when the deputy reasonably believes the subject poses an imminent threat of serious bodily injury or death to the deputy or others. Deputies shall not slap a baton with the palm of their hand as an intimidation technique. Deputies should avoid raising their hand or arm above their head when delivering a strike.

When carrying a baton, uniformed deputies shall carry the baton in its authorized holder on their equipment duty belt. Only deputies assigned who are authorized to carry the baton in an authorized drop leg holster may do so. Plainclothes deputies may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

Deputies shall not carry or possess a baton inside a secure facility (jail, court holding cell, Ward 7D/7L), except by direct order of a Watch Commander, Incident Commander, or highest-ranking supervisor on scene.

303.6 TEAR GAS GUIDELINES

A deputy may use tear gas for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. The Incident Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force is objectively reasonable. Deputies on scene should prepare and carry the appropriate equipment for a tear gas environment.

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

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, a deputy may consider the use of oleoresin capsicum (OC) spray and/or pepper projectiles to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. A deputy should not use pepper projectiles and/or OC spray against individuals or groups who are non-violent passive individuals 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

Deputies should be aware of the environment when using OC spray. In a medical facility, the use of OC spray may be harmful to persons/patients (particularly those with compromised breathing

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patterns) and could compromise the area for medical or psychiatric treatment until a thorough decontamination has taken place.

Uniformed deputies shall carry OC spray in its holster on their equipment duty belt, when on duty except when engaged in Color Guard/Honor Guard duties. Plainclothes deputies may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

Deputies shall ensure their department-issued OC spray contains sufficient chemical agent. Employees who require a replacement or whose OC spray exceeds four years beyond the manufacture date shall contact the Range Master or designee.

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 it strikes the head, neck, spine or groin. Therefore, deputies using a pepper projectile system should not intentionally target those areas, except when the deputy reasonably believes the subject poses an imminent threat of serious bodily injury or death to the deputy or others.

Deputies 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 subject has been hit by or exposed to the chemical agent. The supervisor shall ensure that all notifications and Incident Reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. 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 in an Incident Report. Only non-incident use of a pepper projectile system, such as training, equipment inspection, and product demonstrations is exempt from the reporting requirement.

303.7.3 TREATMENT FOR OC EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly removed from the area when possible and provided with clean water to cleanse the affected areas. Those persons shall be examined and cleared by medical personnel. Deputies shall ensure the confined area, in which the OC was sprayed, is decontaminated once the situation and area are under control. Decontamination may be accomplished by washing objects and providing increased air circulation to affected areas.

303.8 POST-APPLICATION NOTICE

When tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, deputies, when possible, should provide the owners or individuals present with verbal 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 an advisement that clean-up will be at the

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owner's expense. Information regarding the method of notice and the individuals notified should be included in the Incident Report.

303.9 KINETIC ENERGY PROJECTILE GUIDELINES

Kinetic energy projectiles, can be used during a potentially violent or deadly situation.

303.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. A deputy may use approved munitions to compel an individual to cease their actions when such munitions present a reasonable option.

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

A deputy shall not deploy or use a kinetic energy device inside a jail facility, court holding cell or Ward 7D/7L, unless authorized by the Facility/Section/Unit/Watch Commander or Incident Commander (if on scene).

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

- (a) The subject is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The subject has made credible threats to harm themselves or others.
- (c) The subject is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people to include deputies.
- (d) There is probable cause to believe that the subject has already committed a crime of violence and is refusing to comply with lawful orders.
- (e) Cell extraction or to suppress a disturbance.

303.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the deputy should consider in addition to those factors set forth in the Use of Force Policy, 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.

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

Deputies should keep in mind their training regarding effective distances and target areas. 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. A deputy should not intentionally target the head or neck, except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

303.10 SHIELDS

Shields may be used at the direction and under the supervision of an on-scene supervisor. Shields may be used in conjunction with other control devices or other safety equipment to:

- (a) Contain and control a violent individual or group by:
 - 1. Knocking the individual off their feet
 - 2. Pinning the individual until physical control is attained
- (b) Provide coverage of deputies or containment to subjects
- (c) Provide covered movement when advancing against individuals or groups

303.11 TRAINING FOR CONTROL DEVICES

The Training Unit Commander shall ensure that all deputies who are authorized to use a control device have been properly trained and, where applicable, certified to use the specific control device and are retrained or recertified as necessary. Kinetic energy projectile training is required every two years.

- (a) Proficiency training and testing shall be monitored and documented in the deputy's training file by a certified, control-device weapons or tactics instructor.
- (b) The Training Unit Commander shall ensure all deputies authorized to use chemical agents have been trained in the proper medical treatment of persons who have been affected by the use of chemical agents. Training should include the initial treatment (i.e. providing the proper solution to cleanse the affected area) and knowing when to summon medical personnel for more severe effects.
- (c) Deputies who fail to demonstrate initial or continued proficiency with the control device or knowledge of this policy and the Use of Force Policy will be provided remedial training. If a deputy cannot demonstrate proficiency with a control device or knowledge of this policy and the Use of Force Policy after remedial training, the deputy will lose their authorization to carry and will be restricted from carrying and using the control device.

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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 an Incident Report and reported pursuant to the Report Preparation Policy and Use of Force Policy.

Conducted Electrical Weapon

304.1 PURPOSE AND SCOPE

To provide guidelines to deputies for the deployment, use, and discharge of Conducted Electrical Weapons (CEW).

304.2 POLICY

The Conducted Electrical Weapon device is a force option intended to gain control of a physically resistive/combatative subject, while minimizing the risk of serious injury. Sworn employees are authorized to deploy, use and/or discharge a CEW to overcome resistance from a subject who demonstrates or presents an imminent threat to the safety of anyone.

304.3 ISSUANCE AND CARRYING OF CONDUCTED ELECTRICAL WEAPON

Deputies who have successfully completed department-approved training within the previous two years may be issued and carry the Conducted Electrical Weapon. Deputies carrying the CEW shall remove the cartridge and perform a spark test on the unit prior to each deployment. Each Facility/Section/Unit maintains a spark check log. All CEWs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

- (a) When issued a CEW deputies shall:
 1. Use only a Department issued CEW and cartridges.
 2. When in uniform, wear the device in a Department-approved holster.
 3. Carry the CEW in a non-dominant side holster on the side opposite the duty weapon and draw the CEW from the holster with the non-dominant hand (unless it is injured).
 4. When practicable, carry two cartridges on their person when carrying the CEW.
 5. Ensure that the issued CEW is properly maintained and in good working order.
 6. Never hold a firearm and the CEW at the same time.

When a CEW requires repair, the Watch Commander or designee shall contact the Training Unit.

304.4 VERBAL AND VISUAL WARNINGS

A deputy should give a verbal warning of the intended use of the Conducted Electrical Weapon before its application unless it would otherwise endanger the safety of deputies 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 deputies and individuals with a warning that the CEW may be deployed.

Deputies shall document the fact that a verbal or other warning was given or the reasons it was not given in a report or supplemental report.

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304.5 USE OF THE CONDUCTED ELECTRICAL WEAPON

The Conducted Electrical Weapon has limitations and restrictions a deputy must consider before its use. The CEW should only be used when its operator can safely approach the subject within the operational range of the device. Although the CEW is generally effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other force options. **The use of the CEW in the drive-stun mode is prohibited.**

Deputies are authorized to use a CEW when, based on the totality of the circumstances, a deputy reasonably perceives its use is reasonable to gain control of an individual. Mere flight from a pursuing deputy, without other known circumstances or factors, is not good cause for the use of the CEW to apprehend an individual. Rather, a deputy may use a CEW if:

- (a) The subject is combative or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm deputies, themselves or others.
- (c) To perform a cell extraction when the incarcerated person has demonstrated resistance to orders and imminent danger and/or safety concerns for self or others are present.

304.5.1 SPECIAL DEPLOYMENT CONSIDERATIONS

A deputy should avoid using the CEW on certain individuals unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject or others, and the deputy reasonably believes that the need to control the individual outweighs the risk of using the device. Deputies should generally avoid use on:

- (a) Individuals who are visibly pregnant or known to be pregnant.
- (b) Elderly individuals or obvious juveniles
- (c) Individuals who are non-violent/passive
- (d) Individuals who are handcuffed, or restrained and under control
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles)

Deputies shall not use a CEW to punish an individual.

When feasible, the discharge of the CEW shall be videotaped.

304.5.2 TARGETING LOCATIONS

No deputy shall intentionally direct the sighting laser at the face of any individual. Deputies shall make efforts to target lower center mass, avoiding the head, neck, chest, and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the CEW probes

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to a precise target area, deputies shall monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel. Removal of the probes from these areas should only be done by medical personnel.

304.5.3 MULTIPLE APPLICATIONS OF THE CONDUCTED ELECTRICAL WEAPON

Deputies shall apply the CEW for only one five-second cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CEW against a single individual are not recommended and shall be avoided unless the deputy reasonably believes that the danger posed by failing to immediately control the individual outweighs the potentially increased risk posed by multiple applications. Deputies are not permitted to apply more than three, five-second cycles.

Once the trigger is pressed and a subject is shocked, the deputy shall take their finger off the trigger to assess for compliance or continued non-compliance before another shock is administered. If the first application of the CEW appears to be ineffective in gaining control of an individual, the deputy shall consider certain factors before additional applications of the CEW, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given an opportunity to comply.
- (c) Whether verbal commands or other tactics may be more effective.
- (d) A Deputy shall not discharge the CEW more times than is necessary, but in no case shall the subject be shocked more than three times in any single incident.

304.5.4 ACTIONS FOLLOWING DISCHARGES

Deputies shall notify a supervisor of all CEW discharges as soon as it becomes safe to do so. Cartridges, probes, and wiring shall be collected for evidence purposes.

- (a) If possible deputies who discharge the CEW shall remove the probes; unless it is determined that removal will result in further injury. Probes in the head, neck, chest or groin must be removed by medical personnel.
- (b) Deputies shall contact medically-trained individuals to evaluate the subject as soon as possible. This may be accomplished by:
 - 1. Contacting health service providers who may be in the immediate area (i.e. JHS, DPH staff at clinics and ZSFGH, etc.).
 - 2. Calling for an ambulance in all cases where a CEW is used in the field.
 - 3. Utilizing Department Emergency Medical Technicians.
- (c) The deputy shall ensure that the discharged cartridge(s), wiring, and probes are placed in a paper bag.
 - 1. Mark the paper bag with the date, the location of the incident and the name and star number of the deputy who discharged the CEW.
 - 2. Supervisors shall store the paper bag in a secure area (evidence holding area) until a deputy from the Criminal Investigations Unit takes possession.

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3. Deputies shall document CEW discharges, intentional or unintentional, on an Incident Report, fill out the CEW Log, and complete the CEW Use of Force Notification. The Deputy must send a copy of all three to the Training Unit.

304.5.5 DANGEROUS ANIMALS

A deputy may discharge the CEW against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

304.6 DOCUMENTATION

Deputies are required to write an Incident Report and complete the CEW Log and CEW Use of Force Notification form when the CEW has been:

- Discharged
- Aimed, pointed, or directed at a subject

The deputy shall include the following in the report:

- (a) Identification of all personnel firing CEW
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any suspected drug use, intoxication or other medical problems
- (f) Successful and unsuccessful attempts to discharge the CEW and reason(s) why the attempt was unsuccessful.

For the Conducted Electrical Weapon Log, record:

- (a) The type and brand of CEW, cartridge, and cartridge serial number, if applicable
- (b) Date, time and location of the incident
- (c) Whether displaying the CEW or laser deterred a subject and gained compliance
- (d) The number of CEW activations, 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) Location of probe impact
- (g) Description of where missed probes went
- (h) Type of medical care provided to the subject
- (i) Subjects who sustained injuries
- (j) Deputies who sustained injuries
- (k) Photographs of injuries

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The Training Unit Commander or designee should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Unit Commander or designee should also conduct audits of data downloads and reconcile CEW report forms with recorded activations.

304.7 MEDICAL TREATMENT

Used CEW probes shall be treated as sharp biohazard material and handled appropriately. Universal precautions should be taken on individuals who have been struck by CEW probes or who have been subjected to the electric discharge of the device, and the individual shall be medically assessed prior to booking, admittance to a medical unit or rehoused. Additionally, individuals who fall under any of the following categories shall, as soon as practicable, be examined by qualified medical personnel:

- (a) Are suspected of being under the influence of controlled substances and/or alcohol
- (b) Are pregnant
- (c) Appear to be in need of medical attention
- (d) Have CEW probes lodged in sensitive areas (e.g., groin, female breast, head, face, neck)
- (e) Request medical treatment

An individual exhibiting signs of distress or who was exposed to multiple or prolonged applications (i.e., more than 15 seconds total (three cycles)) shall be transported to a medical facility for examination or medically evaluated prior to booking. If an individual refuses medical attention, such a refusal shall be witnessed by medical personnel and shall be fully documented in reports. If an audio recording is made of the contact or an interview with the individual, the medical refusal shall be included.

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

304.8 FACILITY/SECTION/UNIT COMMANDER RESPONSIBILITIES

The Facility/Section/Unit Commander or designees shall ensure CEWs are tested weekly and logged onto the sheet to confirm that the CEW is operational. This test will include:

- (a) Removal of the cartridge
- (b) Ensure the battery is charged to the percentage recommended by the manufacturer
- (c) Conduct a spark check
- (d) Account for all parts including holster(s)

304.9 TRAINING

Proficiency training for personnel shall occur every two-years. A reassessment of a deputy's knowledge and/or practical skill may be required at any time if deemed appropriate by the Facility/Section/Unit Commander. All training and proficiency for CEW will be documented in the deputy's training file.

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Command staff, supervisors and investigators should receive CEW training as appropriate for the investigations they conduct and review. Deputies who do not carry CEWs should receive training that is sufficient to familiarize them with the device and with working with deputies who use the device.

The Training Unit Commander ensures that deputies who use CEWs have received initial and biennial proficiency training. The Training Unit maintains certification records and reviews those records regularly to ensure deputies authorized to carry CEWs are in compliance. Application of the CEW during training could result in injury to personnel and should not be mandatory for certification.

The Training Unit Commander shall ensure all training includes:

- (a) A review of this policy and the Use of Force policy.
- (b) Performance of weak-hand draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (c) Target area considerations, to include techniques or options to reduce the unintentional application of probes at the head, neck, chest (“dart to the heart”) and groin.
- (d) Handcuffing a subject during the application of the CEW and transitioning to other force options.
- (e) De-escalation techniques.
- (f) Restraint techniques that do not impair respiration following the application of the Conducted Electrical Weapon.
- (g) Removing probes from non-sensitive areas.

304.10 ATTACHMENTS

See attachment: [CEW Log.pdf](#)

See attachment: [CEW Use of Force Notification Form.pdf](#)

Discriminatory Harassment

305.1 PURPOSE AND SCOPE

San Francisco Sheriff's Department employees shall be treated with respect and dignity, and work in an environment free from discrimination and harassment. Nothing in this policy shall be interpreted to restrict the rights provided under federal, state or local laws, or in any Collective Bargaining Agreement (CBA).

305.2 POLICY

The San Francisco Sheriff's Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discrimination and harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

305.3 DEFINITIONS

Definitions related to this policy include:

305.3.1 DISCRIMINATION

The unequal treatment of individuals based on their membership in a category or categories including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

305.3.2 HARASSMENT

Visual, verbal, or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. This includes sexual harassment. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; crude and offensive statements or remarks; making slurs or jokes, stereotyping; engaging in threatening acts; making indecent or sexual gestures, displaying or referencing sexually suggestive objects, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures.

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305.3.3 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice.

305.3.4 SEXUAL HARASSMENT

Sexual harassment includes but is not limited to unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.
- (d) Making or threatening reprisals after a negative response to sexual advances.

305.4 MEMBER RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members who believe they are experiencing discrimination, harassment or retaliation are encouraged to inform the individual that their behavior is unwelcome, offensive, unprofessional or inappropriate. Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to their immediate supervisor may bypass the chain of command and make the report to any higher-ranking supervisor or manager. Complaints may also be filed with the Sheriff, the Director of Human Services or the City Administrator.

Any member who believes, in good faith, that a member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

All complaints of harassment or discrimination made by incarcerated persons shall be forwarded to the Undersheriff through the employee's chain of command. The Undersheriff will review and:

- If the initial information appears such that a crime may have occurred, forward the complaint to the Criminal Investigations Unit.
- If no crime appears to have occurred but misconduct may have occurred, forward the complaint to the Internal Investigations Unit and Department of Police Accountability.
- If the information minor or the allegations are unclear, return the complaint to the appropriate Division Commander for review and action.

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305.4.1 EMPLOYEE COMPLAINT PROCEDURES

An employee who believes they have been harassed, discriminated against or retaliated against, in violation of this policy and who wishes to file a complaint should promptly report the facts of the incident and the individuals involved. Employees should make a complaint as soon as possible.

An employee may submit a complaint verbally, in writing, internally or externally (DHR), and may include a suggested method of resolution. Complaints may be filed with the Facility, Section or Unit Commander, Undersheriff, Sheriff, IAU, the EEO Coordinator or the Department of Human Resources (DHR).

The investigation shall be completed as soon as possible.

305.4.2 SUPERVISOR AND COMMAND STAFF RESPONSIBILITIES

If a complaint of harassment, retaliation or discrimination is made to a supervisor, the supervisor must immediately report it to the department's EEO Coordinator or Human Resources Officer. The Department must report all complaints of harassment, discrimination, and retaliation to the Human Resources Director within 5 days of becoming aware of such complaints. Supervisors must report an allegation or complaint, whether or not the complainant requests confidentiality and/or requests that no action be taken. Any supervisor who receives a complaint of discrimination, harassment, or retaliation and fails to report it may be subject to disciplinary action.

Supervisors Shall:

- (a) Receive the complaint of discrimination, harassment, or retaliation. Review this policy with the offended employee and explain all the options for filing a complaint.
- (b) Upon receiving hearsay or anonymous information, gather reasonably accessible information, if any.
- (c) Send a memo with a summary of the complaint to the EEO coordinator.
- (d) Do not conduct an investigation or interview witnesses unless requested by the EEO Coordinator.

Additional Supervisor responsibilities shall include, but are not limited to:

- (a) Taking prompt, appropriate action to avoid and minimize any form of discrimination, harassment or retaliation.
- (b) Ensuring subordinates understand their responsibilities under this policy.
- (c) Ensuring employees who make complaints or who oppose any unlawful employment practices are protected from retaliation and such matters are confidential to the extent possible.
- (d) Acting promptly and responsibly in handling such situations.

305.4.3 EMPLOYEE'S ROLE

Because of differences in individual values, employees may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Employees shall keep in mind that behavior of employees should represent the values of the Department.

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305.5 INVESTIGATION

Investigators assigned to conduct a formal investigation have full authority to investigate all aspects of the complaint. Investigative authority includes access to records as permissible by law and the cooperation of any employees involved. No employee shall use influence to suppress a complaint and no employee will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in an investigation.

Formal investigations of the complaint will be confidential to the extent possible and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of witnesses. Witnesses will be advised regarding the prohibition against retaliation, and the Department shall initiate a disciplinary process, up to and including termination, if retaliation occurs.

305.5.1 EEO COORDINATOR

RESPONSIBILITIES The EEO Coordinator will:

- (a) Maintain a log of each discrimination and harassment complaint.
- (b) Complete and maintain statistics of all discrimination, harassment and retaliation violations and complaints. The statistical data shall include, but not limited to:
 - 1. Number of violations and complaints
 - 2. Origination of complaints by location
 - 3. Number of investigations
 - 4. Number of complaints filed internally
 - 5. Number of complaints filed through outside agencies
 - 6. Status of all complaints

Monitor statistics to determine if there are patterns of discrimination, harassment or retaliation within various units of the department.

- (a) Recommend appropriate action to the Sheriff or Undersheriff based on the statistics.
- (b) Report all statistics regarding discrimination, harassment or retaliation to the Sheriff or Undersheriff on a quarterly and annual basis.
- (c) Submit quarterly reports to the Department of Human Resources in accordance with San Francisco Administrative Code section 33.7 of all discrimination complaints filed by employees of the department.

305.5.2 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent an employee from seeking legal redress outside the Department. Employees who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

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For information or to file a complaint with the City, contact any of the following:

- CCSF Department of Human Resources, EEO Division in person or @ www.sfdhr.org.
- City's Harassment Helpline at (415) 557-4900

The Human Resources Director is responsible for the investigation and resolution of all discrimination complaints. If the Human Resources Director determines that harassment, discrimination, or retaliation has occurred, the City will take appropriate remedial action.

The U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) also investigate and prosecute complaints of employment harassment, discrimination and retaliation.

305.6 HARASSMENT/DISCRIMINATION/RETALIATION-DISCIPLINE

Per the City's Department of Human Resources, "Any employee, supervisor, or agent of the City found to have engaged in unlawful harassment, discrimination, or retaliation may be subject to disciplinary action, up to and including termination. An employee may be subject to discipline for engaging in harassing conduct that does not meet the definition of harassment under federal and state law, but that, if repeated or allowed to continue, might meet that definition."

Employees:

Any employee who violates this policy and procedure or interferes with its implementation shall be subject to disciplinary action, which may include suspension or termination.

Supervisor Responsibilities:

Supervisors shall enforce this policy and procedure. Failure to take action, or conceal a situation may constitute "negligent supervision" and may subject the supervisor to disciplinary action. In addition, if the investigation reveals that the supervisor knew or should have known about the harassment, discrimination or retaliation the supervisor may be subject to disciplinary action. A supervisor must lead by example and never engage in conduct in violation of this policy. A supervisor who receives a complaint of harassment, discrimination, or retaliation and fails to immediately report it may be subject to disciplinary action.

305.8 TRAINING

All employees shall have knowledge of and periodic training on this policy and shall certify by signing a prescribed form that they have reviewed the policy, understand its contents and agree to abide by its provisions.

305.8.1 STATE-REQUIRED TRAINING

The Sheriff should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

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- (a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
- (b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
- (c) All employees shall receive refresher training every two years thereafter.

305.8.2 TRAINING RECORDS

The Training Unit Commander shall be responsible for maintaining records of all discriminatory harassment training provided to employees. Records shall be retained in accordance with established records retention schedules or for a minimum of two years (2 CCR 11024).

305.7 EXCEPTIONS

It shall not be a violation of this policy to follow a seniority system as long as that system is a bona fide one and not designed to circumvent or evade this policy.

It shall not be a violation of this policy to select, assign, or reject a person for employment or assignment based upon a bona fide occupational qualification, career development, or organizational necessity, which can be articulated and is not designed to circumvent or evade this policy.

305.9 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment, and retaliation as required by law.

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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.

306.2 POLICY

The San Francisco Sheriff's Department shall equip deputies and IP Officers with firearms to address the risks posed to the public and Department employees 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. The Sheriff's authorization is required for deputies and IP Officers to carry firearms on duty.

The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Deputies and IP Officers shall only carry and use firearms, ammunition and related equipment that are issued or approved by the Department and have been thoroughly inspected by the Sheriff's range staff. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a deputy or IP Officer who is not currently qualified with that firearm at a Department-approved range. In addition, employees are prohibited from carrying any type of firearm or ammunition into a jail facility, into Zuckerberg San Francisco General Hospital Ward 7D/7L, or into any unauthorized area where incarcerated persons are present, except by direct order of the highest ranking Sheriff's supervisor or Incident Commander on scene.

All other weapons not approved or provided by the Department, or any weapon prohibited or restricted by law or that is not covered elsewhere by Department policy, may not be carried or used by employees in the performance of their official duties without the express written authorization of the Sheriff. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

On-duty deputies and IP Officers (in uniform or out of uniform) shall wear a ballistic vest when carrying a visible firearm in a public place or at a firing range.

[Firearm Carry Weapon Conditions Procedures](#)

306.3.1 HANDGUNS

Authorized handguns and specifications approved for on duty and off duty use are listed on an Authorized Handgun List maintained by the Department Rangemaster or designee.

Deputies, except during authorized training, shall not carry a handgun on or off duty unless they have graduated from a Peace Officers Standards and Training (POST) Basic Academy, have

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passed a department qualification for the handgun and are authorized to do so by the Sheriff. IP Officers who are authorized to carry and use a firearm on duty, are not authorized to carry the firearm off duty.

Employees shall not be assigned to a position that requires a handgun if they are not authorized to carry a handgun and/or their authority to carry has been rescinded or suspended.

[See attachment: Authorized Handgun List.pdf](#)

[Firearms Training and Qualifications Procedures](#)

306.3.2 SHOTGUNS

Department authorized shotguns and ammunition approved for on-duty use are listed on an Authorized Shotgun List maintained and provided, upon request, by the Rangemaster. Shotguns shall only be used by employees who have successfully completed an approved Department shotgun training course. The Rangemaster should ensure a qualification or familiarization course is conducted on a continual basis. Employees issued or carrying shotguns must be familiar with the weapon and have qualified with the shotgun within a two-year period or as designated by the Rangemaster.

Employees using a Department authorized shotgun and ammunition shall:

- (a) Inspect the weapon to ensure the weapon's action is locked, the chamber is empty, and is loaded with the correct ammunition.
- (b) Secure the shotgun in a Department vehicle or facility with the magazine tube filled, chamber empty, action locked, and weapon on safe. Additionally, the sidesaddle will be filled with four buckshot rounds and two slugs that are department approved.
- (c) Store a shotgun in a Department vehicle if the vehicle has an approved, locking shotgun mount, trunk mount or truck vault. The shotgun shall be secured and locked at all times when not deployed.
- (d) If assigned as a member of the Special Response Team, employees may use a specially modified shotgun and ammunition authorized by the Rangemaster.

306.3.3 LONG GUNS OTHER THAN SHOTGUNS

The Sheriff's Department authorizes a department-issued specific long guns for deployment and their authorized ammunition shall be issued by the Department and retained on an authorized weapons list by the Rangemaster. The Rangemaster shall ensure employees assigned a long gun or authorized to use a long gun have successfully completed a qualification course at least twice per year.

Long guns will only be deployed after the deputy conducts an inspection of the weapon. Deputies shall ensure they are unloaded unless being deployed. When not deployed, weapons shall be carried with a full magazine inserted, bolt forward on an empty chamber and safety on.

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Deputies may deploy a long gun in any circumstance where the employee can articulate a reasonable expectation that it may be needed. Examples of general guidelines for deploying may include, but are not limited to:

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

Long guns may be secured in Department vehicles if the vehicle has an approved, locking weapon mount, rack or trunk mount or truck vault. Storage of long guns will only be in approved, secure Department rooms with gun safes. Safes should be in locations operated 24 hours a day by deputies or secured by a monitoring system.

306.3.4 PERSONALLY OWNED AND SECONDARY HANDGUN

Employees desiring to carry a Department-authorized personally owned duty firearm, and/or a secondary handgun (Department issued or Department-authorized personally owned) on-duty shall have written authorization from the Sheriff. Once approved, employees carrying and using a personally owned duty firearm and/or secondary handgun are subject to the following restrictions:

- (a) Handguns shall be in good working order and on the Department list of authorized firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of a personally owned or secondary handgun and ammunition shall be the responsibility of the employee.
- (d) The secondary handgun shall be carried concealed at all times and in a Department-authorized device designed to carry the handgun to prevent unintentional cocking, discharge or loss of physical control.
- (e) Handguns shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be Department-authorized.
- (g) Prior to carrying the personally owned duty firearm and/or secondary handgun, employees shall successfully qualify with the firearms at a department-approved range and thereafter shall qualify in accordance with the Department qualification schedule. Employees must demonstrate proficiency, safe handling, and that the handgun functions properly.

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- (h) Employees shall provide written notice of the make, model, color, serial number and caliber of the handguns to the Rangemaster, who will verify and maintain a list of the information.

306.3.5 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by employees while off-duty is permitted by the Sheriff but may be rescinded should circumstances dictate (e.g., administrative leave). Employees who are authorized by the Sheriff and who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) The employee may use their duty firearm or may use a personally owned firearm that is carried and inspected in accordance with the Personally Owned and Secondary Handgun requirements in this policy. An employee carrying their duty firearm shall 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 employee.
- (b) The firearm shall be carried concealed from public view at all times, and in a Department-authorized device designed to carry the handgun to prevent accidental unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the employee to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the range staff.
- (d) Prior to carrying an off-duty firearm, the employee shall demonstrate to the range staff that they are proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The employee shall successfully qualify at a department-approved range with the firearm prior to it being carried.
- (f) Employees shall provide the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will ensure the information is verified and maintained in a database.
 - 1. If a deputy ceases to use a previously authorized privately owned firearm, they will notify the Rangemaster.
- (g) If an employee desires to use more than one firearm while off-duty, they may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Employees shall only carry department-approved ammunition.
- (i) When armed, deputies shall carry their badges and a current San Francisco Sheriff's Department identification card designating the deputy as a peace officer.

306.3.6 AMMUNITION

Deputies and IP Officers shall carry only department-authorized ammunition. Deputies and IP Officers shall be issued fresh duty ammunition in the specified quantity for all department-issued

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firearms during firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed.

Employees carrying personally owned authorized firearms of a caliber differing from Department-issued firearms may be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

Authorized ammunition and specifications approved for duty use are listed on an Authorized Ammunition List maintained and provided, upon request, by the Department Rangemaster. No reloaded or aftermarket ammunition is authorized by the Department for use in any duty weapon.

[See attachment: Authorized Ammunition List.pdf](#)

306.3.7 AUTOMATED FIREARMS SYSTEM (AFS) ENTRY

The Central Records and Warrants Unit (CRW) shall enter Automated Firearms System (AFS) information within 10 days of receipt of new firearms, or the notification of destruction of firearms, or the return of firearms to the vendor (see Central Records and Warrants Unit Policy).

Upon receipt of new Department firearms, two deputies from the Training Unit shall inventory and verify the firearm against the packing slip, and shall ensure the firearm identifying information is entered into the Department Firearm Management System (FMS) with the following information:

- Serial number
- Make, model and caliber
- Originating Case Agency
- Department ORI number
- Date the firearm was received
- Deputies names and badge number who verified the information

Training Unit deputies who completed the inventory and entry of information into FMS shall electronically send the information to the CRW Unit Commander and shall copy the Division Chief Deputy.

For firearms that have reached their life expectancy and are destroyed or returned to the vendor, the Rangemaster or designee shall update FMS and shall electronically send the information to the CRW Unit Commander, copying the Division Chief Deputy.

306.3.8 FIREARMS AUDIT

The Rangemaster in collaboration with the Training Unit Commander shall complete a firearms audit of department-owned firearms. The audit shall commence during the first and third quarter of each calendar year. The Rangemaster shall submit the firearms audit to the Administration and Programs Division Chief Deputy.

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition.

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An employee who has dropped a firearm that they are authorized by the Department to carry, or suspects the firearm has a defect, and/or has experienced the firearm malfunction shall immediately notify the Rangemaster or range staff and shall not carry or use the firearm. The employee must have the firearm repaired or replaced before duty to carry is authorized. The Rangemaster or designee shall inspect the firearm to determine if the firearm is safe. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. The Rangemaster shall be responsible for the repair of a Department-owned firearm. If the firearm is the employee's primary duty firearm, a replacement firearm will be issued until the duty firearm is serviceable. The employee may need to qualify with the replacement firearm.

306.4.1 REPAIRS OR MODIFICATIONS

Each employee shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor and to the Rangemaster.

Firearms that are the property of the Department shall be repaired or modified only by a person who is certified as an armorer or gunsmith in the repair of the specific firearm and department-approved. Employees are prohibited from modifying any department-issued firearm.

Any repairs or modifications to the employee's personally owned firearm that has been authorized for use or carry shall be done at their expense by a certified armorer or gunsmith and the repair or modification must be approved by the Rangemaster.

306.4.2 LOST OR STOLEN

In the event an employee's Department issued or authorized handgun is lost or stolen, the employee shall:

- (a) Report the loss immediately to the agency of primary jurisdiction where the weapon was believed to be lost or stolen.
- (b) Make a verbal report to the on-duty Watch Commander, at the employee's duty assignment location, immediately after reporting it to the agency of primary jurisdiction.
 1. Verbally report the incident to the IRC Watch Commander if assigned to a Section or Unit that does not operate 24 hours a day.
- (c) Within 24 hours, submit a case number, or a copy of the statement made to the agency of primary jurisdiction, and an Incident Report to their Facility/Section/Unit Commander.
 1. The Facility/Section/Unit Commander shall forward a copy of the report, statement and case number to the CRW, to the Internal Affairs Unit (IAU) and to the Rangemaster.

Any employee whose Department issued or authorized handgun is lost, stolen or damaged due to negligence of the employee may be responsible for reimbursement of the cost of the firearm to the Department and may be subject to discipline.

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306.4.3 HOLSTERS

Deputies and IP Officers shall only use and wear Department-approved holsters that are designed for their handgun make and model. Employees shall secure their authorized handgun in the designated holster on their person when on duty and shall be proficient in the type of holster used. Employees shall periodically inspect their holsters to ensure they are serviceable and provide the proper security and retention of the handgun.

Deputies assigned to the Emergency Services Unit Special Response Team (SRT), are authorized to use thigh holsters on their gun side only when engaged in SRT activities and while wearing their Class E uniform. Deputies assigned to the Canine Unit are authorized to use thigh holsters on their gun side when engaged in canine activities.

Authorized holsters, specifications, and nomenclature used to describe the holster levels of security, approved for on duty and off duty use, are listed on an Authorized Holster List maintained and provided, upon request, by the Department Rangemaster. Duty belt holsters are to be carried on the dominant side and along the pant seam only.

Belt carry cross draws or swivel type holsters are prohibited. Drop holsters, 2.5" or greater from the bottom of the duty belt to the highest attachment point are prohibited.

[See attachment: Authorized Holster List.pdf](#)

306.4.4 MOUNTED TACTICAL LIGHTS AND RED DOT SIGHTS (RDS)

Department approved tactical lights and Weapon Mounted Lights (WML) may be installed on handguns carried on-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights and/or RDS have been properly installed on an on-duty firearm, the employee shall qualify at a department-approved range with the firearm to ensure proper functionality, demonstrate proficiency, and sighting of the firearm prior to carrying it. The Rangemaster shall administer the Department handgun tactical light training. Any other tactical light training must be approved by the Rangemaster.

Except in an approved training situation, an employee may only sight on a person or object with a tactical light or WML when the employee would otherwise be justified in pointing a firearm at the person or object. At no time shall an employee point a handgun or shotgun tactical light at a person or object as a means of illuminating the person or object, except as noted above.

Employees approved to use a handgun tactical light or WML shall leave the tactical light or WML installed on the weapon at all times while on duty and shall carry the weapon in a holster designed for handguns and tactical lights and/or WML. Holster designed for tactical lights and /or WML shall not be used for handguns without that equipment attached.

The Rangemaster will notify Facility/Section/Unit Commanders of employees who are non-compliant with the handgun tactical light or WML training requirements.

[See attachment: Authorized Weapon Mounted Light and RDS List/Procedures.pdf](#)

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306.4.5 OPTICS OR LASER SIGHTS

The Sheriff's Department does not authorize any laser sighting system on any on duty handgun.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Employees shall maintain the highest level of safety when handling firearms and shall:

- (a) Follow the four cardinal rules of firearm safety:
 - 1. Treat every weapon as if it were loaded.
 - 2. Never point a weapon at anything unless intending to shoot.
 - 3. The trigger finger remains out of the trigger guard unless intending to shoot.
 - 4. Be aware of the target, backstop and beyond.
- (b) Be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster and range instructors. Employees shall not practice quick draws except as instructed by the Rangemaster or firearms training staff on the firing range.
- (c) Not load or unload a weapon anywhere in the Department, except where clearing barrels are present, if available, or in designated areas permitted by the Facility/Section/Unit Commander (i.e. in the parking area and outside of the vehicle near the gun lockers).
- (d) No weapon will be cleaned while loaded.
- (e) Only place or store firearms or other weapons on Department premises where the place of storage is locked. No one shall carry firearms into a secure jail area or any part thereof, where an incarcerated person/arrestee is present, but shall place all firearms in a secured gun locker prior to entering the security area of a jail, incarcerated holding cell, Ward 7D/7L, or the Intake and Release Center (IRC). Employees providing access to the security area of a jail facility, Ward 7D/7L, or the IRC to persons from outside agencies are responsible for ensuring firearms are not brought into these facilities.
 - 1. During a critical incident, the Watch Commander or the Incident Commander has the authority to allow firearms into the security area of a jail, incarcerated person holding cell, Ward 7D/7L, or the Incarcerated Person and Release Center (IRC).
- (f) Employees shall not use any automatic firearm, heavy caliber rifle, or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Consider whether to use a firearm which could create a fire and/or explosive hazard if the weapon is discharged (i.e., service station, clandestine drug lab, etc.) or in a medical facility, medical gas (i.e. oxygen) or a medical device such as a Magnetic Imaging Resonance (MRI).

306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by an employee. Long guns shall be inspected at the beginning of the shift by the employee to whom the weapon is issued. The employee shall ensure the firearm is carried in the proper condition and loaded with

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approved ammunition. Inspection of a long gun shall be done in a safe manner and location that has been designated by the Facility/Section/Unit Commander. All firearms shall be pointed in a safe direction or into clearing barrels.

On-duty department or authorized personally owned handguns shall be stored and locked in gun lockers issued by Facility/Section/Unit Commanders or designees. All facilities where incarcerated persons/arrestees are present shall have designated locked gun lockers inaccessible to incarcerated persons, arrestees and civilians for employees and persons from other agencies. Employees are prohibited from leaving a firearm or ammunition in a personal locker or brought into a facility where incarcerated persons are present, without the permission of the Facility/Section/Unit Commander or designee. Handguns shall remain loaded if secured in a Department issued or authorized holster on the employee or may remain loaded if secured in a locked gun locker. Shotguns and rifles shall be handled using the same practices and protocols as handguns.

306.5.2 STORAGE AT HOME

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

306.5.3 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, employees and retired peace officers shall ensure that it is locked in the trunk (provided that the trunk release in the main cabin of the vehicle is disabled), or in a locked container that is placed out of plain view, or in a locked container that is permanently affixed to the vehicle's trunk or 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). The utility or glove compartment of a motor vehicle is not a locked container.

If the vehicle does not have a trunk or a locked container, then the firearm shall be locked within the center utility console that can be locked with a padlock, key lock, combination lock, or other similar locking device (Penal Code § 25140). Employees are prohibited from leaving, placing or storing a firearm in the center utility console overnight in an unattended motor vehicle.

Employees who are unable to secure a firearm as described above shall not leave the firearm in an unattended vehicle.

306.5.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any employee, 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 employee's senses or judgment.

306.7 FIREARM DISCHARGE

Except during training at a range or private person use as provided by law, any employee who discharges a department-authorized firearm intentionally or unintentionally, on- or off-duty, shall

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make a verbal report to their supervisor as soon as circumstances permit, and shall submit written documentation within 24 hours of the discharge (see Report and Memo Preparation Policy). 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 employee shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

306.7.1 DESTRUCTION OF ANIMALS

Deputies and IP Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department employees should consider reasonable contingency plans for dealing with the animal. Nothing in this policy shall prohibit any employee from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, an employee may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)).

Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code § 597.1(b)). If Animal Control staff is not available, 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.

306.7.3 WARNING AND OTHER SHOTS

Warning shots or shots fired for the purpose of summoning aid are prohibited.

306.8 RANGEMASTER DUTIES

Employees attending the range will follow the directions of the Rangemaster and range staff. The range staff will maintain a roster of all employees attending the range and will submit the roster to the Training Unit Commander after each range date. Failure of any employee to sign in and out with range staff may result in non-qualification.

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

The Rangemaster has the responsibility of ensuring periodic inspections are made, at least once a year, of all duty firearms carried by employees to verify proper operation. Range staff has the authority to deem any department-issued or department-authorized unfit for service. The employee will be responsible for all repairs to their personally owned firearm and it will not be returned to service until inspected by range staff.

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The Rangemaster has the responsibility for ensuring each employee 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 employee is authorized to carry.

The Rangemaster shall complete and submit to the Training Unit Commander documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provided training, a description of the training provided and, on a form that has been approved by the Department, a list of each employee who completed the training. The Rangemaster shall keep and retain accurate records of all training shoots, qualifications, repairs, maintenance and other training records as directed by the Training Unit Commander.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) governs when law enforcement officers may fly armed on commercial aircraft. Deputies approved to fly armed by the Department and the TSA must follow all rules, regulations, and policies set by the Department and TSA (49 CFR 1544.219).

306.10 CARRYING FIREARMS OUT OF STATE

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

- (a) The deputy shall carry their San Francisco Sheriff's Department identification card when carrying such firearm.
- (b) The deputy is not the subject of any current disciplinary action which could result in the suspension or loss of police powers.
- (c) The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The deputy will remain subject to this and all other department policies (including qualifying and training).

Deputies 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 a deputy from arrest and prosecution in such locally restricted areas.

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

306.11 90 DAY SURRENDER

Deputies and IP Officers on extended leave (90 calendar days or longer) shall return their department-issued firearms to range staff for safekeeping. If the employee is unable to return department-issued firearms, the Department will make arrangements to take possession of the firearm(s).

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The Personnel Unit and Rangemaster will track firearms from employees who are on leave for more than 90 days as follows:

- (a) The Personnel Unit will compile the names of employees who have exceeded the 90-day period, to the monthly 90-Day Tracking Report, during the last week of every month.
- (b) The Personnel Unit will issue letters to the employees and will forward a copy to the Rangemaster within the first week of the next month.
- (c) Range staff upon receipt of the monthly 90-Day Tracking Report will collect the firearms from the employees and complete the remaining fields on the 90-Day Tracking Report. The Rangemaster will forward the completed Tracking Report to the Personnel Unit prior to the issuance of the subsequent month's Report.
- (d) Employee names will remain on the monthly 90-Day Tracking Report until the Rangemaster collects the firearm, updates and forwards the Report to the Personnel Unit.
 1. The Personnel Unit will remove the employee's name from the Tracking Report upon resolution and prior to the issuance of the Report for the following month. Personnel will retain a master copy of listed changes to the Report.

306.12 FIREARM PURCHASE AT RETIREMENT

As a courtesy, the Sheriff has the discretion and may authorize a sworn employee to purchase of their department issued firearm and to receive a 10-day waiting period waiver. A sworn employee, in the 30 days immediately preceding retirement, may request to purchase their department-issued weapon by submitting a request in writing to the Range Master or designee. The firearm is not to be purchased with the intent to be resold or transferred.

California law imposes a 10-day waiting period before a firearm can be released to a purchaser or transferee. The waiting period described in Penal Code 26815 does not apply to the sale, delivery or transfer of a firearm made to any person who satisfies both of the following requirements:

- The person is identified as a full-time paid peace officer.
- The officer's employer has authorized the officer to carry firearms while in the performance of duties.

The San Francisco Sheriff's Department is not a gun dealer. The purchase transaction must be done through a vendor authorized by the City and County of San Francisco.

LINK to [Firearm Purchase Prior to Retirement](#)

306.13 ATTACHMENTS

See attachment: [Failed Firearm Qualification - 2nd Attempt form.pdf](#)

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved deputies, the public, and fleeing suspects.

307.1.1 DEFINITIONS

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Trail - Following 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 vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit

Vehicle Pursuit - 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 a deputy's signal to stop.

307.2 POLICY

It is the policy of this department to balance the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

307.3 DEPUTY RESPONSIBILITIES

Units from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor.

Vehicle pursuits shall only be conducted using authorized sheriff's department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by Vehicle Code § 21055. Deputies are responsible for continuously driving with due regard and caution for the safety of all persons and property (Vehicle Code § 21056).

Deputies should not participate in a pursuit if their vehicle is occupied with any Department member that is not sworn, any member of the public, or any incarcerated person.

307.3.1 WHEN TO INITIATE A PURSUIT

Deputies are authorized to initiate a pursuit when the deputy reasonably believes that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that should be considered in deciding whether to initiate a pursuit include:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.

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- (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 deputies, innocent motorists, and others.
- (c) The 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 (e.g., school zones), and the speed of the pursuit relative to these factors.
- (d) The pursuing deputies' 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 deputies under the conditions of the pursuit.
- (e) Whether weather, traffic, and road conditions unreasonably increase the danger of the pursuit when weighed against the risk of the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked sheriff's department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment, and concealed or obstructed siren positioning.
- (i) Suspect and deputy vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, hostages).
- (k) Availability of other resources such as air support or vehicle locator or deactivation technology.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the deputy 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 this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Deputies and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves, and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle 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) The pursued vehicle's location is no longer definitely known.

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- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the deputies, or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence, risk of serious harm, or weapons (independent of the pursuit) are generally discouraged.

307.3.4 SPEED LIMITS

Deputies and the pursuit supervisor shall continually evaluate the appropriate speed of a pursuit. Determination of vehicle speeds shall take into consideration public safety, deputy safety and the safety of the occupants of the fleeing vehicle.

If a pursuit requires high vehicle speeds, deputies and supervisors shall consider, in addition to the considerations above, these factors when determining appropriate vehicles speeds:

- (a) Whether pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Whether pursuit speeds have exceeded the driving ability of the deputy.
- (c) Whether pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

307.4 PURSUIT UNITS

When involved in a pursuit, unmarked sheriff's department emergency vehicles should be replaced by marked emergency vehicles whenever practicable

Vehicle pursuits should be limited to three vehicles (two units and a supervisor); however, the number of units involved may vary with the circumstances.

A deputy or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of deputies involved may be insufficient to safely arrest the suspects. All other deputies should stay out of the pursuit, but should remain alert to its progress and location. Any deputy 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.

307.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Deputies operating vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit.

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307.4.2 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 the deputy is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the deputy initiating the pursuit is the apprehension of the suspects without unreasonable danger to any person.

The primary unit should notify the dispatcher commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including but not limited to:

- (a) The location, direction of travel, and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including license plate number, if known.
- (c) The reason for the pursuit.
- (d) Known or suspected weapons. Threat of force, violence, injuries, hostages, or other unusual hazards.
- (e) The suspected number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or secondary unit, the deputy in the primary unit is responsible for the broadcasting of the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing deputy should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or air support joining the pursuit to minimize distractions and allow the primary pursuing deputy to concentrate foremost on safe pursuit tactics.

307.4.3 SECONDARY UNIT RESPONSIBILITIES

The second deputy in the pursuit will be designated as the secondary unit and is responsible for:

- (a) Immediately notifying the dispatcher of entry into the pursuit as soon as reasonably practicable.
- (b) Remaining a safe distance behind the primary unit unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting the progress, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- (d) Identifying the need for additional resources or equipment as appropriate.
- (e) Serving as backup to the primary pursuing deputy once the suspect has been stopped.

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307.4.4 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the deputy considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for units involved in the pursuit:

- (a) Deputies, 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 regard and caution when proceeding through controlled intersections.
- (c) As a general rule, deputies should not pursue a vehicle driving left of center (wrong way) against traffic. In the event that the pursued vehicle does so, the following tactics should be considered:
 - 1. Requesting assistance from available air support.
 - 2. Maintain visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
 - 3. Request other units to observe exits available to the suspects.
- (d) Notify the California Highway Patrol (CHP) and/or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Deputies 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 or supervisor and with a clear understanding of the maneuver process between the involved units.

307.4.5 UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Deputies are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Deputies should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

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

307.5 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving deputies from this department.

A field supervisor (or CJ1 supervisor if no field supervisor is available) that is not a part of the pursuit will be responsible for:

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- (a) Immediately notifying involved unit and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required number of units are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in the supervisor's judgment, it is unreasonable to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines, or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Watch Commander of the pursuing deputies is notified of the pursuit as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing San Francisco Sheriff's Department units when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit.
 - 1. Supervisors should initiate follow up or additional review when appropriate.
- (l) A supervisor may respond to the termination point of a pursuit when appropriate.

307.6 INTER-JURISDICTIONAL CONSIDERATIONS

If the pursuit is confined within the City and County limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever possible, switch radio communications to a tactical or emergency channel most accessible by participating agencies and units.

307.6.1 LOSS OF PURSUED VEHICLE

If the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.7 COMMUNICATIONS

When a pursuit enters another agency's jurisdiction, the primary deputy or supervisor, taking into consideration level of unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Entry into another jurisdiction requires notification of that jurisdiction.

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307.7.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Deputies will relinquish control of the pursuit when another agency has assumed control of the pursuit, unless the continued assistance of the San Francisco Sheriff's Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved deputies should proceed to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports. 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.

307.7.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit is responsible for conducting the pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a supervisor may authorize units from this department to join the pursuit until sufficient units from the initiating agency join the pursuit or until additional information is provided allowing withdrawal of the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of San Francisco Sheriff's Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing deputies.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor should review a request for assistance from another agency. The supervisor, after considering the above factors, may decline to assist in, or assume the other agency's pursuit. However, staff should assist until instructed otherwise by a supervisor.

Assistance to a pursuing allied agency by deputies of this department will terminate at the City and County 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, deputies should 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 reasonable assistance requested or needed.

307.8 WHEN PURSUIT INTERVENTION IS AUTHORIZED

Whenever practicable, a deputy shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, deputies/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards to the public arising from the use of each tactic, the deputies, and persons in or on the pursued vehicle to determine which, if any, intervention tactic may be reasonable.

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307.8.1 USE OF FIREARMS

A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others.

Deputies should not shoot at any part of a vehicle in an attempt to disable the vehicle (see the Use of Force Policy).

307.8.2 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. Deputies shall use only that amount of force, which reasonably appears necessary under the circumstances, to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing deputy should coordinate efforts to apprehend the suspects following the pursuit. Deputies should consider safety of the public and the involved deputies when formulating plans for setting up perimeters or for containing and capturing the suspects.

307.8.3 AIR SUPPORT

The City and County of San Francisco does not currently have air support capabilities. If during a vehicle pursuit outside agencies provide air support, air support will assist and coordinate field activities. Air support will report on the progress of a pursuit and advise the pursuing units of road hazards or other unsafe conditions, and provide information to assist the pursuing units and pursuit supervisor in determining whether to continue the pursuit. Overall control of the pursuit shall remain with the primary ground unit and the identified pursuit supervisor.

307.9 REPORTING REQUIREMENTS

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

- (a) The primary deputy should complete appropriate crime/arrest reports.
- (b) A supervisor 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 deputy 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, the on-duty supervisor shall promptly complete an Incident Report summarizing the pursuit to the Sheriff or the authorized designee. The report should include, at a minimum:
 - 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.

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4. Involved units and deputies.
 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 Sheriff or the authorized designee should conduct or assign the completion of a post-pursuit review.

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

307.9.1 REGULAR AND PERIODIC PURSUIT TRAINING

The Department shall make available to all deputies initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, and no less than annual training addressing:

- (a) This policy.
- (b) The importance of vehicle safety and protecting the public.
- (c) The need to balance the known offense and the need for immediate capture against the risks to deputies and others (Vehicle Code § 17004.7(d)).

307.9.2 POLICY REVIEW

Deputies of this department shall certify in writing that they have received, read, and understand this policy initially, upon any amendments, and whenever training on this policy is provided. 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.

307.10 ATTACHMENTS

[See attachment: Code 3 Response Justification Form.pdf](#)

[See attachment: Pursuit Attestation Form.pdf](#)

[See attachment: Pursuit Summary.pdf](#)

Deputy Response to Calls by Vehicle

308.1 PURPOSE AND SCOPE

To provide for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

308.2 RESPONSE TO CALLS

When a deputy receives a call for service, the deputy will evaluate the call and determine the appropriate response. Deputies shall only respond Code 3 when circumstances reasonably indicate an emergency response is required and appropriate. Deputies whose circumstances preclude responding Code 3 (in an unmarked vehicle, transporting an incarcerated person, etc.) or when a supervisor cancels their Code 3 response shall observe all traffic laws and proceed without the use of emergency lights and siren.

Deputies responding Code 3 to a call for service 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 deputy 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.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance (Code 3) should be used when the involved deputy reasonably believes there is an immediate threat to the safety of deputies or assistance is needed to prevent imminent serious harm to a person. Deputies shall immediately call for assistance to the Sheriff's Operations Center (SOC), and/or Department of Emergency Management (DEM) Dispatch on a channel monitored by DEM. As soon as circumstances permit, the requesting deputy should give the following information:

- Unit Identifier
- Location
- Reason for the request and type of emergency
- Number of units required

308.4 RESPONSIBILITIES OF RESPONDING DEPUTIES

Deputies shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Deputies shall reduce speed at all intersections to such a degree that they have control of the vehicle.

A deputy shall discontinue the Code 3 response when directed by a supervisor or when such a response is no longer warranted. If the deputy believes road conditions or traffic congestion does not permit such a response without unreasonable risk, the deputy may elect to respond without

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the use of red lights and siren and at the legal speed limit. In such an event, the deputy shall immediately notify DEM Dispatch and/or the SOC.

308.5 COMMUNICATIONS RESPONSIBILITIES

When a deputy requests emergency assistance or available information indicates that the public is threatened with serious injury or death and immediate law enforcement response is needed, the deputy shall call a Code 3. The deputy shall:

- (a) Broadcast the need for an emergency response by deputies.
- (b) Request a supervisor over the air.
- (c) Continue to obtain and broadcast information concerning the response.

308.6 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code 3 response has been initiated, that supervisor shall verify the following:

- (a) The proper response has been initiated
- (b) No more than those units reasonably necessary under the circumstances are involved in the response
- (c) Affected agencies are notified

The 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, the supervisor may do so.

When making the decision to authorize a Code 3 response, the supervisor shall consider:

- Type of call
- Necessity of a timely response
- Traffic and roadway conditions
- Location of the responding units

A supervisor will change the deputy's response priority if deemed appropriate by the supervisor or if the situation has changed.

308.7 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the deputy must terminate the Code 3 response and respond accordingly. In all cases, the deputy shall notify the supervisor or DEM Dispatch and/or the SOC of the equipment failure so that another unit may be assigned to the emergency response. Emergency vehicles with inoperable emergency response equipment shall be removed from service as soon as possible.

308.8 ATTACHMENTS

See attachment: [Code 3 Response Justification Form.pdf](#)

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[See attachment: Pursuit Summary.pdf](#)

[See attachment: Pursuit Attestation Form.pdf](#)

Canines

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the detection of drugs and explosives.

309.2 POLICY

It is the policy of the San Francisco Sheriff's 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 are assigned to conduct searches for drugs, explosives and explosive materials at Sheriff's Department facilities and/or buildings where Sheriff services are provided and may respond to service requests within the jurisdiction of the City and County of San Francisco (CCSF).

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time and then only with the approval of the FOD Captain or above or designee. Only deputies trained and certified in canine handling and who are assigned to the Canine Unit will handle and/or maintain the canines, except when boarded or kenneled by an approved vendor.

Procedural link:

[Administration and Field Operations Procedure Manual: 304.1 CANINE NARCOTIC DETECTION](#)

[Administration and Field Operations Procedure Manual: 304.2 CANINE EXPLOSIVE DETECTION](#)

309.4 CANINE UNIT SUPERVISOR

The Canine Unit Supervisor shall report to the Field Operations Division (FOD). The responsibilities of the Canine Unit supervisor 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) Being a liaison with command staff, department supervisors, other agency canine coordinators, and the vendor kennel.
- (c) Maintaining accurate records documenting canine activities.
- (d) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (e) Scheduling all canine-related activities.
- (f) Ensuring canine teams are scheduled for regular training to maximize their capabilities.

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309.5 REQUEST FOR CANINE TEAMS

The Canine Unit will respond to requests for canine services from the Department, or agencies within the City and County of San Francisco (CCSF). When responding to a request, the canine deputy shall inform the requestor of the anticipated length of time before the deputy and their canine may be on-scene. Any requests for mutual aid will be reviewed and either approved or denied by the canine supervisor.

- (a) Deputies/agencies may request the Canine Unit to search a facility or an entire or a specific areas interior or exterior.
- (b) Canine handlers will meet with the requesting employee/agency prior to performing a search and will:
 - 1. Gather information on the specific circumstances and nature of the anticipated search.
 - 2. Request additional assistance if needed.
 - 3. Determine if and how the canine will be utilized based on the information received.
 - 4. Make arrangements with a supervisor prior to conducting a canine search
- (c) Canine teams shall not be used for an assignment that is not consistent with this policy and the team's training and certification.

309.5.1 PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine supervisor prior to making any resource commitment. The canine supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols.

309.6 SEARCH GUIDELINES

Properly trained canines shall be used to search for narcotics, explosive materials and explosives in vehicles, packages/luggage, open areas, buildings (residential, commercial, government property) and on individuals (explosives only). 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 operation, the following guidelines apply.

- (a) Absent a change in circumstances that present an immediate threat to deputies, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or injure an individual.
- (b) Unless otherwise directed by a supervisor, assisting deputies/agencies shall remain out of the search area when the canine is actively searching and shall take direction from the handler in order to minimize interference with the canine.
- (c) The search area shall be inspected for items which might be a hazard (i.e. paraphernalia, glass)
- (d) Searches shall be conducted in a systematic order to ensure all areas have been searched.

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- (e) During a vehicle search, an "alert" from the canine will give the handler probable cause to search the interior of the vehicle.
- (f) Throughout the deployment, the handler should give employees/agencies an advisement of any "alerts" from the canine. For residential, commercial and government property searches a valid search warrant or written consent is preferred.

309.6.1 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.

309.6.2 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, jail facility mail, packages, 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. Except, marijuana trained detection canines cannot be used for any probable cause.
- (d) The search of court-ordered items (clothing/shoes, electronic devices, etc.).

309.6.3 BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and deputies when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

Procedural link:

[Administration and Field Operations Procedure Manual: 304.2.1 EXPLOSIVE-DETECTION CANINE USE](#)

309.6.4 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed, is committing or threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any deputy or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of deputies or the public.

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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 deputy, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Watch Commander. Absent a change in circumstances that present an imminent threat to deputies, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.6.5 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for 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 anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to deputies or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other deputies at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

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 they deem deployment is unsuitable.

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

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Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.6.6 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of their 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.

309.6.7 BITES AND INJURIES

Whenever a canine bites or causes injury to a person, the canine supervisor shall be promptly notified and the injuries documented in an Incident 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.

309.7 HANDLER RESPONSIBILITIES

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

Any time a handler cannot perform the daily care and maintenance of a canine for more than 30 consecutive calendar days, the canine must be boarded at a Department-approved facility. The cost of the boarding will be paid by the Department.

The canine handler shall be responsible for the following:

- (a) Except as required during deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) Maintaining all department equipment under their 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 San Francisco Sheriff's Department facility at the discretion of the Division Commander.
- (e) Permitting the canine supervisor 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.

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- (f) Reporting to the canine supervisor, within 24 hours, any changes in the living status of the handler that may affect the lodging or environment of the canine.
- (g) When off-duty, the canine shall be in a kennel provided by the City and County 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. No odor recognition or ball "reward toys" shall be played at home. Suitable home toys are NylaBones and rope toys without balls. Handlers shall practice obedience commands with limited obedience commands given by family members.
- (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 supervisor.
- (j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine supervisor.
- (k) Temporarily relocate the canine when the canine handler is off-duty for an extended number of days. In those situations, the handler shall give reasonable notice to the canine supervisor so arrangements can be made.
- (l) Document, log and maintain records associated with canine training, deployments, monthly reports, Incident Reports, and the procurement, destruction, and/or loss of training aids.

309.7.1 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. All available canine safety equipment will be used to keep the canine as safe as possible. The canine confined in a vehicle shall be visually observed once every 30 minutes.
- (c) Canines shall be transported in a canine crate and/or in an assigned canine vehicle

309.7.2 CANINE APPROVED EQUIPMENT

Canine handlers are authorized to purchase the following approved items for a canine:

- (a) Heavy-duty, leather leash approximately six feet in length (minimum of two).
- (b) Heavy-duty collar, 1/2"- 1" wide with a large "D" ring to be worn during the tour of duty.
- (c) Metal choke chain to be used during obedience training.
 - 1. The use of a pinch/force collar during training requires the approval of the canine trainer (not be used while in view of the public),
- (d) Nylon or leather muzzle

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- (e) Nylon or rope long line leash 15'-30' in length
- (f) Home kennel (minimum 6' x 6' x 6') on a cement slab
- (g) Indoor and travel crate (minimum one of each)
- (h) Stainless steel food and water bowls for home and travel
- (i) Approved canine first aid kit

In the day to day performance of duty a canine handler will use a variety of equipment. The handler shall maintain and properly care for canine equipment, storing it in a dry location. The handler will report equipment problems to the Canine Unit supervisor.

309.8 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine supervisor and/or Division Commander.

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).

309.9 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 supervisor as soon as practical 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 at the Sheriff's Department by the handler in the canine's medical file. The Sheriff's Department shall pay for all canine veterinary costs. Canine handlers will groom and examine canines daily for signs of disease or parasite infestation.

309.10 TRAINING

Before assignment in the field, Canine Unit teams are required to complete training for each canine team and shall be trained and certified to meet current POST certification standards of Narcotic Detection Dogs (NDD) and Explosive Detection Dogs (EDD). Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by the California Narcotic Canine Association (CNCA) or other recognized and approved certification standards established for their particular skills.

- (a) Canine handlers may be required to have certification and shall maintain training in:
 - 1. California Basic POST Canine Team Certification
 - 2. Department Canine Handler Course Certification
 - 3. Explosives
- (b) Upon the completion of training, handlers must be able to demonstrate their ability to control a canine with verbal commands and hand signals on and off leash to a

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POST certified canine instructor. The following performance standards are required of a canine team:

1. Heeling - fast pace and slow pace
 2. Turning - 90-degree angle, right and left turns, about turns
 3. Lie down, sit, stay and recall
 4. In motion commands - down or recall position
 5. Respond to voice and hand signals at a distance of approximately thirty yards
- (c) Canines must be able to demonstrate agility based upon the handler's voice commands. The canine shall be able to negotiate obstacles similar to those encountered during search tasks. Some obstacles include, but are not limited to:
1. Grated, see-through stairs or ladder climb
 2. Three-foot-high window up I down jump
 3. Culvert or tunnel crawl
 4. Low-level catwalk, minimum of four feet high and twelve inches wide
- (d) Canines receive basic training by a deputy canine trainer or selected private vendor canine trainer at the Department's expense.
1. The trainer selected for the training must accept the standard set forth in this policy.
 2. The training theories, ideas, beliefs and philosophies must be consistent with those outlined in this policy.

Canines are certified annually or upon return to service when the canine team has been dormant for 30 consecutive days or more.

309.10.1 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) Each handler and canine are required to attend four hours of maintenance training per week.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine supervisor.

To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

309.10.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably

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practical, pending successful certification, the canine handler shall be temporarily reassigned to regular duties as determined by the Department.

- (a) Canines that fail to pass California Basic POST certification may undergo a second certification examination along with the handler.
 - 1. If the canine team fails the second certification examination, the canine trainer will identify the performance issues and may evaluate the canine team.
 - 2. The canine trainer shall confer with the Canine Unit supervisor and develop a remediation training plan.
- (b) The canine team shall be re-evaluated after remediation within a reasonable time period to ensure compliance with California Basic POST certification and SFSD standards for canine teams.
 - 1. If the canine team cannot meet the state-mandated certification standards, the canine team will be de-certified and removed from service.
- (c) To become re-certified, the canine team must complete the prescribed remedial training program and pass the initial certification examination.
- (d) If the canine team fails to meet the standards of the remedial training program the Canine Unit supervisor and FOD Commander will determine the suitability of the canine and/or handler to remain in the Unit.

309.10.3 TRAINING RECORDS

All canine training records shall be maintained for certification and statistical record keeping in the canine handler's and the canine's training file.

309.10.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Deputies possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the San Francisco Sheriff's Department may work with outside trainers with the applicable licenses or permits. Explosive and narcotic training aids will be rotated between six months and one year or upon contamination. Rotation and procurement shall occur simultaneously to ensure the canine team always has training aids. Training aid access is limited to the Canine Unit handlers and trainers.

309.10.5 CONTROLLED SUBSTANCE TRAINING AIDS

Deputies 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)).

Narcotic training aids can be procured from the San Francisco Police Department Crime Lab and shall be returned to the lab for destruction. As an alternative, the Sheriff or designee may request narcotics training aids from the Drug Enforcement Agency (DEA).

The use of synthetic substances is prohibited by the Sheriff's Department.

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309.10.6 CONTROLLED SUBSTANCE GUIDELINES

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 guidelines shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine supervisor with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) The trainer must be authorized by law to procure, handle, and secure controlled substances.
- (h) All usable and unusable controlled substance training samples shall be returned to the Department Crime Lab upon the conclusion of the training.
- (i) Professional Standards will perform an audit twice a year.

309.10.7 EXPLOSIVE TRAINING AIDS

Deputies 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. Explosive training aids can be procured from authorized vendors. 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.
 - 1. Storage of explosive aids must be away from a source of heat or fire and must be in approved containers during transportation.
 - 2. Explosive aids are stored separately.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored (Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) forms only).

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- (c) The canine supervisor shall be responsible to verify the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only deputies of the explosives canine team 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, stolen, or damaged explosive training aids shall be promptly reported to the canine supervisor, who will determine if any further action will be necessary. A loss of explosives will be reported to the ATF. The handler will write an Incident Report before the end of the shift and submit it to the canine supervisor and Watch Commander.
- (g) Explosive training aids will be returned to the authorized vendor or law enforcement Bomb Squad for destruction.
- (h) Professional Standards will perform an audit twice per year.

Administration and Field Operations Procedure Manual: 304.2 CANINE EXPLOSIVE DETECTION

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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 deputies in the investigation of domestic violence.

310.2 POLICY

The San Francisco Sheriff's Department's response to incidents of domestic violence and violations of related court orders shall adhere to the enforcement of the law to protect the victims. It is also the policy of this Department to help facilitate access to civil remedies and community resources whenever feasible.

Sheriff's deputies and IP Officers are legally mandated to document and report any allegation of domestic violence that comes to their attention, from any source (i.e. department employee, contracted vendor, victim, etc.), and take action as appropriate.

310.3 OFFICER SAFETY

The investigation of domestic violence cases often places deputies in emotionally charged and sometimes highly dangerous environments. Deputies shall exercise due caution and reasonable care in providing for the safety of any deputies and parties involved.

[Administration and Field Operations Procedure Manual: 310.1 INVESTIGATIONS](#)

310.4 ADVISEMENTS

310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, deputies should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim with California State Victim Notification (VINE) information.
- (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 and based on circumstances, the deputy should attempt to:

- (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.

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Regardless if an arrest was made, deputies should offer assistance to any victims.

310.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, deputies should be aware that a victim's behavior and actions may be affected. Deputies should:

- (a) Provide the victim with the department's domestic violence information handouts even if the incident may not rise to the level of a crime.
- (b) Alert the victim to any available victim advocates, shelters, and community resources.
- (c) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (d) Seek medical assistance as soon as practicable for the victim if they have sustained an injury or complain of pain.
- (e) Ask the victim whether they have a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for their safety or if the deputy determines that a need exists.
- (f) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) Seek or assist the victim in obtaining an emergency order if appropriate.

A deputy 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 calls to the Sheriff's Operations Center, should be dispatched as soon as practicable.

DEM dispatchers or Sheriff Department call takers are not required to verify the validity of a court order before acting on a request for assistance. Deputies should request that dispatchers or call takers check whether any of the involved persons are subject to the terms of a court order.

310.7 FOREIGN COURT ORDERS

Court orders properly issued by a court of another state, Indian tribe or territory of the United States (referred to as Foreign Court Orders) shall be enforced by deputies 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). Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452). An otherwise valid foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

The presenter of a court judgment issued by another country other than Canada must prove that the judgment and/or order is valid and authentic. If the foreign judgment meets these requirements

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to be recognized in a US court, the judgment is enforceable. Proof of that conversion and service must be provided to be recognized as a valid court order.

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, deputies should carefully review the actual order when available and where appropriate and practical:

- (a) Ask the subject of the order about their notice or receipt of the order, their 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 deputy shall inform the subject of the order, make a reasonable effort to serve the order upon the subject and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).
- (b) Check available records or databases that may show the status or conditions of the order.
 - 1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Deputies shall document in an Incident Report their efforts to verify the validity of an order, regardless of whether an arrest is made. Deputies should contact a supervisor for clarification when needed. Deputies that cannot successfully verify a court order shall give the victim the case number and advise the victim of follow-up procedures which include obtaining another copy of the court order.

310.9 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

310.9.1 STANDARDS FOR ARRESTS

Deputies 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.
- (b) Deputies are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the deputy makes the arrest as soon as probable cause arises (Penal Code § 836).

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- (c) A deputy responding to a domestic violence call who cannot make an arrest will advise the victim of their 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. Deputies shall not dissuade victims from making a lawful private person's arrest. Deputies 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)).
- (d) Deputies 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
- (e) In responding to domestic violence incidents, including mutual protective order violations, deputies should generally be reluctant to make dual arrests. Deputies shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, a deputy 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.
- (f) 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 deputy's presence. After arrest, the deputy shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

310.9.2 SERVICE OF COURT ORDERS

- (a) A deputy 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 deputy 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) At the request of the petitioner, a deputy at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code § 13710).
 - (c) Any deputy 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).
 - (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 deputy shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The deputy shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide them 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).

310.9.3 PUBLIC ACCESS TO POLICY

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

310.9.4 REPORTS AND RECORDS

- (a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.
- (b) Reporting deputies 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) Deputies 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)).

310.9.5 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

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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 Field Operations Division Chief Deputy or designee to maintain and report this information as required.

310.9.6 DECLARATION IN SUPPORT OF BAIL INCREASE

Any deputy who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order may 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 deputy shall prepare a declaration in support of increased bail (Penal Code § 1269c).

310.9.7 SAN FRANCISCO FAMILY AND CHILDREN SERVICES - DUTY TO REPORT

- (a) Deputies shall refer cases to the San Francisco Family and Children Services (FCS) when it is apparent that the welfare of children within a household is being placed at risk due to the violent behavior of adults within a household. Deputies shall request an emergency response by FCS on-call responders.
- (b) When a supervisor determines that an emergency response is not indicated, an Incident Report shall be sent to the FCS within 24 hours of the incident.

310.10 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).

310.11 ATTACHMENTS

[See attachment: Domestic Violence Supplemental Checklist.pdf](#)

[See attachment: Officer Observations Form.pdf](#)

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 department personnel to consider when dealing with search and seizure issues. This policy also applies to security searches conducted at entry points to buildings, where department employees provide public protection. See Searches Policy regarding searches of individuals in custody.

311.2 POLICY

It is the policy of the San Francisco Sheriff's Department to respect the fundamental privacy rights of individuals. Employees 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 deputies and IP Officers as guidance for the application of current law and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

Unless conducted by a health care professional or in case of an emergency, all physical searches of a person's body shall be conducted by deputies and IP Officers of the same identified gender as the person being searched and in a professional manner. Whenever possible, a deputy or IP Officer of the same identified gender should perform the search.

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
- 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 in plain view and located on open public areas.

Deputies and IP Officers of this department are expected to act in each situation according to current training and their familiarity with clearly established rights as determined by law.

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When practical, deputies and IP Officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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:

- (a) Employees of this department shall strive to conduct searches with dignity and courtesy.
- (b) Employees 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 a person's property 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 identified gender as the searching deputy, a reasonable effort should be made to summon a deputy of the same identified gender as the subject to conduct the search (see Searches Policy). When it is not practicable to summon a deputy of the same identified gender as the subject, the following guidelines should be followed:
 - 1. Another deputy or a supervisor should witness the search.
 - 2. The deputy 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 SEARCHES AT FACILITIES/BUILDINGS

Department employees conduct weapon and contraband screening searches of persons and belongings at facilities and buildings where the Sheriff provides protection. Facilities/buildings include, but are not limited to, the jails, courts, public health facilities, and buildings where the Sheriff is contracted to provide services.

- (a) All individuals who enter a jail facility and/or a building where the Sheriff provides public protection may be subject to a metal detector search and belongings search, except for the Mayor and Mayor's security team and law enforcement officers with valid identification.
 - 1. Persons may be asked to remove metal objects and electronic devices before being scanned.
 - 2. Firearms are permitted in public buildings (excluding jails) only when in the possession of a peace officer, with law enforcement identification, conducting official business. In facilities where incarcerated persons/arrestees are present, peace officers will secure firearms in a gun locker prior to entering a secured area.

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- (a) Persons with a Concealed Carry Weapon license may not bring a weapon into any federal, state, or city building.
- 3. Persons with a medical device, wheelchair, artificial limb, or cane/stick/crutches may bypass the walkthrough metal detector device and shall be scanned using a hand-held scanning device or pat searched if allowed by the Facility/Section/Unit or building policy.
 - (a) In all cases, the person's belongings will be searched separately from the handheld device search.
 - (b) Persons with strollers shall put the stroller and infant to the side after a visual inspection by staff. Adults and small children will walk through the scanning device.
- 4. Persons experiencing a medical emergency or in active labor, as determined by medical staff, shall be allowed entry at a medical facility without being searched and without having their belongings searched.
- (b) All packages, briefcases, purses/bags, containers, and electronic devices will be visually inspected and searched.
 - 1. Packages that cannot be opened shall be scanned using the proper equipment if provided by the facility/building.
 - 2. Large property items will not be processed at general security screening entry locations. Follow the policy and direction of the Facility/Section/Unit and building manager according to procedures of that particular location.
- (c) A person who causes a scanning device to give an alert may be:
 - 1. Directed to remove their jacket and all items from their pockets (in a jail they will also remove their shoes and socks).
 - 2. Directed to undergo a second scanning device search.
 - 3. Searched using a handheld screening device.
 - 4. Cursory searched (if allowed by the policy of that particular location).
 - 5. Given direction by the Facility/Section/Unit staff according to procedures of that particular location.
 - 6. A cursory search may be conducted when a deputy has reasonable suspicion a person may possess a weapon or contraband and the person consents to the search.
 - 7. A person to be cursory searched must be advised of their right to refuse the search. If the person refuses the search, they will be escorted out of the facility/building and/or off the facility/building grounds.
 - (a) Individuals at a jail facility who refuse to be searched may be denied future access to jail facilities, upon the Facility Commander's approval.
 - 8. With the consent of the individual, deputies will conduct a cursory search following the procedures in the Searches Policy.

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9. The deputy or IP Officer shall complete an Incident Report documenting the reasonable suspicion, contraband found or not found, the refusal and no search or the consent and the cursory search, and any criminal charges filed, if appropriate. If the person was detained in the process, the deputy or IP Officer shall prepare a Certificate of Release form.
- (d) Delivery personnel, maintenance personnel, and other persons seeking entry to a jail facility must have identification and produce appropriate documentation of the nature of business in the jail (see Facility Clearance Policy) and may be subject to a metal detector search and search of their belongings.
- (e) Department employees entering a jail facility may be subject to a metal detector search and search of their belongings.

Absent an approved accommodation, department employees must stand when searching a person and their belongings. The only employee allowed to sit during a search is an employee assigned to a scanning monitor. Employees shall verbally stop a person attempting to bypass a scanning device. Deputies or IP Officers shall be immediately notified when a person bypasses a scanning device unless the person meets the criteria of being allowed to bypass the device.

311.5.1 FACILITY/BUILDING ALLOWABLE ITEMS

Each Facility/Section/Unit may have a procedure whereby the building tenant does not allow specific items to be brought into the facility/building. Facility/Section/Unit Commanders will circulate a list of unacceptable items other than what has been described in this policy.

Procedural link:

[Administration and Field Operations Procedure Manual: 303.1 CITY HALL SECURITY UNIT UNACCEPTABLE ITEMS LIST](#)

311.5.2 DISCOVERY OF ILLEGAL CONTRABAND

Deputies or IP Officers who on-view or are notified of an item that is illegal to possess, shall confirm that the information is accurate and shall take the following immediate action:

- (a) Secure the contraband
- (b) Detain the suspect
- (c) Notify a supervisor immediately
- (d) Investigate and interview the suspect
- (e) Perform a check for active wants/warrants (contact Central Records and Warrants (CRW) to confirm an active warrant prior to booking).
- (f) Determine whether to arrest.
- (g) Book the evidence following department procedures (see Property and Evidence Policy). Narcotics shall be placed into an envelope properly labeled and deposited in the narcotics drop-off box.
- (h) Write an Incident Report.

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Items not allowed in a jail facility, that are not illegal and/or found, will be confiscated if there are clearly stated rules and regulations banning such items unless the person is willing to leave with the item. Deputies and IP Officers will notify individuals to leave with an item that is not allowed in the building and are not illegal to possess. Found items shall be handled according to the direction provided by the Facility/Section/Unit.

311.6 DOCUMENTATION

Documentation of searches shall include, at a minimum the following:

- Reason for the search
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is of the opposite identified gender as the person being searched.

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

Temporary Custody of Juveniles

312.1 PURPOSE AND SCOPE

To establish guidelines for the detention/arrest of juveniles, booking juveniles pursuant to warrants and/or court orders, and temporary custody of juveniles.

312.2 POLICY

The San Francisco Sheriff's Department is committed to releasing juveniles from temporary custody as soon as reasonably practical and keeping juveniles safe while they are in temporary custody at the San Francisco Sheriff's Department. Juveniles should be held in temporary custody as long as necessary for processing, transfer, or release.

Deputies should avoid bringing juveniles into any Sheriff's facility that contains a holding cell for adults. Deputies should make reasonable efforts to investigate, facilitate release, or arrange transfer of the juvenile from the field to a juvenile facility such as Huckleberry House, CARC, and JJC. In the extraordinary circumstance that requires a deputy to bring a juvenile to a Sheriff's facility containing a holding cell for adults, the deputy shall follow the procedures set forth in this policy.

Juveniles have very specific rights. If there is any question as to how to proceed with a juvenile, employees shall call the Community Assessment and Referral Center (CARC) at (415) 437-2500 for direction.

312.2.1 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 their protection or for purposes of the juvenile's protection or for the purpose of reuniting the juvenile with a parent, guardian, or other responsible person. Juveniles under the age of 12 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 a deputy 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).

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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.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (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).

312.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions shall not be held at the San Francisco Sheriff's 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).

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(e) Extremely violent or continuously violent

Deputies taking custody of a juvenile who exhibits any of the above conditions shall provide first aid and request medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151). Health professionals shall be contacted for juveniles who appear suicidal, ill and/or injured. These juveniles shall not be held at the San Francisco Sheriff's Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142). The supervisor shall ensure the juvenile's parents, guardians or responsible persons shall be notified in the event of a suicide attempt, serious illness and/or serious injury.

If a deputy taking custody of a 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).

Deputies are responsible for maintaining constant personal observation and documentation for a juvenile who exhibits any of the above.

312.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile, medical assistance and Department supervisor will be called immediately. Department employees should administer first aid as applicable (15 CCR 1142).

312.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

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

Procedure Reference:

[Administration and Field Operations Procedure Manual: 301.1 PSYCHIATRIC EVALUATION OF JUVENILES](#)

312.4 CUSTODY OF JUVENILES

Deputies should take custody of a juvenile and temporarily hold the juvenile at the San Francisco Sheriff's 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 San Francisco Sheriff's Department without authorization of the arresting deputy'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

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practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into a San Francisco Sheriff's Facility (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 San Francisco Sheriff's 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).

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, deputies 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 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 a San Francisco Sheriff's Facility 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 12 or 13 years of age and suspected of using a firearm may be transported to a juvenile facility.
- 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) For those juveniles that are 12 or 13 years of age, CARC shall be contacted for direction.

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.

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- (c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.
- (d) Transported to his/her home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating deputy 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 deputy 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).

312.5 ADVISEMENTS

Deputies 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 (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, they 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) that they have the right to make two telephone calls: one call completed to their parent or guardian, to a responsible person 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 DOCUMENTATION

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented, including:

- (a) Identifying information about the juvenile.
- (b) Date and time of arrival and release from the San Francisco Sheriff's Department (15 CCR 1150).
- (c) Watch Commander notification and approval to temporarily hold the juvenile.

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- (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.

312.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adult incarcerated persons 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 San Francisco Sheriff's 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

Deputies and supervisors assigned to monitor or process juveniles at a San Francisco Sheriff's Facility shall ensure the following:

- (a) The Watch Commander or supervisor should be notified if it is anticipated that a juvenile may need to remain at a San Francisco Sheriff's Facility more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the San Francisco Sheriff's Department more than six hours.
- (b) A deputy of the same gender identity as the juvenile 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.
- (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 peepholes 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).

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- (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).
- (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. The supervisor 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).
- (s) 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 JUVENILE STATUS DISCOVERED AFTER BOOKING

If an individual states to a deputy that they are a juvenile after they have been accepted and booked into custody, the deputy shall:

- (a) Notify the Watch Commander
- (b) Document the Housing/Field Arrest Card to reflect the allegation of juvenile status
- (c) House the alleged juvenile alone
 - 1. Restrict the alleged juvenile from verbal, non-verbal or visual communication with adult incarcerated persons.

Watch Commanders shall use one or more of the following sources to verify the alleged juvenile's age:

- (a) Have the alleged juvenile ID processed

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- (b) Contact the Classification Unit and request a criminal history records check to confirm the existence or absence of criminal history as an adult.
 - 1. In the absence of compelling evidence such as a birth certificate, passport or driver's license, prior adult criminal history that resulted in an actual court appearance will serve as evidence of legal adult status.
- (c) Deputies shall allow the alleged juvenile a supervised telephone call to anyone who can provide proof of age such as a birth certificate or passport. Such proof should be brought to the jail as soon as possible.
 - 1. Individuals arriving at the jail with documentation to prove an incarcerated person is a juvenile should be referred to the Watch Commander who will record:
 - (a) The individual's name and telephone number
 - (b) The individual's relationship to the alleged juvenile
 - (c) The alleged juvenile's name and DOB.
 - 2. The Watch Commander will copy documents that prove juvenile status.
- (d) The deputy shall contact CARC or JJC to request assistance in establishing the age of an alleged juvenile.
 - 1. This may be accomplished by accessing juvenile records with the assistance of the Juvenile Probation Officer or by sending a photograph of the incarcerated person to CARC or JJC for comparison with a photo log of known juveniles.
- (e) The deputy shall interview the alleged juvenile and attempt to obtain verifiable information regarding their age such as:
 - 1. Court return papers from family or juvenile court
 - 2. Names and telephone numbers for a Probation Officer who can confirm the alleged juvenile's age.

If verified as a juvenile and the juvenile has not been arraigned in court, the Watch Commander shall:

- (a) Arrange to have the juvenile transported by the arresting agency to JJC and booked as a juvenile.
- (b) Send copies of all documentation pertaining to the juvenile's age and identity to JJC with the arresting agency.
- (c) Escort the juvenile to the Intake/Release Center (IRC) for transport.
- (d) Document verification of the juvenile status on the Housing/Field Arrest Card.
- (e) incarcerated persons verified as adults will be returned to jail housing.

If the alleged juvenile has been arraigned in court prior to verification of adult/juvenile status, the court is responsible for verification of their status. The Watch Commander or designee shall:

- (a) Notify Sheriff's Legal Counsel who will contact the Court.
- (b) Notify the Classification Unit who shall advise the affected facility of the court's decision

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- (c) Document the Housing/Field Arrest card to reflect the court's decision of their status.
 - 1. The court will issue a court order identifying juvenile/adult status
 - 2. If identified as a juvenile, arrange for transport to JJC.
 - 3. A copy of Court Orders or legal documents establishing adult or juvenile status shall be forwarded to Information Technology Support and Services (ITSS).

312.10 USE OF RESTRAINT DEVICES

A juvenile offender may be handcuffed in accordance with the Handcuffing and Restraints policy 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 a supervisor. 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).

312.11 PERSONAL PROPERTY

The deputy taking custody of a juvenile offender or status offender at a San Francisco Sheriff's Facility 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 San Francisco Sheriff's Department.

312.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Sheriff will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the San Francisco Sheriff's Department (15 CCR 1142; 15 CCR 1047). The procedures will address:

- (a) Immediate notification of the on-duty Field Operations Division (FOD) supervisor, Sheriff, and Internal Affairs Unit (IAU) supervisor.
- (b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the City and County attorney.
- (e) Notification to the coroner (Medical Examiner's Office).
- (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

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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.

In case of a death, Sheriff's Legal shall ensure 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) will be provided.

[Administration and Field Operations Procedure Manual: 312.7 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE NOTIFICATION PROCEDURE](#)

312.13 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). A supervisor's 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

Employees 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).

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312.13.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
- (b) Juveniles shall have constant auditory access to department members (15 CCR 1147).
- (c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1).
- (d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).
 - 1. All safety checks shall be logged.
 - 2. The safety check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 - 3. Requests or concerns of the juvenile should be logged.
- (e) Males and females shall not be placed in the same locked room (15 CCR 1147).
- (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.

312.14 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, a deputy shall permit a juvenile 17 years of age or younger to consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (Welfare and Institutions Code § 625.6):

- (a) Information is necessary to protect life or property from an imminent threat.
- (b) The questions are limited to what is reasonably necessary to obtain the information relating to the threat.

312.14.1 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).

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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 employee 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 a deputy, 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 PROCEDURAL LINKS

[Administration and Field Operations Procedure Manual: 301.2 JUVENILE ARREST AND DETENTION](#)

[Administration and Field Operations Procedure Manual: 301.3 SEARCHES AND MIRANDA WARNINGS](#)

[Administration and Field Operations Procedure Manual: 301.4 NOTIFICATION AND TRANSPORT](#)

[Administration and Field Operations Procedure Manual: 301.5 JUVENILES ADMISSION TO CARC OR JJC](#)

[Administration and Field Operations Procedure Manual: 301.6 CITATIONS AND DIVERSION](#)

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312.16 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. Employees 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 the authorized release of information and appropriate acknowledgment forms shall be kept with copies of this policy. 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 Sheriff's Department to ensure that personnel act within legal guidelines.

312.17 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION

The FOD Chief Deputy shall coordinate the procedures related to the custody of juveniles held at the San Francisco Sheriff's Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

Elder and Dependent Adult Abuse

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 San Francisco Sheriff's Department members as required by law.

313.1.1 DEFINITIONS

Definitions related to this policy include:

Abuse of an elder (age 65 or older) or dependent adult - Any person 65 or older and adults whose physical or mental disabilities or other limitations restrict their ability to carry out normal activities and adults admitted as inpatients to a 24-hour health facility. Physical abuse, neglect or self-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. (Welfare and Institutions Code § 15610.07; Penal Code § 368.5).

313.2 POLICY

The San Francisco Sheriff's Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

313.3 INVESTIGATIONS AND REPORTING

All reported or suspected cases of elder or dependent abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of elder or dependent abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom they 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 practical taken by a person of the same identified gender.
- (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.

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- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Results of investigations shall be provided to those agencies (San Francisco Department of Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code § 15640(f)).
- (k) Whether a death involved the End of Life Option Act:
 - 1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code § 443.14).
 - 2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person's life without their 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 their knowledge or consent (Health and Safety Code § 443.17).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

313.4 INVESTIGATORS

Criminal Investigations Unit (CIU) investigators should investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in an appropriate interview facility.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

313.4.1 CIU SUPERVISOR RESPONSIBILITIES

The Criminal Investigations Unit supervisor should:

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- (a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers, and local prosecutors, to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when a deputy notifies the Criminal Investigations Unit supervisor that they have responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Ensure the Incident Report includes documentation on the environmental, medical, social, and other conditions that may affect the adult.

313.5 MANDATORY NOTIFICATION

Members of the San Francisco Sheriff's Department shall notify the San Francisco Department of Adult Protective Services(APS)when they reasonably suspect, have observed, or have knowledge of an incident that reasonably appears to be abuse of an elder (age 65 or older) or dependent adult, or are told by an elder or dependent adult that they have experienced abuse (Welfare and Institutions Code § 15630(b)).

Notification shall be made by telephone as soon as practicable and a written incident report shall be provided within two working days as provided in Welfare and Institutions Code § 15630(b)(c).

A dependent adult is an individual, regardless of whether the individual lives independently, between 18 and 64 years of age who has physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23).

Notification shall also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

- (a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center), notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):
 - 1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written incident report shall be made to Adult Protective Services (APS) and the corresponding licensing agency.
 - 2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written incident report shall be made to APS and the corresponding licensing agency.
 - 3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written incident report to APS within 24 hours.

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4. When a report of abuse is received by the Department, APS shall be called to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).
 - (b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written incident report shall be made to the local ombudsman as soon as practicable (Welfare and Institutions Code § 15630(b)).
 - (c) The California Department of Public Health (Cal DPH) shall be notified of all known or suspected abuse in a long-term care facility.
 - (d) The APS shall be notified of all known or suspected abuse occurring in a residential care facility for the elderly or in an adult day program.
 - (e) If the abuse occurred in an adult day health care center, Cal DPH and the California Department of Aging shall be notified.
 - (f) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.
 - (g) The District Attorney's office shall be notified of all cases of physical abuse and financial abuse.
 - (h) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services as soon as practicable but no later than two hours after law enforcement becomes aware of the abuse (Welfare and Institutions Code § 15630(b)).
1. When a report of abuse is received by the Department, investigation efforts shall be coordinated with the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services (Welfare and Institutions Code § 15630(b)).
 - (i) If during an investigation it is determined that the adult abuse is being committed by a licensed health practitioner as identified in Welfare and Institutions Code § 15640(b), the appropriate licensing agency shall be immediately notified (Welfare and Institutions Code 15640(b)).
 - (j) When the Department receives a report of abuse, neglect, or abandonment of an elder or dependent adult alleged to have occurred in a long-term care facility, the licensing agency shall be notified by telephone as soon as practicable (Welfare and Institutions Code § 15640(e)).

The Criminal Investigations Unit 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

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did not assist the individual in ingesting the aid-in-dying drug (Health and Safety Code § 443.14; Health and Safety Code § 443.18).

313.5.1 NOTIFICATION GUIDELINES

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.

313.6 PROTECTIVE CUSTODY

Before taking adult abuse victims into protective custody when facts indicate adults may not be able to care for themselves, the deputy should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from their family, guardian, or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

When adult abuse victims are under state control, have a state-appointed guardian, or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

Generally, deputies should remove an adult abuse victim from their family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the deputy should take reasonable steps to:

- (a) Deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction.
 - 1. If this is not a reasonable option, the deputy shall ensure that the adult is delivered to APS.
- (b) Inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody.
 - 1. If prior notification is not practicable, deputies should contact a supervisor promptly after taking the adult into protective custody.

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313.6.1 EMERGENCY PROTECTIVE ORDERS

In any situation which a deputy 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 deputy may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

313.7 INTERVIEWS

313.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, deputies should audio record the preliminary interview with a suspected adult abuse victim. Deputies should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available.

313.7.2 DETAINING VICTIMS FOR INTERVIEWS

A deputy 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 their consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances, 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 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating deputy should obtain consent for such examination from the victim, guardian, agency, or entity having legal custody of the adult. The deputy 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, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies 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.

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313.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking, or use of narcotics.

313.9.1 DEPUTY RESPONSIBILITIES

Deputies responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social, and other conditions of the adult, using photography as appropriate and complete the State of California Suspected Dependent Adult/Elder Abuse Form.
- (b) Notify the Criminal Investigations Unit supervisor so an interagency response can begin.

313.10 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

313.11 RECORDS RESPONSIBILITIES

The Field Operations Division Chief Deputy or CIU investigator 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) The original adult abuse report shall be sent to the Sheriff's Administration with a copy of the report to the initial case file.

313.12 JURISDICTION

The San Francisco Sheriff's Department has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code § 368.5).

Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and criminal neglect and may assist in criminal investigations upon request in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).

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313.13 RELEVANT STATUTES

- Penal Code § 368 (c)
- Penal Code § 368 (f)
- Welfare and Institutions Code § 15610.05
- Welfare and Institutions Code § 15610.06
- Welfare and Institutions Code § 15610.30
- Welfare and Institutions Code § 15610.43
- Welfare and Institutions Code § 15610.57
- Welfare and Institutions Code § 15610.63

Child or Dependent Adult Care

314.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children or 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.

314.2 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 San Francisco Sheriff's 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.

314.3 GUIDELINES DURING AN ARREST

When encountering an arrest or prolonged detention situation, deputies should make reasonable attempts to determine if any 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, deputies 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. Deputies 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, deputies should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of their 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, deputies 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 deputy at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that they will receive appropriate care.

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314.3.1 AFTER AN ARREST

Whenever an arrest is made, the deputy should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Deputies 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. Deputies should consider allowing the person to use their 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.
 - (a) There is no mandate that this occur at the location of the arrest.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), deputies 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 they know and trust because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when a known protective court order exists limiting contact, the deputy should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
 - 2. Queries into CLETS are permissible on a need to know/right to know basis to determine the safe placement of the child or dependent adult.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify Child Protective Services, CCSF Family and Children Services (FCS), or the Division of Aging and Adult Services.
- (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 deputy 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 shall be documented in an Incident Report.

314.3.2 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)).

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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.

314.3.3 REPORTING

- (a) For all arrests where children and/or dependent adults are present or living in the household, the deputy will document the following information of the Child or Dependent Adult:
1. Name
 2. Gender
 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)

314.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the deputies, 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.

314.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the deputy should contact CCSF Family and Children Services 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 a Sheriff's facility, transported in a marked patrol car, or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

314.5 TRAINING

The Training Unit Commander 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).

Child Abuse

315.1 PURPOSE AND SCOPE

This policy provides guidelines for the investigation of suspected child abuse. San Francisco Sheriff's Department members are required to notify Child Protective Services (CPS) and the San Francisco Police Department 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 § 11165.2; Penal Code § 11165.9; Penal Code § 11166).

General neglect - The negligent failure of a person having 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.

Severe neglect - The negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive. It also means those situations of neglect where any person having the care or custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that his or her person or health is endangered, including the intentional failure to provide adequate food, clothing, shelter, or medical care (Penal Code § 11165.2).

315.2 POLICY

The San Francisco Sheriff's Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

315.3 MANDATORY NOTIFICATION

The Child Protective Services (CPS) 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 severe neglect. Where no physical injury to the child has occurred, incidents regarding general

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neglect should not be reported to the District Attorney (Penal Code § 11166). When in doubt consult a Watch Commander.

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 within 24 hours if at a licensed facility (Penal Code 11166.1); or immediately or as soon as practicable when the instance of abuse or neglect occurs while the child is being cared for in a child daycare facility, involves child daycare licensed staff, or occurs while the child is under the supervision of a community care facility or involves a community care facility licensee or staff person (Penal Code 11166.2).

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 their 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, by telephone, fax or electronic transmission.
- (b) A written follow-up report should be forwarded within 24 hours of receiving the information concerning the incident.

315.4 INVESTIGATORS

When a child abuse complaint is received by a Department employee, the employee shall notify the Criminal Investigations Unit (CIU) who will take steps and actions needed to investigate the complaint.

315.5 INVESTIGATIONS AND REPORTING

Deputies shall write an Incident Report in all reported or suspected cases of child abuse even if the allegations appear unfounded or unsubstantiated.

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 deputy in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if deputies interviewed the child victim without the presence of a parent or guardian.

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- (c) Any relevant statements the child may have made and to whom the child 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 is alleged to have occurred, in an area outside of the Department's jurisdiction and/or the child is not in San Francisco, department members shall immediately transfer the call to a deputy who will then call the agency with proper jurisdiction for the investigation of the case. The deputy shall take a report of the suspected child abuse or neglect and will immediately send the report by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9) and ensure the report is received by speaking directly to the person from the agency with proper jurisdiction. The report shall include: reporting parties contact information, victim and suspect details, details of the abuse, etc.

315.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the deputy should make reasonable attempts to contact the SFPD and CPS. 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, deputies should remove a child from their 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 deputy should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the deputy shall ensure that the child is delivered to CPS.

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- (a) Queries into CLETS are permissible on a need to know/right to know basis to determine the safe placement of the child.

Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, deputies 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 deputy reasonably believes the child is a person described in Welfare and Institutions Code § 300, or a commercially exploited child as authorized under Penal Code § 647 and Penal Code § 653.22, and further has good cause to believe that any of the following conditions exist:
 - 1. The child has an immediate need for medical care.
 - 2. The child is in immediate danger of physical or sexual abuse.
 - 3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In the case of a child left unattended, the deputy 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 deputy reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, (allows for temporary protective custody) in any one of the following circumstances:
 - 1. It reasonably appears to the deputy that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
 - 2. There is no lawful custodian available to take custody of the child.
 - 3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
 - 4. The child is an abducted child.
 - 5. 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).
- (c) A child taken into protective custody shall be delivered to CPS 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 CPS.

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315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, deputies should audio record the preliminary interview with suspected child abuse victims. Deputies should avoid multiple interviews with a child victim. When practicable, investigating deputies 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

A deputy 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 that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

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 or discuss the facts of the matter with the child. The selection of and obligations of the school and the staff member are set forth in Penal Code § 11174.3.

315.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating deputy should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The deputy should also arrange for the child's transportation to a medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

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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 GUIDELINES WHEN ENCOUNTERING DRUG-ENDANGERED CHILDREN

- (a) Work with the appropriate agencies, including SFPD, CPS, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture, trafficking, or abuse of other drugs.
- (b) Activate any available interagency response when a deputy notifies the Criminal Investigations Unit (CIU) supervisor that the deputy has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

315.9.2 DEPUTY RESPONSIBILITIES

Deputies responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify CIU 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).

315.11 TRAINING

The Department's Training Unit should provide training on best practices in child abuse investigations. In addition:

- (a) The Training Unit shall provide updates when necessary via Department Training and Legal Update Bulletins and/or Department Memos and provide access information to:
 - 1. POST Child Abuse Investigation Manual
 - 2. The Role of Law Enforcement in the Response to Child Abuse and Neglect (U.S. Department of Health and Human Services)
 - 3. POST - Child Sexual Abuse and Exploitation Course

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 their 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 San Francisco Sheriff's 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 San Francisco Sheriff's 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 ACCEPTANCE OF REPORTS

Any employee encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This includes medical staff reporting an eloped (escaped) mental/psychiatric patient. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those employees who are unable to render immediate assistance shall promptly notify a deputy or supervisor who can take the report. When a deputy or supervisor is unavailable employees shall promptly notify the CIU to 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).

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316.4 INITIAL INVESTIGATION

Deputies should respond to a call for service of a missing person as soon as is practical and take investigative actions as applicable.

[Administration and Field Operations Procedure Manual: 316.1 INITIAL INVESTIGATION](#)

316.5 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. A report for a missing psychiatric patient must be completed and reporting procedures followed to the standards set for persons at risk (critical missing). Complete State of California Form CJIS 8568 (Electronic Fill-in) and attach it to the Incident Report along with other required documentation.

316.5.1 SUPERVISOR RESPONSIBILITIES

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

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the CIU and CRW.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as appropriate or needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the missing persons' networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor shall notify and send the report to that agency and CIU.

316.5.2 CENTRAL RECORDS AND WARRANTS UNIT RESPONSIBILITIES The receiving employee 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) 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).

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316.6 CRIMINAL INVESTIGATIONS UNIT FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation shall ensure that notifications, inquiries, and status updates are complete as appropriate.

[Administration and Field Operations Procedure Manual: 316.2 CRIMINAL INVESTIGATIONS UNIT FOLLOW-UP](#)

316.7 REQUIRED FORMS AND DNA COLLECTION

The Criminal Investigations Unit (CIU) shall follow state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

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

316.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found by Sheriff's deputies, the assigned CIU 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 CRW Unit Commander shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213):

- (a) CRW will notify the California DOJ.
- (b) CRW will notify CIU staff who will notify the missing person's school when appropriate.
- (c) CRW will enter information into the applicable missing person networks.
- (d) CRW will immediately notify the Attorney General's Office.
- (e) A deputy shall notify the law enforcement agency that took the initial report or participated in the investigation within 24 hours.
- (f) A deputy will complete a supplemental FOUND PERSON Incident Report using the original case number, if available. The date and time the person was originally reported missing shall be documented in the report.
 1. When another law enforcement agency makes a notification, the deputy shall obtain the required contact information, and attach that agency's found person report to the original Sheriff's report.
 2. Route a copy of the report to the CRW.

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316.8.1 UNIDENTIFIED PERSONS

Department employees investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themselves 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 Criminal Investigations Unit supervisor may authorize the closure of a Sheriff's missing person when the missing person is confirmed return or evidence has matched an unidentified person or body.

316.10 TRAINING GUIDELINES

Subject to available resources, the Training Unit Commander should ensure that deputies of this department whose duties include missing person investigations and reports receive training that follows current laws and POST regulations.

316.11 PUBLIC ALERT

Employees of the San Francisco Sheriff's Department shall notify their supervisor, Watch Commander or Criminal Investigations Unit Supervisor as soon as practical 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.

When a supervisor is apprised of the need for a public alert, they are responsible to ensure staff make the appropriate notifications and ensure that all documentation is completed based upon the circumstances of each situation before the issuance of the alert.

INSERT LINK to Public ALERT PROCEDURES HERE

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

316.11.1 CRITERIA FOR AMBER ALERT

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.

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

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- (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) Information is available that, if provided to the public, could assist in the child's safe recovery.

316.12 PROCEDURAL LINK

[Administration and Field Operations Procedure Manual: 800.1 CJIS AND NCIC DATA ENTRY PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 316.3 AMBER ALERT](#)

316.13 ATTACHMENTS

[See attachment: Apprehension Transportation Order.pdf](#)

Report and Memo Preparation

317.1 PURPOSE AND SCOPE

Reports are prepared to document information, memorialize an incident and for an investigation.

317.1.1 REPORT PREPARATION

Employees shall ensure reports are sufficiently detailed for the purpose of documenting information. Reports shall be prepared by employees assigned to investigate or document an incident, and shall be received and approved by a supervisor, and submitted to a Facility/Section/Unit Commander. Employees shall complete and submit all reports before going off-duty (by the end of the watch) unless permission to hold the report has been approved by a supervisor (such as cold crime reports). 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 and only with the approval of a supervisor in circumstances where the use of a computer would be impossible or unreasonably burdensome. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly rewrite and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. All employees who generate reports 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 a reported incident, nor shall an employee prepare, sign, or submit a false report or statement, orally or in writing, knowing that it is false or with the intent to defraud. Employee's opinions should not be included in reports unless specifically identified as such. Employees shall promptly submit reports and other documents as required by a supervisor, competent authority, or in performance of their duties.

All narratives authored by employees shall be in sentence case.

317.2 REQUIRED REPORTING

Documentation is required in all of the following situations. Documentation is required in situations as defined in other policies and procedures other than this policy and/or when directed by a supervisor. The below reporting requirements are not intended to be all-inclusive.

The following administrative events should be documented with a memorandum instead of an Incident Report.

- Any complaint regarding staff
- On-Duty Injury
 - Including exposure to potentially toxic/dangerous substance
- Off-Duty Police Contact
 - Includes detention for anything other than an infraction or arrest

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- The memo shall only contain the date, time and county of detention or arrest and the enumerated statutes charged and, if known and the arresting agency's report number.
- Negligent firearm discharge
 - If there are no injuries, the memo shall only contain the date, time and location of the discharge.
- AWOL or welfare check
- Illness, absence or tardiness (late for shift) reporting required by policy
- Insubordination or disobedience of an order
- Harassment
- Conduct that reflects adversely on the Department
- Release in Error
- Unusual event or information received that has no significant impact
- Damage of, loss or missing equipment or uniform
- Accident or damage to a Department vehicle
- Food service discrepancies
- Level 4 lockdown or closure of facility
- Watch starting below minimum
- Person held at IRC or housed in a safety cell more than 24 hours
- Information that should be considered confidential

Memos should have a facility/section/unit issued report/memo number.

317.2.1 CRIMINAL ACTIVITY

When a deputy responds to an incident or call for service, and/or as a result of self-initiated activity, and becomes aware of an activity where there is a reasonable suspicion or probable cause a crime has occurred, the deputy shall document the incident in an Incident Report. When multiple deputies respond to the same incident the deputy who arrives first on scene is responsible for writing the report unless directed otherwise by a supervisor. A supervisor may designate more than one report writer in a multiple deputy response. Deputies are required to write an Incident Report for:

- (a) All arrests (both on and off duty)
- (b) Felony and Misdemeanor crimes (including Misdemeanor crimes where the victim does not require a report)
- (c) Suspicious Activity
- (d) Detention when a Certificate of Release is issued.

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317.2.2 NON-CRIMINAL ACTIVITY

Employees are required to write an Incident Report for the following situations:

- (a) A deputy points a firearm at a person
- (b) Use of force against any person by a member of this department as instructed in the Use of Force Policy (see Use of Force Policy)
- (c) Found property or found evidence
- (d) Suspicious incidents that may indicate a potential for crimes against children or a child's safety is in jeopardy
- (e) Protective custody detentions
- (f) Suspicious incidents that may place the public or others at risk
- (g) When the employee believes the circumstances should be documented or at the direction of a supervisor
- (h) Any time a person is reported missing, regardless of jurisdiction
- (i) Mental health detention
- (j) Property for safekeeping
- (k) Firearm seizures

317.2.3 INCIDENTS INVOLVING INCARCERATED PERSONS OR JAILS

Employees shall write Incident Reports in the following situations:

- (a) Breaches of jail security that rise above alternative documentation
- (b) Escape, attempted escape, or walk away
- (c) Injury to or an assault on an incarcerated person or other person
- (d) Riot or disturbance
- (e) Significant incidents related to medical issues, health or safety in the jail that rise above alternative documentation
- (f) Attempted suicide or suicidal ideation on the part of an incarcerated person, if known
- (g) Discovery of contraband in the incarcerated person's possession or their housing area if there are criminal or civil charges being sought
- (h) Detaining or handcuffing a visitor in a jail facility

317.2.4 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and shall be handled in accordance with investigation policies. All deaths shall be investigated and reports completed by investigators which may include persons from the Sheriff's Department, San Francisco Police Department, Medical Examiner's Office, Department of Police Accountability (DPA), and the District Attorney's Office in order to determine the manner of death, gather information and witness, victim and staff statements who were in the area at the time the death occurred. An employee involved in a death shall notify a supervisor of the circumstances

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surrounding the incident to determine how to proceed. The following cases shall be immediately investigated and documented by the investigator as noted above using an Incident Report and/or the investigators report. Reports may also need to be written by employees as determined by the investigator and shall include:

- (a) Sudden or accidental deaths
- (b) Suicides
- (c) Homicide or suspected homicide
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death)
- (e) Found dead bodies or body parts

317.2.5 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

317.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES

A report shall be taken and written when an incident in which a person 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The report shall include whether as a result of that incident the child died, suffered serious injury, or was treated for an injury by a medical professional. The Criminal Investigations Unit shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

317.3 EXPEDITIOUS REPORTING

Deputies and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. Incident Reports involving suspects booked into County Jail shall be completed before the deputy assigned to write the report is relieved of duty unless there is prior supervisory approval. An incomplete or unorganized report will not be accepted. Deputies must obtain the supervisor's approval for the report to be considered complete.

317.3.1 HANDWRITTEN DOCUMENTATION

All handwritten documentation shall be printed legibly, in ink, and approved by a supervisor. This pertains to any department-issued document requiring handwritten documentation, i.e., Incident Reports, housing observation sheets, safety checks, log entries, requests for discipline, etc. Supervisors shall not approve any handwritten document unless it meets these standards.

317.4 SUPERVISOR RESPONSIBILITIES

Supervisors shall review reports for content and accuracy. In the review process, the supervisor may direct the employee to clarify facts, explain facts further and/or correct errors. Supervisors shall not propose edits that make the report less precise than originally submitted. The original

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report shall be returned to the reporting employee and the needed corrections should be discussed with the reporting employee for correction as soon as possible. It shall be the responsibility of the reporting employee to ensure that a report returned for correction is completed expeditiously.

- (a) The supervisor shall review, approve, sign, and submit the report to the Facility/Section/Unit Commander as soon as possible, but no later than 24 hours after the supervisor's approval of the Incident Report.
 - 1. The supervisor shall send the original Incident Report to the Sheriff's Administration.
 - 2. Original photographs and physical evidence, including original written statements, will not be sent to the Sheriff's Administration.
 - 3. If a crime is charged (when the deputy believes a crime has occurred), a copy of the Incident Report shall be sent to:
 - (a) Criminal Investigations Unit
 - (b) Project OR (Own Recognizance)
 - 1. If the person is not in the custody of the Sheriff's Department and all charges are misdemeanors, a copy of the Incident Report shall be sent to the District Attorney's Office for the filing of a criminal complaint.

Any approved incident report regarding a death, injury or endangerment to staff or a visitor, serious injury to an incarcerated person, escape, a major disturbance, a facility emergency or an unsafe condition at the facility shall be submitted to the Facility Commander as soon as practicable but within 24 hours of the incident.

317.5 REPORT CHANGES OR ALTERATIONS

Employees shall not transmit or forward an Incident Report until it has been approved by a supervisor. Reports that have been approved by a supervisor and submitted for filing and distribution shall not be modified or altered. If additional information or corrections are needed, the employee shall write a supplemental Incident Report.

- (a) The title of the report shall be the same as the initial Incident Report. A new ICN number (if applicable) shall be obtained from DEM.
- (b) The employee shall check the "Supp" box at the top of the header sheet. The employee shall write only the supplemental information or corrections and not re-write the entire Incident Report.

Reviewed reports that have not yet been submitted may be corrected or modified by the authoring deputy only with the knowledge and authorization of the reviewing supervisor.

317.6 ELECTRONIC SIGNATURES

The San Francisco Sheriff's Department has an electronic signature procedure for use by employees of the San Francisco Sheriff's Department. The Information Technology and Support Services Unit (ITSS) shall be responsible for maintaining the electronic signature system.

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- Employees may use their electronic signature for Incident Reports or other official communications, once this process has been adopted by the Department.
- Each employee shall be responsible for the security and use of their electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

317.7 ATTACHMENTS

See attachment: [SFSD INCIDENT REPORT WRITING GUIDE.pdf](#)

See attachment: [SFSD REPORT WRITING MANUAL 2014.pdf](#)

Victim and Witness Assistance

318.1 PURPOSE AND SCOPE

To ensure that crime victims and witnesses receive appropriate assistance, are provided with information from government and private resources, and the department meets all related legal mandates.

318.2 POLICY

The San Francisco Sheriff's Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the San Francisco Sheriff's 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. The Sheriff's Department will work closely with the San Francisco District Attorney's Victim Witness Assistance Office, State Attorney General's Office and the Department of Justice.

318.3 CRIME VICTIM LIAISON

The Sheriff shall appoint a Sheriff's employee to serve as the crime victim liaison (2 CCR 649.36). This person shall be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses, and will be the point of contact for individuals requiring further assistance or information from the San Francisco Sheriff's Department, when follow-up with the victim/witness is needed, and an investigation has not been conducted.

318.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison is specifically tasked with:

- (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 their 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 San Francisco Sheriff's Department jurisdiction (Penal Code § 680.2).

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Victim and Witness Assistance

318.4 CRIME VICTIMS

A responding deputy's demeanor must convey a sense of reassurance and calmness to victims and witnesses when responding to or investigating a crime.

Responding deputies shall provide all victims with the applicable victim information handouts and resources for immediate emergency assistance as a result of domestic violence, workplace harassment, stalking, sex crime, child and elder abuse, identity theft, or other related crimes. Resources will include the Marsy's Card, the Victims of Crime Card, referrals for counseling, medical treatment, safety information for victims and co-workers, and contacts with government support programs such as the District Attorney's Victim Witness Assistance Program, Family Violence Project, and the National Center for Missing and Exploited Children.

- (a) If a deputy is unable to provide a Marsy's Card upon first contact, a Card must be provided during the follow-up investigation.

Deputies 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. Deputies should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct them to the proper written department material or available victim resources.

Responding deputies shall provide a contact person, telephone number and follow-up information to victims/witnesses where appropriate or when requested, otherwise provide:

- (a) The Sheriff's number (415) 206-8063 for emergency assistance 24-hours a day and to report additional information about the case or to receive information about the status of the case.

318.4.1 VICTIMS OF HUMAN TRAFFICKING

Deputies 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 their 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 FOD Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).
- (d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in

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- the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).
- (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
 - (f) A clear explanation of relevant court orders and how they can be obtained.
 - (g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).
 - (h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
 - (i) Notice regarding U visa and T visa application processes.
 - (j) Resources available for victims of identity theft.
 - (k) A place for the deputy'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

Deputies should never guarantee a witness' safety from future harm or that their identity will always remain confidential. Deputies may make practical safety suggestions to witnesses who express fear of future harm or retaliation, such as: employer notification, relocation of work site, escort to their home or vehicle, housing relocation, etc.

Deputies should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

318.7 INVESTIGATION PROCESS

During the investigation process, the deputy assigned to the case or the Criminal Investigations Unit (CIU) will serve as the primary point of contact for the victim/witness to report additional information regarding their case or to request additional support services. The deputy or CIU shall contact the victim/witness to:

- (a) Determine if they have a need and to offer additional support services. Support services include: victim assistance programs, medical treatment, counseling, funeral services, lost wages, transportation,

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- (b) Explain the procedures involved in the processing of the case, obtaining a copy of the Incident Report, confidentiality policies, the prosecution, and the victim/witness role.
- (c) Schedule interviews and other required appearances at the convenience of victims/witness.
- (d) Return a victim's property if permitted by law.
- (e) Provide a victim advocate through the Victim Witness Assistance Program (415) 553-9044.
- (f) Notify the victim of the subject's arrest, charges, and the date, time and location of the court date and/or release.
- (g) Provide the victim/witness with a phone number to the deputy or CIU point of contact.

318.8 ATTACHMENTS

See attachment: [Marsy's Card.pdf](#)

See attachment: [Victims of Crime Card.pdf](#)

See attachment: [Sexual Assault Victim Card.pdf](#)

Hate Crimes

319.1 PURPOSE AND SCOPE

To provide San Francisco Sheriff's Department employees with guidelines for identifying and investigating incidents and crimes motivated by hate or bias toward individuals and groups with legally defined protected characteristics.

319.2 POLICY

This policy serves as a declaration that hate crimes are taken seriously and demonstrates the Department's resolve to safeguard the rights of all individuals, irrespective of their disability, gender, sexual orientation, nationality, race or ethnicity, religion and/or association with a person or group with one or more of these actual or perceived characteristics. The Department places a high priority on any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias very seriously.

It is the policy of this Department to adopt the Commission on Peace Officers Standards and Training (POST) Hate Crimes Model Policy.

319.2.1 DEFINITIONS

In accordance with Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.6; and Penal Code § 422.87, for purposes of all other state law, unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

Bias motivation - Bias motivation is a pre-existing negative attitude toward actual or perceived characteristics referenced in Penal Code § 422.55. Depending on the circumstances of each case, bias motivation may include but is not limited to hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including but not limited to disability or gender.

Disability - Disability includes mental disability and physical disability as defined in Government Code § 12926, regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Disability bias - In recognizing suspected disability-bias hate crimes, deputies 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, deputies should consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes but is not limited to situations

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where a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons, such as inebriated persons or persons with perceived disabilities different from those of the victim. Such circumstances could be evidence that the perpetrator's motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

Gender - Gender means sex and includes a person's gender identity and gender expression.

Gender expression -Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.

Gender identity- Gender identity means each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender (2 CCR § 11030).

Hate crime - "Hate crime" includes but is not limited to a violation of Penal Code § 422.6, and means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (a) Disability
- (b) Gender
- (c) Nationality
- (d) Race or ethnicity
- (e) Religion
- (f) Sexual orientation
- (g) Association with a person or group with one or more of these actual or perceived characteristics:
 - 1. "Association with a person or group with these actual or perceived characteristics" includes advocacy for, identification with, or being on the ground owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of those characteristics listed in the definition of "hate crime" under paragraphs 1 to 6, inclusive, of Penal Code § 422.55(a).

Note: A "hate crime" need not be motivated by hate but may be motivated by any bias against a protected characteristic.

Hate incident - A hate incident is an action or behavior motivated by hate or bias but legally protected by the First Amendment right to freedom of expression. Examples of hate incidents include:

- Name-calling

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- 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 that the bias motivation must be a cause in fact of the offense whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that a crime would not have been committed but for the actual or perceived characteristic.

Nationality - Nationality includes citizenship, country of origin, and national origin.

Race or ethnicity - Race or ethnicity includes ancestry, color, and ethnic background.

Religion - Religion includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

Sexual orientation - Sexual orientation means heterosexuality, homosexuality, or bisexuality.

Victim - Victim includes but is not limited to:

- Community center
- Educational facility
- Entity
- Family
- Group
- Individual
- Office
- Meeting hall
- Person

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- Place of worship
- Private institution
- Public agency
- Library
- Other victim or intended victim of the offense

319.3 PLANNING AND PREVENTION

While it is recognized that not all crime can be prevented, and there is a general underreporting of hate crimes, this Department is committed to taking a proactive approach to preventing, preparing for, and reporting likely hate crimes. Deputies should:

- (a) Make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to allay fears, reduce potential for counter-violence, and provide crime prevention information.
- (b) Provide direct and referral assistance to the victim and community.
- (c) Educate the community about hate crime threats and laws.
- (d) Establish relationships with community organizations and leaders, and schools on recognizing, preparing for and preventing hate and bias.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Deputies shall track, investigate and document hate incidents as part of the overall planning to prevent hate crimes.

The Field Operations Division Chief may assign personnel to 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.

319.4 INITIAL RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP

Deputies receiving a report or responding to a hate or bias crime and/or incident shall assess the situation, access additional assistance to the victim if needed, and shall secure, protect and preserve the crime scene. The [accompanying procedure](#) provides additional guidance.

319.5 SUPERVISOR RESPONSIBILITY

The supervisor shall confer with the initial responding deputy to ensure and identify necessary preliminary actions have been taken. The [accompanying procedure](#) provides additional guidance.

319.6 INVESTIGATION

The Sheriff's Criminal Investigations Unit (CIU) shall assign an investigator to a hate crime, hate incident, or bias crime reported to or responded by deputies. The [accompanying procedure](#) provides additional guidance.

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319.7 RELEASE OF INFORMATION

The Sheriff's Department shall consider the following when releasing information to the public regarding hate or bias crimes and hate incidents that have been reported to the Department:

- (a) Dissemination of correct information.
- (b) Informing community organizations in a timely manner when a community group has been the target of a hate crime.
- (c) Informing the community of the impact of these crimes on the victim, the victim's family, and the community, and the assistance available to victims.
- (d) Informing the community regarding hate crime law and the legal rights of, and the remedies available to, victims of hate crimes.
- (e) The ability to request information regarding the commission of the crimes from the victimized community.

319.8 TRAINING

The Training Unit shall ensure that all employees of this department are trained on this policy and deputies shall receive POST approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should include (Penal Code § 422.87):

- (a) Recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group, including disability bias and gender bias.
- (b) Accurate reporting by deputies, including information on the general underreporting of hate crimes.
- (c) Distribution of hate crime brochures.

319.9 ATTACHMENTS

See attachments:

[Statutes and Legal Requirements.pdf](#)

[Hate Crime Checklist.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 San Francisco Sheriff's Department and are expected of all department employees. The standards contained in this policy are not intended to be an exhaustive list of all requirements and prohibitions but they do identify many of the important matters concerning the conduct of department employees. In addition to the provisions of this policy, employees are subject to all other provisions contained in each manual, as well as any additional guidance on conduct that may be disseminated by this department or the Department of Human Resources.

320.2 POLICY

Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action. Employees shall operate in conformance with Department policies, procedures, rules, directives, and orders. The burden for justifying any deviation shall be placed on the employee at all times.

320.3 DIRECTIVES AND ORDERS

Employees shall comply with lawful directives and orders given by any department supervisor or person in a position of authority, absent a lawful and/or reasonable and bona fide justification.

- (a) Personnel Orders: Assignment or reassignment of personnel to or within the department by the Personnel Unit Manager. The letter is issued from the Personnel Manager with the approval of the Sheriff. Assignment or reassignment of personnel within a Facility/Section/Unit is issued by the applicable commander and forwarded to the Personnel Manager.
- (b) Lawful Order: Any written or oral directive issued by a supervisor to any subordinate or group of subordinates in the course of duty which is not in violation of any law, or ordinance.
- (c) Direct Order: Any written or oral order, given directly to a specific employee(s), stating a specific duty or function to be performed by the employee(s) or to prohibit a specific activity.
- (d) The Department and its employees shall observe, obey, and operate in conformance with all State, Federal, and local laws, City and County of San Francisco (CCSF) statutes and ordinances, CCSF and Sheriff's policies and procedures, rules, orders, and directives. The burden for justifying any deviation shall be placed on the employee at all times.
 1. Employees are required to acquire and maintain knowledge of all laws and ordinances in force in the City and County of San Francisco that affect the operation of the Department.
 2. Employees shall perform their duties as required or directed by law, department policy, and procedure, or by the order of a supervisor. All lawful duties required by a competent authority shall be performed promptly as directed.

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- (a) A competent authority is any person or organization that has the legally delegated or invested authority, capacity, or power to perform a designated function.
- (e) Employees shall treat supervisors, subordinates, and peers with respect. They should be courteous and civil at all times in their relationship with one another. When on duty and particularly in the presence of other employees, incarcerated persons or the public, sworn employees should be referred to by rank.
- (f) Orders from a supervisor to a subordinate shall be clear and understandable, civil in tone and issued in pursuit of department business.
 - 1. While on duty, employees shall not openly, or in the presence of incarcerated persons, criticize instructions or orders they have received.

320.3.1 UNLAWFUL AND CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law, code, or department policy.

Supervisors should not issue orders that conflict with any previous order without first, unless exigent circumstances are present, making reasonable attempts to advise employees that the new order is intended to countermand the earlier order.

No employee is required to obey any order that appears to be unlawful. The responsibility for refusal to obey rests with the employee, who may subsequently be required to justify the refusal. Obedience to a known unlawful order is not a defense for an unlawful action and does not relieve the employee from criminal or civil prosecution or administrative discipline. An employee must notify the supervisor if they believe that they have been given an unlawful order and shall ask the issuing supervisor to clarify the order or shall confer with a higher authority regarding the order.

Unless it would jeopardize the safety of any individual, employees who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall 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 employee is obliged to comply. Employees 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.

- (a) Employees who are given orders they feel to be unjust or contrary to CCSF statutes/ordinances or Department policy and procedures, but not unlawful, must first obey the order to the best of their ability and then appeal through the chain of command.
- (b) Upon receipt of an order conflicting with any previous order or instruction, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order. If so directed, the second command shall be obeyed first.

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The person countermanding the issuing of the conflicting order shall be responsible to contact promptly the supervisor giving the first order with notification that a conflict exists. Conflicting orders will be countermanded when reasonably necessary for the good of the department.

320.3.2 SENIORITY AND SUPERVISOR RESPONSIBILITIES

When a question of seniority arises regarding who shall be in command of a Facility/Section/Unit, such seniority shall be determined as follows:

- (a) First by rank
- (b) The transfer of authority will proceed to sworn employees according to seniority in rank and permanent employees before temporary employees.

Supervisors and managers are required to follow all policies, procedures, orders, and directives, and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or failing to provide appropriate guidance and control.
- (b) Failure to promptly and properly address any known misconduct of an employee.
- (c) Absent an exigency, directing a subordinate to violate a policy, procedure, order or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

320.4 GENERAL STANDARDS OF CONDUCT

All Department employees 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 a legal authority. Employees shall conduct their private and professional lives in such a manner as to avoid bringing the Department into disrepute.

Some actions taken by sworn staff or allegations of same must be reported to the State of California Commission on Peace Officer Standards and Training (POST) (Penal Code § 13509.5 (d)) (see Personnel Complaints Policy).

Employees shall familiarize themselves with policies, procedures, orders and directives and are responsible for compliance with each. Employees shall seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty. All employees are encouraged to make suggestions for the good of the department to supervisors, managers or commanders by submitting a detailed memorandum through the chain of command.

Cooperation

Cooperation between ranks and the Facilities/Sections/Units is essential to accomplishing the department's mission effectively. Employees are required to aid each other when exposed to danger or in a situation where danger might be impending.

Off-Duty Service Requirement

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Employees shall have regular hours assigned to them for active duty and/or may work at other times. Employees shall be considered to be on-duty whenever compensated for hours worked by the Department. When not so compensated, an employee shall be considered off-duty. Deputies (the term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank), however, are subject to duty call as needed.

- (a) Employees shall, without notice, report for duty as directed by the Sheriff's Emergency Mobilization Plan in the event of a major disaster and in any other emergency wherein it would be reasonably expected that the Department would require the added service of all officers.

Duty to Identify

Employees shall identify themselves to any person, including incarcerated persons, making such a request. Deputies shall give their full name and star number. Non-sworn employees shall give their full name and assigned unit in the Department.

Relief

Deputies are to remain at their assignment and on duty until properly relieved by another employee or until dismissed by a supervisor.

Address and Telephone Number

Employees shall have on file with the Personnel Unit a completed Critical Information Sheet. It is the responsibility of the employee to update information on the Critical Information Sheet of any change in data contained on the Critical Information Sheet. Such notification shall be submitted within 72 hours after any change occurs.

[See attachment: SFSO - Critical Information Form- fillable.pdf](#)

Immediately upon reporting to a new assignment, employees shall record their correct telephone number and residence address with the Facility/Section/Unit administrative supervisor.

Employees shall have a working telephone.

Peace Officers may use their business address, in lieu of their home address when they are a witness in a court proceeding during the course of their duties.

Driver's License Required

All employees shall maintain and have in their possession a valid California Driver's License. If any specific class of license is required by state law to drive a particular vehicle, the deputy shall obtain and maintain such a license and related documents. Loss of the right to drive or suspension of the license shall be reported to the Sheriff or Undersheriff at once followed by a written notification submitted through the chain-of-command.

Procedural Link:

[Administration and Field Operations Procedure Manual: 320.1 COUNSELING PROCEDURES](#)

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320.5 CAUSES FOR DISCIPLINE

Discipline may be initiated for any good cause. This policy 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, specific action or inaction which is detrimental to the department.

Employees shall not commit an act or behave in a manner of any of the below. Findings of any one of the below may be the basis for disciplinary action up to and including termination.

- (a) **Insubordination:** The failure or deliberate refusal of any employee to obey a lawful order given by a person holding a higher supervisory or command rank or position. Employees shall not commit an act of insubordination.
- (b) **Impermissible Behavior:** Rude, insolent, impertinent, antagonistic, discourteous, or disrespectful conduct either written, oral or by a gesture, to supervisors of higher rank that falls outside the definition of insubordination. Ridiculing a supervisor or their orders, whether in or out of their presence is also impermissible behavior. Employees shall not behave in an impermissible manner.
- (c) **Neglect of Duty:** Is failure of an employee to adequately comply with the orders, directives, rules, regulations, training instructions or operating practices of the Department that pertain to them or to take appropriate action when circumstances dictate. Employees shall not neglect their duty.
- (d) **Unacceptable Job Performance:** Is the failure of an employee to discharge their responsibilities at a level which should accomplish Department objectives. A charge of "Unacceptable Job Performance" may be characterized by demonstrating the lack of ability or desire to perform at the required level.
- (e) **Misconduct:**
 - 1. Conviction of any felony or misdemeanor.
 - 2. Violation of this policy or lawfully issued directives, orders, policies and/or procedures.
 - 3. Conduct, on or off duty, unbecoming to a sworn employee (i.e. an arrest, abuse of position, under the influence of drugs or alcohol, etc.).
 - 4. Conduct on or off duty that reflects adversely on the Department.
 - 5. Conduct constituting dismissal for cause as that term is used in the San Francisco City Charter.

320.5.1 PROHIBITED ACTIVITY ON-DUTY

Sheriff employees are prohibited from engaging in the following activities while on-duty:

- (a) Sleeping
- (b) Reading and/or studying any non-job related materials and any other materials while at a post that is specifically prohibited by a supervisor
- (c) Conducting private business
- (d) Drinking intoxicating beverages and/or consuming or possessing illegal substances

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- (e) Any activity in violation of Federal, State or CCSF statute
- (f) Any activities or games with incarcerated persons unless specifically allowed by a supervisor

320.5.2 ETHICS

Department employees shall not:

- (a) Use or disclose one's status as an employee of the San Francisco Sheriff's Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) Wrongfully or unlawfully exercise their authority for malicious purposes, personal gain, willful deceit or any other improper purpose.
- (c) Receive or accept a reward, fee or gift from any person for service incident to the performance of the employee's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Accept fees, gifts or money contrary to the rules of this department, CCSF ethics rules, and/or laws of the state.
 - 1. Employees shall not accept, either directly or indirectly, any gifts, gratuity, reward, loan, fee or any other thing of value:
 - (a) Arising from or offered because of their employment with or any activity connected with the Department without the express permission of the Sheriff or their designee.
 - (b) The acceptance of which might tend to influence, directly or indirectly, the actions of said employee in any matter of Department business.
 - (c) Which might tend to cast any adverse reflection on the Department or any employee thereof.
 - (d) Reward in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency except the lawful salary that's authorized by the Sheriff.
 - 2. Any unauthorized gift, gratuity, loan, fee, reward or other item falling into any of these categories coming into the possession of any employee shall be forwarded to the Sheriff with written documentation explaining the circumstances.
- (e) Offer or accept a bribe.
- (f) Misappropriate or misuse public funds, property, personnel or services.
- (g) Make financial purchases using their official capacity as their means violating the law regarding Conflict of Interest pursuant to Government Code § 10.90.
 - 1. It is unlawful for public officials or employees to purchase at any sale in which they officially participate.
 - 2. It is both unethical and illegal to use your official position, title or authority as a Sheriff's Department employee for the purpose of any personal or economic gain.

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3. It is illegal to use your status as a Sheriff's employee to gain access and use confidential information for purposes other than Sheriff's Department business. Examples include, but are not limited to:
 - (a) Purchase merchandise at a lower cost because of your Sheriff's Department status. This does not include those businesses which offer discounts to a stated employee group or profession.
 - (b) Provide confidential information obtained through your employment to private parties.
 - (c) Obtain confidential information for any personal reasons.
- (h) While employees may endorse any organization, program, product or service of their choice as an individual, the endorsement or means of endorsement shall not in any manner, directly or indirectly, indicate that the endorsement has the official sanction of the Department unless prior written approval of the Sheriff has been obtained.
- (i) Fail to abide by the standards of ethical conduct.

The above section also includes those members of entities providing services to the Sheriff's Department.

320.5.3 RELATIONSHIPS

Employees shall not:

- (a) Employees shall not give nor lend an incarcerated person anything of significant value or anything deemed to be contraband by the Department. Department employees shall report to their supervisor when a relative or a person with whom they have had a pre-existing relationship becomes an incarcerated person in a San Francisco County jail.
 1. Department employees shall not perform favors for incarcerated persons. Any questions regarding the legitimacy of a request shall be directed to a sworn supervisor, prior to complying with that request.
- (b) Establish or maintain a personal or financial relationship, as a result of an investigation, with an incarcerated person or 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.
- (c) Associate with or join a criminal gang, organized crime and/or criminal syndicate when the employee 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.

Employees are also governed by the Contacts with Incarcerated Persons Policy.

320.5.4 ATTENDANCE

Department employees shall not leave the job or assignment to which they are assigned during duty hours without a reasonable excuse and proper prior permission and approval.

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Sheriff employees shall report for duty at the time and place specified, properly uniformed, equipped, and ready for duty. They shall give careful attention to orders and instructions. They will acquaint themselves daily when on duty and immediately upon return to work after absence or days off with information on the muster boards as well as with other orders and memoranda. Employees shall remain alert at all times while on duty.

Procedural Link:

[Administration and Field Operations Procedure Manual: 320.2 PUNCTUALITY AND TARDINESS PROCEDURE](#)

[See attachment: LATE SLIP Fillable.pdf](#)

320.5.5 ABSENT WITHOUT LEAVE (AWOL)

All employees shall notify their supervisor if they will be absent from work when prior approval has not been obtained. An employee is Absent Without Leave (AWOL) if the employee does not report to work as scheduled and fails to inform their supervisor. Scheduled work includes:

- Regularly scheduled watch/shift/team
- Detailed assignment
- Training
- Overtime
- Work substitutions

Any absence, without a report to the supervisor, of two hours or more may be deemed AWOL. AWOL by an employee may be followed by a forfeiture of pay for the time absent. Disciplinary action may be imposed. An unexplained AWOL of an employee for five days without proper permission may be deemed and held a resignation in conformance with the City and County of San Francisco Civil Service Rules.

Procedural Link:

[Administration and Field Operations Procedure Manual: 320.3 ABSENCE WITHOUT LEAVE \(AWOL\) PROCEDURES](#)

320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

Department employees shall not:

- (a) Authorize the release of, or intentionally release confidential or protected information, materials, data, forms or reports obtained as a result of the employee's position with this department.
- (b) Employees shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
- (c) Disclose to an unauthorized person any active investigation information.

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- (d) Use 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 Sheriff or their designee.
- (e) Loan, sell, allow unauthorized use, give away or appropriate any San Francisco Sheriff's Department badge, uniform, identification card or department property for personal use, personal gain or other improper or unauthorized use or purpose.
- (f) Use department resources in association with a portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.
- (g) Endorse in any manner, directly or indirectly, any organization, program, product or service whether it is implied or stated that the endorsement has the official sanction of the Department unless prior written approval of the Sheriff has been obtained.

320.5.7 PERFORMANCE

Department employees shall not:

- (a) Fail to disclose or misrepresent material facts, or make false or misleading statements on an application, examination form, or other official document, report or form, or during the course of a work-related investigation.
- (b) Falsify work-related records, make misleading entries or statements with the intent to deceive or willfully and unauthorized remove, alter, destroy and/or mutilate any department record, public record, book, paper or document.
- (c) Fail to cooperate in investigations, or give false or misleading statements, or misrepresent or omit material information to a supervisor or other person in a position of authority, in connection with an investigation or in the reporting of any department-related business.
- (d) Be 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 employees.
- (e) Make disparaging remarks or conduct themselves concerning duly constituted authority to the extent that such conduct disrupts the efficiency of the department or subverts the good order, efficiency and discipline of the department or that would tend to discredit any of its employees.
- (f) Gamble or place a bet at any time:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or in uniform, or using any department equipment or system.
- (g) Attend, while on-duty, a political activity at an official legislative or political session, without the permission of the Sheriff.
 - 1. Solicit, give a speech or distribute campaign literature for or against any political candidate or position while on-duty or, on department property.
 - 2. Engage in political activities during assigned working hours.

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- (h) Act, on- or off-duty, in a manner that brings discredit to this department.

320.5.8 CONDUCT

Department employees shall promptly and fully report activities on their part or the part of another employee where such activities resulted in contact with any other law enforcement agency and/or that may result in criminal prosecution or discipline under this policy.

- (a) When an employee is arrested for any reason they shall submit an Incident Report within 24 hours after the arrest/detention to the Undersheriff with a copy to their Division Commander. The report will only indicate the date, time, and location of arrest and the charges.
- (b) In addition, when an employee is involved as a witness to crime, reporting a crime to the appropriate agency or acting in concert with another law enforcement agency in any capacity, whether that employee is on or off duty, that participation shall be reported to the employee's immediate supervisor as soon as practical.
- (c) When a deputy, on or off duty, is a witness to a crime being investigated by another agency, they must identify themselves as a sworn employee to the investigating agency at the earliest opportunity.

Department employees shall not:

- (a) Use unreasonable and unwarranted force to a person encountered or a person under arrest.
- (b) Exceed lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (c) Fight, threaten or attempt to inflict unlawful bodily harm on another.
- (d) Engage in horseplay that reasonably could result in injury or property damage.
- (e) Be discourteous, disrespectful or discriminatory in the treatment of a member of the public or an employee of this Department or employee of the City and County.
 - 1. Employees shall be courteous and professional in their dealings with all people. They shall perform their duties professionally, avoiding harsh, violent, profane or insolent language. Upon request, employees are required to supply their names and/or badge numbers in a courteous manner. They shall attend to requests from the public quickly and accurately.
- (f) Conduct themselves in a criminal manner.
- (g) Possess, lose, or damage department property or the property of others, or endanger it through carelessness or maliciousness.
- (h) Attempt or actual theft of department property; misappropriate or misuse public funds, property, personnel or the services or property of others; remove or possess department property or the property of another person.
- (i) Engage in an activity that is incompatible with an employee's condition of employment or appointment as established by law or that violates a provision of any memorandum of understanding, labor agreement or contract to include fraud in securing the appointment or hire.

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- (j) Allow and/or bring contraband articles including, but not limited to weapons, wireless devices (other than cellular phones or those devices that connect to a cellular phone), clothing, food, illegal drugs or tobacco into a jail facility where incarcerated persons are present.
- (k) Receive articles from an incarcerated person to deliver outside the facility.
- (l) Directly or indirectly aid an incarcerated person to escape or attempt to escape, dispose of or secrete evidence or contraband or in any way assist them in any criminal endeavor.
- (m) Conduct themselves in a way, on- or off-duty, in which an employee knows or reasonably should know is unbecoming of an employee of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

320.5.9 SAFETY

Department employees shall not:

- (a) Fail to observe or violate department safety standards or safe working practices.
- (b) Allow current licenses or certifications required for the assignment or position to expire (e.g., driver license, first aid).
- (c) Handle firearms or other dangerous weapons in an unsafe manner to include loading or unloading firearms, either on- or off- duty.
- (d) Carry, while on the premises of the work place, a firearm or other lethal weapon that is prohibited.

320.5.10 INTOXICANTS

Department employees shall not:

- (a) Report for work or be at work while under the influence or when the employee's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal. Refer to Drug and Alcohol Free Workplace Policy for more information.
- (b) Consume alcohol at a work site or while on-duty, except as authorized in the performance of an official assignment. A deputy who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Possess, use, or attempt to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

320.5.11 DEPARTMENT INVESTIGATIONS AND COOPERATION

- (a) Sheriff's employees are required to actively and courteously cooperate when questioned by a competent authority (including employees assigned to the Department investigations units) in an investigation conducted by our agency or others that have a statutory authority to conduct an investigation of Sheriff employees. All employees are required to:
 1. Divulge all known information.

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2. Be truthful, whether under oath or not, and answer all questions truthfully without evasion.
 3. Produce all physical evidence in their possession, under their control or to which they have access, or identify the location.
 4. Give answers that are clear, responsive, unambiguous, and that most accurately reflect the truth in the matter.
 5. Provide all information and evidence to investigators whenever such information or evidence becomes known or available.
- (b) Failure to actively cooperate with an investigation is misconduct and may subject the employee to discipline. It is unethical and potentially illegal for employees to obstruct, impede, delay or otherwise hinder an investigation.
- (c) When discipline is sustained for a second or subsequent misconduct, the Department adheres to a policy of progressive discipline. If an employee's record indicates prior sustained misconduct, the disciplinary action imposed may be more severe than for a first offense even if the second offense is unrelated to the first offense.
1. In determining the severity of discipline, the Department shall consider factors in mitigation and aggravation. Mitigating factors may include, but are not limited to: length of department employment; length of time since prior discipline; work performance record; willingness to accept responsibility for misconduct or negligence; and individual efforts to address underlying causes of misconduct.
 2. Factors in aggravation may include, but are not limited to: substandard work performance evaluation; refusal to accept responsibility for misconduct, disrepute or notoriety brought to the Department as a result of the misconduct; severity of injury to the aggrieved party; pattern or practice of action amounting to misconduct; and sustained complaints and misconduct which results in endangerment to the public.
- (d) Employees may be terminated or released for the following, including but not limited to:
1. Failure to successfully complete the basic academy to which the sworn employee is originally assigned.
 2. Inadequate performance by probationary sworn or entry employee.
 3. When progressive discipline has been enforced but the employee continues to violate department standards.
 4. When any single incident of misconduct is so serious as to render the employee untrustworthy in terms of incarcerated person security or the safety of public funds.
 5. Other circumstances as directed by federal/state/local law.

Procedural Links:

[Administration and Field Operations Procedure Manual: 320.4 DISCIPLINARY PROCEDURES](#)

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Administration and Field Operations Procedure Manual: [320.4.1 ADDITIONAL DISCIPLINARY PROCEDURES](#)

Administration and Field Operations Procedure Manual: [320.4.2 REPRESENTATION PROCEDURE](#)

320.5.12 INVOLUNTARY RELIEF FROM DUTY

- (a) An employee may be involuntarily relieved of duty and ordered to leave Sheriff's Department offices or facilities for the reasons including, but not limited to:
 - 1. Being under the influence of alcohol or drugs.
 - 2. Continuing refusal to obey a direct order from a supervisor.
 - 3. Compromising the security of a facility.
- (b) An employee may only be involuntarily relieved from duty at the Sheriff's or Undersheriff's direction. The supervisor relieving an employee from duty must submit written documentation to the Undersheriff by the end of the shift describing the incident in full.
- (c) An employee involuntarily relieved of duty will be carried on the payroll as working until a determination is made by the Sheriff of a more appropriate designation.

320.6 ATTACHMENTS

See attachment: [Employee Counseling Template.rtf](#)

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.

321.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the San Francisco Sheriff's Department that are provided for official use by its members. This includes all access to, and use of, the City and County of San Francisco fiber WAN, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

321.2 POLICY

It is the policy of the San Francisco Sheriff's Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

321.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

The Department may not request but many not require a member to:

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- Disclose a personal username or password for accessing personal social media
- Access personal social media in the presence of the employer
- Divulge any personal social media

The Department may request but not require access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

321.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors.

Members shall abide by the City and County of San Francisco (CCSF) Employee Handbook sections "Use of City and County Property for Business Purposes Only", "Computers and Data Information Systems" and the CCSF Committee on Information Technology (COIT) Acceptable Use Policy.

Link to <https://sfdhr.org/employee-handbook>

Link to <https://sfcoit.org/acceptableuse>

321.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer. Only software authorized for use by the department is allowed on department computers.

Software program files may be downloaded only with the approval of the Information Technology Support Services (ITSS) staff and with the authorization of the Sheriff or authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City and County-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from ITSS staff and a full scan for malicious attachments will be conducted by ITSS.

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321.4.2 HARDWARE

Access to technology resources provided by or through the Department should be limited to department-related activities.

Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by the Sheriff or designee.

Computers and peripherals connected to the network shall not be connected, disconnected, repaired, upgraded, or moved except by members of the ITSS unit. Members shall submit an ITSS work order to have SFSD computers or related equipment repaired, maintained, upgraded, moved, or stored.

Members shall submit an ITSS work order through their chain of command to request new software, hardware, or related equipment. All non-budgeted requests shall be subject to a review process.

Members working in an assignment which allows the use of non-SFSD computers or equipment, and/or a non-SFSD network, shall follow the procedures for that specific department that owns the computer equipment or network (i.e. NCRIC assignment).

321.4.3 INTERNET USE

Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed while on a network provided by the CCSF include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

321.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by ITSS staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

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321.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, when such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The ITSS staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by the Sheriff's Legal, the City Attorney's Office or when directed by the Sheriff or designee pursuant to a court order.

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 social networking services

322.2 POLICY

The San Francisco Sheriff's Department may use social media to inform the public about department services, issues, 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 Sheriff 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 Sheriff 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 Sheriff's Communications Staff 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 to the Sheriff's Communications Staff.

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.

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Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Requests for information.
- (d) Requests of 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) Press releases.
- (g) 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), the Sheriff's Communication's Staff or 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, threatening, 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 compromise or damage the mission, function, reputation or professionalism of the San Francisco Sheriff's 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 the Sheriff's Communication Staff.

Any member who becomes aware of content on this department's social media sites that they believe is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure it is forwarded to the Communications Staff for removal from public view and to investigate the cause of the entry.

322.6 MONITORING CONTENT

The Sheriff will appoint the Communications Staff to annually review the use of department social media and report on the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

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322.7 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

322.8 PUBLIC RECORDS LAW

San Francisco Sheriff's Department social media sites are subject to applicable public records laws. Content maintained using social media related to the Department and the City and County of San Francisco business, including communication posted by the Department and received from members of the public, is a public record.

Employee Speech, Expression and Social Networking

323.1 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.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

323.1.1 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.

323.2 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 San Francisco Sheriff's 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.

323.3 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 San Francisco Sheriff's 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:

- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow employee.

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- Otherwise disclosing where a deputy can be located off-duty.

323.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

Employees engaging in any personal use of social media should exercise good judgment and carefully consider how their use of social media might impact the performance of their official duties. Information that employees disseminate through the use of personal social media may be used against employees to undermine their credibility, or interfere with official Sheriff's Department business, or compromise ongoing investigations. All information employees acquire through their official capacity is considered confidential and shall not be disclosed on personal social media unless authorized, in writing, by the Sheriff, Undersheriff or Assistant Sheriff. In addition, releasing information (including digital images) on personal social media may endanger the safety of employees and/or their family members.

Accordingly, employees shall comply with the following:

- (a) Employees are prohibited from any personal use of social media while on duty, except as part of their official duties and authorized, in writing, by their Division Chief Deputy.
- (b) Any photograph posted by an employee on social media containing images of the Department uniform, patches, emblems or vehicles (marked or unmarked) shall comply with all rules and regulations regarding inappropriate conduct, including the prohibition on engaging in conduct that will bring negative attention to the Department, prohibition on political activity while in uniform, and the prohibition of use of Department uniform or other insignia for private gain or advantage. These prohibitions do not apply to photographs taken at official Department-approved ceremonies (e.g., promotions, awards, medals/citations, etc.).
- (c) Employees should carefully consider if they should identify themselves only as law enforcement officers.
- (d) Employees may not disclose information about their assignment that would reveal investigatory or security procedures that could harm Department operations. Divulging identifying information on personal social media sites may endanger officer safety. Employees who serve, seek, or are assigned to serve in an undercover capacity or work in highly sensitive assignments are, particularly at risk.
- (e) Because of the potential risks associated with the disclosure of one's status as an employee of the Department, employees are cautioned about revealing Department affiliations of other individuals (e.g., partners, co-workers, supervisors, etc.), including but not limited to posting "tagging" and/or sharing pictures of other employees that would disclose their affiliation with the Department. Sharing confidential information could endanger individuals and Department operations.
- (f) Employees shall treat all official Department business as confidential. Employees are prohibited from posting on the internet or personal social media any information (e.g., witness statements, crime scene photographs, videos, etc.) obtained as a result of their position with the Department.
- (g) Employees are prohibited from using any Department email address in conjunction with personal use of social media.

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- (h) Employees are prohibited from any use of personal social media to have contact or communications (e.g., "friending", "following", messaging, etc.) about any matter under investigation or pending in criminal court with professionals such as bail bond agents or lawyers associated with the matter under investigation or pending in a criminal court that the Sheriff's Department is a party to or is connected to the course of the employee's official duties. Such contacts or communications on social media could impair the employee's capacity to perform their duties or jeopardize an ongoing investigation or criminal case. All such contacts and communications shall be done through Department authorized methods and channels (e.g., Department email, etc.)
- (i) Employees are prohibited from any use of personal social media to contact or communicate (e.g., "friending", "following", messaging, etc.) with witnesses, crime victims, or any person under the age of 18 who employees interact with through the course of their official duties with the Department.
- (j) Employees are prohibited from posting on social media anything that depicts themselves with or in department uniform in an obscene or sexually explicit manner.
- (k) Employees are prohibited from any personal use of social media that violates any local, state or federal law.

The Sheriff may request that employees take reasonable and prompt action to attempt 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).

323.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook) that is accessed, transmitted, received, or reviewed on any City and County administered 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).

323.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider include:

- (a) Whether the speech or conduct may be protected.
- (b) Whether the speech or conduct would negatively affect the delivery of public services.
- (c) Whether the speech or conduct would be contrary to the good order of the Department.
- (d) Whether the speech or conduct would reflect unfavorably upon the Department.
- (e) Whether the speech or conduct would negatively affect the employee's appearance of impartiality in the performance of their duties.
- (f) Whether similar speech or conduct has been previously authorized.

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323.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all employees of the Department.

Media Relations and Public Information

324.1 PURPOSE AND SCOPE

This policy provides guidelines for release of information to the media releases, media access to areas closed by law enforcement, and media access to interview incarcerated persons.

324.2 POLICY

It is the policy of the San Francisco Sheriff's Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern.

324.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. In situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, Division Commanders, Watch 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.

324.4 MEDIA ACCESS

324.4.1 MEDIA ACCESS TO CLOSED AREAS

When a law enforcement agency closes an area due to a menace to public health or safety caused by a calamity or closes the immediate area surrounding any emergency field command post or any other command post, or establishes a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged primarily in constitutionally protected activity:

- (a) Media representatives may not be prohibited from entering the closed areas. The media representative shall produce valid press credentials, which shall be prominently displayed at all times while in areas otherwise closed to the public. If press credentials are not valid or produced, a Deputy shall deny access and refer the individual to Sheriff's Communications Staff.
- (b) Media representatives may be prevented from interfering with emergency operations and investigations. Based on available resources, a reasonable effort should be made to provide a safe staging area for the media that is near the incident and will not interfere with emergency operations, facility security, and/or a criminal investigation. All information regarding the emergency that caused the closure shall be coordinated through Sheriff's Communications Staff.

324.4.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or officer 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.

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If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

324.4.3 MEDIA ACCESS TO CHARGED MEMBERS

No member of this department who is under investigation shall be subjected to media visits or interviews without the express consent of the involved employee (Government Code§ 3303(e)).

324.4.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of deputies and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the approval of the Sheriff.

Exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving an exception the Sheriff may consider, at a minimum, whether the release of information or presence of the media would endanger an individual, prejudice the rights of a person or is otherwise prohibited by law.

324.5 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department maintains information that may be made available, upon request, to media representatives through established procedures. When releasing information, an employee shall identify themselves by rank/title, last name and upon request, badge number (if applicable).

The following information may be released:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of an individual or jeopardize the successful completion of an investigation.
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of an individual or jeopardize the successful completion of an investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Unless restricted by law and except to the extent that disclosure of the information would endanger the safety of a person, the following information on incarcerated persons and persons booked is considered public information and can be released upon request:

- (a) Incarcerated person's full name,
- (b) Booking Number,
- (c) Incarcerated person's physical description,
- (d) Date of birth,
- (e) Date, time and location of arrest,

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- (f) Arresting agency and case number,
- (g) All charges the incarcerated person is being held on, including outstanding warrants, probation/m parole holds.
- (h) Bail amount, time and manner of the incarcerated person's release, or where the incarcerated person is currently held.
 - 1. Do not provide the incarcerated person's scheduled or anticipated release time/dates. Court appearance dates.
- (i) Information that is not releasable:
 - 1. Criminal history information
 - 2. Information pertaining to the movement of an incarcerated person outside a jail facility.
 - 3. Information that another agency has requested not to be released to the public and that request has been approved by the Sheriff's Communications Staff;
 - 4. Information about incarcerated persons in custody for safekeeping.
- (j) The Sheriff's Communications Staff may release information that includes:
 - 1. SFSD news and/or press releases;
 - 2. Responses to inquiries from the public or media regarding;
 - (a) death or serious injury to an employee or incarcerated person;
 - (b) assaults, disturbances, escapes or disruptive conduct;
 - (c) conditions of confinement;
 - (d) accusations that an employee committed a violation of the law.
- (k) An employee may release department policies that directly affect incarcerated persons or the public (i.e. mail, visiting, money, etc.)

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony, the information has not been ordered sealed, and the release of such information has been approved by the Sheriff's Communications Staff (Welfare and Institutions Code § 827.5).

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiner's Office.

Any requests for copies of related reports or additional information shall be referred to the Sheriff's website where public records can be requested. Such requests will generally be processed in accordance with the provisions of the Public Records Act and the Sunshine Ordinance (Government Code § 6250, et seq; SF Administrative Code Chapter 67).

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324.6 MEDIA INTERVIEWS FOR INCARCERATED PERSONS

It is the policy of the Department to facilitate in jail incarcerated person interviews when reasonably possible. However, in order to protect the rights of incarcerated persons who may have a compromised mental capacity, the Sheriff will not facilitate in jail interviews with incarcerated persons within 72 hours of booking, who have a "psy" code on their housing card, or who are housed in a safety cell, without written approval by the incarcerated person's attorney.

This only speaks to media requests for an interview and does not preclude any incarcerated person from initiating their own interview.

- (a) A media representative requesting to conduct an interview of an incarcerated person in the jail must submit a request to the communications team at least one business day in advance. The communications team will inform Prisoner Legal Services of the request as soon as possible. PLS will inform the defendants' counsel of the request.
- (b) Communications staff will determine whether or not to approve the interview, including requesting information as to whether or not the incarcerated person's housing card reflects a "psy" code. If approved, the communications staff will notify both the requestor and the watch commander of the approval and will arrange a time at a minimum of one business day and no more than three business days in the future for the interview. If the interview does not occur within three business days, the communications team will be notified of the reason that it did not occur.
- (c) When the media arrives following a request approved by communications, the watch commander will ensure that staff bring the media interview form to the incarcerated person for approval or denial. Only if the incarcerated person grants the request will the watch commander allow the interview to take place.
- (d) Notice must be made to the Watch Commander before any photos are taken. If approved, the person taking the photos shall be told that no other incarcerated or any area except the interview room of the jail may be included in the image(s).

Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE

To establish guidelines for department employees who must appear in court. It will allow the San Francisco Sheriff's Department to cover any related work absences and keep the Department informed about relevant legal matters.

325.2 POLICY

San Francisco Sheriff's Department employees will respond to all subpoenas and court-ordered appearances.

325.3 SUBPOENAS

Only department employees assigned to the Central Records and Warrants Unit (CRW) and Sheriff's legal are authorized to receive a subpoena on behalf of this department (Government Code § 68097.1(a); Penal Code § 1328(c)).

- (a) The only exception to this is if the employee being served is the named party in the legal action. In those instances, the employee may accept the service directly.

The party that issues a civil subpoena to an employee to testify as a witness must tender the statutory fee of \$275 payable to the department with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2(b)).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

- (a) They know that they will be unable to deliver a copy of the subpoena to the named deputy within sufficient time for the named deputy to comply with the subpoena.
- (b) It is less than five working days prior to the date listed for an appearance and they are 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 they are unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena or if the employee cannot comply with the subpoena, the supervisor shall notify CRW of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)). CRW will notify the issuing party and also notify Sheriff's Legal.

Civil or Criminal Subpoenas received by the Department shall be forwarded to the Facility/Section/Unit Commander for service to the named employee.

- (a) A supervisor shall serve an employee with the subpoena and shall complete the proof of service without delay.
 1. The proof of service shall be returned to the Sheriff's Administration immediately upon service to the employee.

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2. The employee shall follow the directions on the subpoena upon service.
 3. Employees are required to attend, and if requested, testify in court proceedings upon service of a subpoena.
 4. Employees shall be detailed to appear on any civil or criminal subpoena that arises out of the performance of their duties and responsibilities.
 5. If detailing the employee is not possible, the employee must attend the court proceedings and receive overtime compensation in accordance with current law and their respective Collective Bargaining Agreement.
 6. Employees may be required to testify during their regular days off or off-hours.
 7. When an employee appears in court on their off-duty time (including those on DP or Leave), they will be compensated in accordance with the current memorandum of understanding or Collective Bargaining Agreement.
- (b) When in receipt of a Subpoena Duces Tecum (a court order that requires documents be brought to court), the Custodian of Records at CRW will examine the subpoena to determine the exact documents requested.
1. If in possession of the requested document, the Custodian of Record shall:
 - (a) Photocopy the document
 - (b) Stamp one copy indicating a true copy under the penalty of perjury
 - (c) Sign the documents
 - (d) Forward the document(s) to the court and/or the department of jurisdiction with a copy of subpoena affixed.
 2. The Custodian of Records shall create a computer record of the Subpoena Duces Tecum. Once the documents are forwarded to the appropriate department or jurisdiction, the computer record is updated.
- (c) Original documents shall never be forwarded absent a court order.
1. If original documents are needed, the Custodian of Records shall appear in court with the original documents and certified copies for submission. Sheriff's Legal Counsel may accompany the Custodian if there are issues/questions.
- (d) If any subpoena appears unclear, the Custodian of Records shall forward that subpoena to the Sheriff's Legal Counsel.
- (e) In cases where the Custodian of Records is not the custodian of the record requested (e.g.: visiting, classification records), the Chief Deputy of the division responsible for the records involved will designate an employee to comply with the subpoena's request for documents and to make a physical appearance, if required, in court.

Note: A subpoena for audio/visual recordings must be submitted to the Central Records and Warrants Unit (CRW).

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325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any employee 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 District Attorney shall notify their immediate supervisor regarding the following matters:

- (a) A civil case where the City and County of San Francisco or one of its employees, as a result of their official capacity, is a party.
- (b) A civil case where other city, county, state or federal unit of government or an employee of any such unit of government, as a result of their official capacity, is a party.
- (c) A criminal proceeding where the employee is called to testify or provide information on behalf of the defense.
- (d) A civil action stemming from the employee's on-duty activity or because of their association with the San Francisco Sheriff's Department.
- (e) A personnel or disciplinary matter when called to testify or to provide information by a government entity other than the San Francisco Sheriff's Department.
- (f) A subpoena to testify for the defense, in a matter relative to the scope of their employment, in a trial or hearing against the CCSF or Sheriff's Department.

The supervisor will then notify the appropriate Division Chief Deputy and the Sheriff's Legal Counsel.

- (a) Sheriff's employees may also retain their own union or legal representation.

No employee shall be retaliated against for testifying in a matter.

325.3.2 CIVIL SUBPOENA

The Department will compensate employees who appear in their official capacities on civil matters arising out of their official duties.

The Department should seek reimbursement for the employee's compensation through the civil attorney of record or from the party directly, if there is no attorney who subpoenaed the employee.

An employee shall not volunteer to testify in civil actions relative to the scope of their employment and shall not testify unless legally subpoenaed.

Employees shall confer with the Sheriff's attorney before giving a deposition or affidavit on a civil case relative to the scope of their employment.

325.3.3 OFF-DUTY RELATED SUBPOENAS

Employees receiving valid subpoenas for off-duty actions not related to their employment may not be compensated for their appearance. Employees may be detailed or otherwise assigned on duty time to appear in court in matters that did not arise from the performance of their duties or as a peace officer.

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325.4 FAILURE TO APPEAR

Attendance at a court or judicial hearing as required by subpoena is an official duty assignment when it arises out of the employee's scope of employment. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court official.

325.5 COURTROOM PROTOCOL

When appearing in court employees shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
 - 1. Before the date of testifying, the subpoenaed employee may request a copy of relevant reports and become familiar with the content in order to be prepared for court.
- (b) Wear the designated Class B uniform if assigned to a position in which they normally are required to wear a uniform. All other employees shall wear business casual attire. Employees will present a neat and clean appearance, avoiding any mannerism which might imply disrespect to the court.
- (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 REQUESTING LEGAL OPINION

Employees do not have the authority to request directly a formal, written legal opinion either from the Sheriff's Legal Counsel or any other county or state legal office, including any judicial personnel. All such requests shall be transmitted through the chain of command and approved by the Undersheriff or Sheriff. Sole authority to directly request a legal opinion outside the Department is vested in the Sheriff, the Undersheriff or the Sheriff's attorney.

- Employees seeking guidance interpreting a court order may contact Sheriff's Legal staff or the issuing court with the approval of a supervisor.

Control Room

326.1 PURPOSE AND SCOPE

To establish guidelines for employees assigned to control rooms or control panels who are charged with monitoring and coordinating the facilities security and communications systems.

326.2 POLICY

It is the policy of this department to maintain control centers, designated as control rooms, which shall be secured and staffed by employees 24 hours a day. Control rooms and areas that have control panels, may be located in jail facilities, buildings secured by the Sheriff's Department and in hospitals and clinics.

326.2.1 GENERAL

When in the control room or the control panel is located in the perimeter area of a secured facility, control room staff shall be in uniform wearing all safety gear. Deputies assigned to control rooms located in incarcerated person areas shall be in uniform, without their firearm, ammunition and baton/ asp. Control room employees must have their handheld radio on in the control room and at control panels in order to monitor staff radio traffic. The doors leading into a control room will remain locked at all times. Staff shall not prop open or leave doors open for any reason. Staff will not eat in the control room and drinks must be in a spill-proof container.

- Employees on modified or restricted duty will wear a uniform or other attire as determined by the Facility/Section/Unit Commander.

Staff assigned to control rooms or control panels, located in the perimeter of a secured facility, may be required to check the identifications of persons who enter a secured area. Entry shall be denied for individuals who do not meet qualifications for entry. Personnel moving internally through a jail or secured facility will be identified via the video camera/intercom system.

Problems that arise regarding facility access, interference with the proper operation of the control room or control panel equipment and monitoring systems will be immediately brought to the attention of a supervisor.

326.3 COMMUNICATIONS AND MONITORING CAPABILITIES

Control rooms have multiple means of direct communication capabilities which may include telephones, intercoms, and radios within facilities/buildings, and in some locations, deputy control stations are located in incarcerated person housing areas. Staff assigned to control rooms or control panels will respond to any type of communications in a timely, professional manner.

Control room employees shall monitor cameras and fire, smoke and life safety alarms, and shall have the means to summons assistance in the event of an alarm activation, disruption and/or an emergency.

326.4 SECURITY

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Staff assigned to a control room or control panel position will be on-duty in the control room and at the panel until properly relieved. Incarcerated persons are never allowed in a control room. Control room/ panel staff shall:

- (a) Continuously monitor movement of all persons and facility operations via the video/intercom systems, elevators, and alarms, as well as radio traffic. Staff shall not be on personal electronic devices, read, or listen to the television while working in the control room and at control panels. Assigned deputies must be alert to all facility movement and not subject to distraction.
- (b) Control rooms and control panel areas are not to be used as a break area for staff or for staff to visit. Only assigned staff shall be in the Control Room or in the control panel area unless there is a business reason for the presence of others. Visiting with control room or control panel staff is prohibited.
- (c) Ensure gates/doors are closed and locked at all times. No door interlock system may be overridden except in times of an emergency or with the expressed permission of a supervisor.
- (d) Ensure keys stored in the control room are secured and only issued as necessary. Keys that provide access to a control room shall never be taken into an incarcerated person access area.

326.5 EMERGENCY RESPONSE

In the event of an emergency, control room/panel staff will monitor the incident using the video/intercom system and provide staff with situational awareness using the radio. Staff shall follow the emergency procedures of the facility/building in which they work. In addition, the following are general actions control room/panel staff shall take in response to any emergency at any facility:

- (a) Ensure supervisors are informed of the incident location and situation. Provide updates as needed until supervisors arrive on scene. Stand by for instructions from the supervisor/incident commander.
- (b) Monitor the incident area using the video/audio system and the handheld radio.
- (c) Allow response personnel to access the incident area while restricting unnecessary movement.
- (d) When additional responders arrive, a supervisor will direct a deputy to meet the responders. If possible, capture the closest elevator for the responders.

In addition to the above actions, below are additional actions control room/panel staff take based on the incident.

[Administration and Field Operations Procedure Manual: 326.1 CONTROL ROOM EMERGENCY RESPONSE PROCEDURES](#)

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 San Francisco Sheriff's 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 Field Operations Division (FOD) Chief Deputy or designee 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 (FOD) Chief Deputy 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.

Emergency Assistance

Deputies 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. Only in exceptional circumstances, and subject to approval from the (FOD) Chief Deputy, will this department provide transportation of arrestees to the SFSD Intake and Release facility for booking on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the transporting deputy unless otherwise directed by a supervisor.

327.3.1 INITIATED ACTIVITY

Any on-duty deputy 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 San Francisco Sheriff's Department shall notify their on-duty supervisor. 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 deputy requesting assistance should, if practicable, first notify a supervisor. The deputy or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

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The deputy or supervisor 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 an Incident Report.

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 FOD Chief Deputy or designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - (a) The use of the supplies and equipment.
 - (b) 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 maintained to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

Identity Theft

328.1 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.

328.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, deputies presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the City and County of San Francisco (CCSF) when the crime occurred. For incidents of identity theft occurring outside CCSF, deputies should observe the following:
 1. For a victim not residing within the CCSF, the deputy 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 they reside.
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, deputies should investigate and report crimes occurring within CCSF 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) Deputies 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) Deputies 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 deputy 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 department processing, the initial report should be forwarded to the appropriate investigators for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

Community Engagement

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building, otherwise known as community policing.

329.2 POLICY

It is the policy of the San Francisco Sheriff's Department to promote positive relationships between members of the department and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy information available to the community in a transparent manner. Community engagement is active throughout the Department and in the communities we serve (i.e., the general public, victims of crime and incarcerated individuals and their relatives and friends).

329.3 MEMBER RESPONSIBILITIES

Members should, as time and circumstances reasonably permit:

- (a) Make contacts with community members and employees at contracted buildings to promote positive community relationships and create an understanding of the traditions and history in which they serve.
- (b) Become reasonably familiar with the schools, businesses and community groups in and near their assigned building or jurisdictional areas.
- (c) Work with community members and the building tenants to identify issues, solve problems and implement specific plans related to employee and public safety.
- (d) Provide information to the community and to building occupants in order that they gain an understanding of sheriff's practices and procedures as well as an understanding of the enforcement policies of the building tenant.
- (e) Attend meetings in the community to discuss issues and plan for increased presence and safety. Meetings may be informal or scheduled.

329.4 COMMUNITY ENGAGEMENT COORDINATOR

The Sheriff or designee should designate a member of the Department to serve as the community engagement coordinator. They should report directly to the Administration and Programs Division and is responsible for:

- (a) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community engagement and public safety.
- (b) Organizing surveys to measure the condition of the department's relationship with the community.
- (c) Working with community groups, department members and other community resources to:

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1. Identify and solve public safety problems within the community.
 2. 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.
- (d) Working with Division Commanders to develop plans that allow employees the time to participate in community engagement and problem-solving activities.
 - (e) Recognizing department and community members for exceptional work or performance in community engagement efforts.
 - (f) Attending City and County council and other community meetings to obtain information on community engagement needs.
 - (g) Informing the Sheriff and others of developments and needs related to the furtherance of the department's community engagement goals, as appropriate.

329.5 SURVEYS

The community engagement 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 Administration and Programs Division Chief for reporting to the Sheriff.

329.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community engagement 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).
- (c) Youth leadership and life skills mentoring.

329.7 INFORMATION SHARING

The community engagement coordinator should work with the Sheriff's Communication Staff 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)

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between the 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.

329.8 LAW ENFORCEMENT OPERATIONS EDUCATION

The Department should develop methods to educate community members on general law enforcement operations so they may understand the work that deputies do to keep the community safe. Examples of educational methods include but are not limited to:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Instruction in schools.
- (d) Department ride-alongs (see Ride-Along Policy).
- (e) Scenario/Simulation exercises with community member participation.

Instructional information should include direction on how community members should interact with deputies 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.

329.9 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community engagement 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.

Department members in charge of community engagement 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.

329.10 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of deputies, suspects or case numbers.

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329.11 TRAINING

Subject to available resources, 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 practical and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

Communications with Persons with Hearing and Speech Disabilities

330.1 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.

330.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a hearing, speech, or vision impairment include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY); videophones; Video Relay Service (VRS); Video Remote Interpreting (VRI); 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.

330.2 POLICY

It is the policy of the San Francisco Sheriff's 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.

330.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Sheriff shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Administration and Programs Division Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

- (a) Working with the City and County ADA coordinator regarding the San Francisco Sheriff's Department's efforts to ensure equal access to services, programs, interpreter services, and activities.

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- (b) Developing reports, new procedures, or recommending modifications to this policy.
- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.
- (d) Ensuring members are knowledgeable of auxiliary aids and are available free of charge to people with disabilities.
- (e) Ensuring processes provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.
- (f) Acting as a liaison with and directing parties to the Sheriff's Bureau and Building Services when physical barriers to communications are identified at Sheriff buildings.

330.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary from one situation to the next, members shall 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 assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean they completely understands the message. When there is any doubt, members shall 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.

330.5 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.

Members shall 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).

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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 shall inquire as to the individual's preference and give primary consideration to that preference.

If an individual who must write or use sign language to communicate must be handcuffed while in the custody of the San Francisco Sheriff's Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication.

330.6 TYPES OF ASSISTANCE AVAILABLE

When practical, San Francisco Sheriff's Department members should attempt 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.

7-1-1 is a free nationwide service for users calling a deaf person or receiving calls from a deaf person. Calls are routed through an interpreter who is able to communicate with the deaf and hearing community.

Video Relay Service (VRS) is a free service through an interpreter. When the department member answers a phone, a pause/delay will occur as the deaf person on the other end of the phone is using a VRS. Give the caller 5-10 seconds to respond via the interpreter, rather than hanging up the phone. The member can speak normally into the phone and wait for a delayed response as the message goes through the VRS and a new message is sent by the person. If an incarcerated person has VRS App on their cellphone, the Facility or Watch Commander should allow the incarcerated person to retrieve their phone from their property in order to communicate with SFSD staff, judges, attorneys, etc.

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Video Remote Interpreting (VRI) is a service through Language Line. It is a cellphone application and/or computer-based system, that the department pays for (charged by the minute), through the City and County of San Francisco enterprise license. The VRI also works off of a computer with a webcam to an interpreter who appears on the screen and can communicate directly with the deaf incarcerated person/subject.

330.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

330.8 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 VRI services.
- (d) Qualified in either American Sign Language (ASL) or Signed English (SE).
 1. These are two distinctly different languages. Obtain from the person clarification as to the type of interpreter the person needs.
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as a counselor or legal adviser.

Members shall contact the Department of Emergency Management dispatcher, via the radio, 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 their own interpreter (28 CFR 35.160).

Department employees may contact the following for interpreter assistance:

- LanuageLine (800) 878-8523
- Bay Area Communication Access (BACA) (sign language) (415) 356-0405

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330.9 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 system. Individuals who can make a phone call shall be provided with the means to do so via VRS, videophone, and at a minimum a working TTY (also known as a telecommunications device for deaf people, or TDD).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

330.10 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.

330.11 REPORTING

Whenever a 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 report. Members should document the type of communication services utilized and whether the individual used 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.

330.12 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 individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be impossible to provide immediate access to complete communication services. Members and/or supervisors must assess each situation and consider

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the length, complexity, and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the deputy is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, deputies 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.

330.12.1 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.

330.13 CUSTODIAL INTERROGATIONS/INTERVIEWS

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 or interview, the department will provide interpreter services before beginning an interrogation or interview, unless exigent circumstances exist or the individual has made a clear indication that they understand the process and desires to proceed without an interpreter. The use of a video remote interpreting (VRI) 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 when an interpreter is not available. Acquiring full comprehension that the person understands the *Miranda* Warning is imperative, as deaf individuals are limited in English proficiency due to the abbreviated nature of sign language.

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Written English communications need to be short, simple and to the point. Encourage the suspect not to make a statement until an interpreter arrives on scene or can be used through a VRS.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations and/or interviews should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

330.14 ARREST AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, deputies 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 they prefer a different auxiliary aid or service or the deputy reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members shall 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.

330.15 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 according to the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

330.16 TRAINING

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

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The Training Unit Commander shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. The Unit Commander shall maintain records of all training provided and will retain a copy in each member's training file in accordance with established records retention schedules.

Private Person's Arrests

331.1 PURPOSE AND SCOPE

To provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

331.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Penal Code § 836(b) expressly mandates that all deputies 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, deputies 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, deputies 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.

331.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

- (a) For a public offense committed or attempted in the private person's presence;
- (b) When the person arrested has committed a felony, although not in the private person's presence;
- (c) When a felony has been in fact committed, and the private person 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.

331.4 DEPUTY RESPONSIBILITIES

Any deputy 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 deputy determine that there is no reasonable cause to believe that a private person's arrest is lawful, the deputy 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. A deputy who determines a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b) (1). The deputy must provide the detained person with a Certificate of Release and deem the arrest a detention only. The deputy must include the basis of such

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- a determination in an Incident Report and shall document any private person's arrest and release pursuant to 849(b)(1) P.C. before the deputy goes off-duty.
2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the deputy, the deputy should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever a deputy determines that there is reasonable cause to believe that a private person's arrest is lawful, the deputy shall 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

Procedure Reference:

[Administration and Field Operations Procedure Manual: 300.1 PRIVATE PERSON ARREST PROCEDURE](#)

331.5 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.), deputies shall complete an Incident Report regarding the circumstances and disposition of the incident.

331.6 ATTACHMENTS

[See attachment: Arrest by PP and Cert. of Release Forms.pdf](#)

Anti-Reproductive Rights Crimes Reporting

332.1 PURPOSE AND SCOPE

To establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

332.2 DEFINITIONS

Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards their minor child or ward:

- (a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant
- (b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant
- (c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility

332.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

- (a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.
- (b) The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to the Criminal Investigations Unit (CIU) Commander.
- (c) By the tenth day of each month, it shall be the responsibility of the CIU Commander to ensure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.
 1. In the event that no ARRC(s) were reported during the previous month, a Summary Worksheet shall be submitted to the Department of Justice with an indication that no such crimes were reported.
 2. Any ARRC(s) reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).

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332.4 TRAINING

- (a) Sheriff deputies receive training in response procedures for reporting Anti-Reproductive Rights Crimes in the Department Field Deputy Training Program.
- (b) Deputies will be provided with the POST Anti-Reproductive Rights Crimes Reporting Procedures Guide.
- (c) The Training Unit will provide updates, bulletins and/or Department Memos as necessary.

332.5 ATTACHMENTS

See attachment: [SFSD FORM BCIA 8371 - ANTI REPRODUCTIVE CRIMES DATA COLLECTION REPORT.pdf](#)

Limited English Proficiency Services

333.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

333.1.1 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 for others, or to use the language access line (800) 523-1786 provided by LanguageLine Solutions to access a professional language service by telephone (see below for the required client identification number).

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 San Francisco Sheriff's Department, designated by the Department, who can 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).

333.2 POLICY

It is the policy of the San Francisco Sheriff's Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs, and activities.

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. The Department recognizes the importance of effective communication between its members and the community it serves. Language assistance services are available free of charge to LEP individuals.

333.3 LEP COORDINATOR

The Sheriff shall delegate certain responsibilities to a LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Administration and Programs Division Commander or designee.

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The responsibilities of the LEP Coordinator include, but are not limited to:

- (a) Coordinating and implementing all aspects of the San Francisco Sheriff's Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephone interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members is maintained and available to each Facility/Section/Unit. The list should include information regarding the following:
 - 1. Languages spoken
 - 2. Contact information
 - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures or recommending modifications to this policy.
- (g) Receiving and responding to complaints regarding department LEP services.
- (h) 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.

333.3.1 ASSESSING AND REPORTING

The Professional Standards Unit is responsible for assessing and reporting LEP needs.

The percentage of LEP individuals who utilized Sheriff services and speak a language other than English will be assessed by conducting a survey of contacts in specified locations during a two-week period each year. Completed surveys will be forwarded to the Sheriff or designee for review.

- (a) Collecting the required information mandated by the San Francisco Administrative Code sec. 91.11(b) (a4) and file electronic copies of the Annual Compliance Plan by October 1st of each year (or as directed by the Mayor's Office) with the Mayor's Office, the Immigrant Rights Commission and the OCEIA.
- (b) In a yearly report to the Sheriff, collect Department data concerning: the number of calls for service, contacts, and investigations involving LEP individuals; the interpretation services provided; and complaints filed and resolved.

333.4 TYPES OF LEP ASSISTANCE AVAILABLE

San Francisco Sheriff's Department members should never refuse service to a LEP individual who is requesting assistance, nor should they require a LEP individual to furnish an interpreter as a

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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 may utilize all reasonably available tools, such as language identification cards when attempting to determine an LEP individual's primary language.

- (a) Members should display the language identification card to the LEP person so the person can identify the language they speak prior to calling a qualified bilingual member, contract, or professional interpretation service. The member should then request the appropriate interpreter (translator).
- (b) If the LEP person does not appear able to read or understand the language identification card, the member should call the professional interpretation service and advise the service of the situation. With assistance from the language service member, members should attempt to ascertain the LEP individual's language to obtain a suitable interpreter (translator). The Language Line Solutions language access line may be used to determine the language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

<https://www.languageline.com/client-services/support-materials>

333.5 WRITTEN FORMS AND GUIDELINES

The Department has publicly posted signage in languages regarding its services as directed by City and County ordinance. Vital CCSF documents or those that are frequently used have been translated into languages most likely to be encountered. The department will arrange to make these translated documents available to members and other appropriate individuals, as necessary. In the case of forms that have not been translated into the LEP person's primary language and in the case of illiteracy, forms shall be read to the witness, victim or subject in their primary language by a qualified bilingual member or contracted translation services.

333.6 AUDIO RECORDINGS

Facilities/Sections/Units may develop audio recorded messages of important or frequently requested information in languages most likely to be understood by those LEP individuals who are representative of the San Francisco community being served.

333.7 QUALIFIED BILINGUAL MEMBERS

The Personnel Unit will maintain a list of all Sheriff's qualified bilingual members. When a qualified bilingual member from this department is not available, personnel from other City and County departments, who have been identified by the DHR as having the requisite skills and competence, may be requested. Members may also use a Qualified Civilian Interpreter, another professional interpreter, or the language line when the member encounters a LEP individual who requests an interpreter or is unable to communicate with or is having trouble communicating with a member.

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333.8 AUTHORIZED INTERPRETERS

Any person designated by the CCSF to act as an authorized interpreter 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 interpretation, and should not be a person with a personal interest in the case or investigation involving the LEP individual.

Authorized interpreters must pass a screening process established by the DHR 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 and protocols involved when providing language services.

333.8.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone or in person.

Sources may include:

- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- LanguageLine Solutions (800) 523-1786.

333.8.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

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 shall seek the assistance of a qualified bilingual member, Qualified Civilian Interpreter, or other professional interpreter to confirm or supplement the initial translation or interpretation as soon as practical. Children should not be relied upon except in exigent or very informal and non-confrontational situations.

333.9 REPORTING

When a member of this department is required to complete an Incident Report or other documentation, and interpretation services are provided to a LEP individual, the Incident Report

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shall identify the primary language spoken by the individual, the person who provided the interpretation, the type of interpretation services utilized, and whether the individual elected to use services provided by the Department or some other identified source.

333.10 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

Department members will make every reasonable effort to promptly accommodate LEP individuals when receiving a call and determining that the caller is a LEP individual. The call-taker shall 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 qualified bilingual member is available, the call shall be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the member is unable to identify the caller's language, the call-taker should contact the language line and establish a three-way call between the call-taker, the LEP individual and the interpreter.

333.11 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as, security searches at building entrances, traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the deputy is unable to effectively communicate with an LEP individual.

If available, deputies should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

333.12 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, either in person or by telephone, deputies should consider calling for an authorized interpreter in the following order:

- A qualified department bilingual member or other CCSF employee interpreter who can provide direct communication.

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- Using a radio, the requesting deputy may call for a department member who can speak the specific language. When a request occurs, deputies should respond if they are able to speak the requested language. The requesting deputy will then make arrangements to determine if the responding deputy can be utilized for translation/interpreting services.
- A Qualified Civilian Interpreter or a professional interpreter who can provide direct communication.
- Utilize DEM dispatch or the language access line (800) 523-1786 to access the professional language service provider to provide interpretation services by telephone.

In all cases, summarize the purpose for the interpretation and provide any special instructions. Deputies should take reasonable steps to ensure the qualified interpreter does not know any of the parties.

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

333.13 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, Qualified Civilian Interpreters shall be used during custodial interrogations or taking of a formal statement where the suspect or witness' legal rights could be adversely impacted. *Miranda* warnings and all other written forms shall be provided to suspects in their primary language, when available, by the qualified bilingual member or Qualified Civilian Interpreter. In the case of forms that have not been translated into the LEP person's primary language and in the case of illiteracy, forms shall be read to the suspect in their primary language by a qualified bilingual member or Qualified Civilian Interpreter.

The preferred method for interviewing a LEP individual is direct communication. In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations shall be recorded unless exigent circumstances exist. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

333.14 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.

333.15 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

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translated forms, as appropriate. Complaints will be referred to the Sheriff's Administration or the Internal Affairs Unit.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. The Undersheriff or designee will maintain the original complaint and resolution for inclusion in the Annual Compliance Plan and will forward copies to the Office of Civic Engagement and Immigrant Affairs (OCEIA) within 30 days of receipt. This information will be reported to the Immigrant Rights Commission as required by the Language Access Ordinance.

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.

333.16 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.

333.17 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 Qualified Civilian Interpreters telephone interpreters and other available resources.

The Training Unit Commander shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher in-service training and at muster at least once every two years. The Training Unit Commander 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.

Mandatory Employer Notification

334.1 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.

334.2 POLICY

The San Francisco Sheriff's Department will meet the reporting requirements of California law to minimize the risks to children and others.

334.3 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any offense enumerated below, the Sheriff or designee is required to report the arrest as follows.

334.3.1 ARREST OF PUBLIC SCHOOL TEACHER

In the event a public school teacher is arrested, and the arresting deputy or IP Officer knows the individual is a public school teacher, 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 arresting deputy or IP Officer 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).

334.3.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE

In the event a public school non-teacher employee is arrested, and the arresting deputy or IP Officer knows the individual is a public school non-teacher employee 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 arresting deputy or IP Officer 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).

334.3.3 ARREST OF PRIVATE SCHOOL TEACHER

In the event a private school teacher is arrested, and the arresting deputy or IP Officer knows the individual is a private school teacher 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 arresting deputy or IP Officer is mandated to immediately

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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).

334.3.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR

In the event a teacher or instructor employed in a community college district school is arrested, and the arresting deputy or IP Officer knows the individual is a community college instructor 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 arresting deputy or IP Officer 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).

334.4 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).

Homeland Security Unit

335.1 PURPOSE

To provide internal and external support related to natural or human-caused disasters, large scale demonstrations, and acts of terrorism to agencies within the City and County of San Francisco (CCSF) and the region.

335.2 POLICY

The Department maintains a Homeland Security Unit (HSU) that provides both internal and external services related to disaster preparedness, aerial operations and field training. The HSU shall be the main contact for mutual aid requests and shall coordinate Department support with other agencies within the CCSF and the region during emergencies and/or upon request.

335.3 HOMELAND SECURITY COORDINATOR RESPONSIBILITIES

The Homeland Security Coordinator shall:

- Prepare operation orders for Department-sanctioned training sessions and response activities regarding interagency responses.
- Manage the Department's Emergency Services Unit, Hostage Negotiation Team, and other ancillary units.
- Act as the Department's lead designer working directly with the Department of Emergency Management (DEM), Division of Emergency Services (DES) in the development of city-wide or regional exercises and plans.
- Identify needs and advise and assist the Training Unit in training employees in emergency, mass casualty, and large-scale response.
- Attend planning meetings and exercises, and secure the Department's participation in the city's Homeland Security strategy.
- Represent the Department at all CCSF and regional task force meetings related to Homeland Security.
- Coordinate and provide Department support staff and equipment as needed for exercises sanctioned by DEM.
- Develop and design independent exercises in coordination with the Bay Area Urban Area Security Initiative (UASI).
- Develop, prepare and submit grant proposals following specific grant program guidelines.
- Ensure threat assessments of critical infrastructure and assets are conducted as needed.
- Liaison with the Sheriff's Air Squadron Operations Coordinator to oversee planning and coordination of aerial observation and administrative transport missions.
- Liaison with the Sheriff's Mounted Patrol Unit.

Antibiotic Distribution Support Plan

336.1 PURPOSE

To rapidly deploy a team of deputies for the purpose of providing armed security in the event antibiotics need to be distributed during a large-scale public health emergency.

336.2 RESPONSE TO A DECLARED PUBLIC HEALTH STATE OF EMERGENCY

The Department of Public Health can declare a Public Health State of Emergency after an event which necessitates the need to distribute antibiotics to first responders. The process of delivering antibiotics to the Point of Distribution (POD) and the distribution of the antibiotics is called an IDITAROD and entails deploying deputies to protect the antibiotics.

Procedural link:

[Administration and Field Operations Procedure Manual: 305.1 ANTIBIOTIC PROTECTION](#)

Service and Support Animals

337.1 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 that are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) and support animals in accordance with City and County of San Francisco (CCSF) guidelines.

337.1.1 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)). Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

Support animal – Animals of any species that are not trained to perform a specific task directly related to a disability. Instead the individual derives a sense of well-being, safety or calm from the animal's companionship and presence. The CCSF allows support animals in spaces that are exclusive to CCSF. Private business may restrict access to support animals in buildings under their control.

337.2 POLICY

It is the policy of the San Francisco Sheriff's Department to provide services and access to persons with service or support animals in the same manner as those without service or support animals. Department employees shall protect the rights of persons assisted by service or support animals in accordance with state and federal law, and CCSF guidelines.

337.3 IDENTIFICATION AND USE OF SERVICE AND SUPPORT ANIMALS

Some service or support animals may be readily identifiable. However, many do not have, and the law does not require a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including, but not limited to:

- Guiding people who are blind or have low vision with navigation or other tasks.
- Alerting people who are deaf or hard of hearing.

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- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of the legal definition of a service animal (28 CFR 35.104).

Service dogs and support animals are required to be under the control of the handler at all times. Service dogs and support animals must have a leash, harness or other tether or be in a carrier at all times. There are only two exceptions to this rule for service dogs only. The Civil Rights Division of the U.S. Department of Justice states, "The service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice commands, signals, or other effective means to maintain control of the animal." When the service dog is not performing its work or task, the CCSF may require that the dog be leashed, harnessed or tethered if doing so at those times would not interfere with the dog's performance of its work or task.

If staff need to assess whether either of these exceptions applies to a dog off-leash, during the initial entry into the building, or upon seeing a dog off-leash in the building proper, the deputy/cadet should ask:

- (a) Is the animal a service or support animal required because of a disability?
- (b) "What service does your dog perform" and any other questions required to understand if and why a leash, harness, or tether cannot be used.

Staff granting or denying the exception for a service dog, to not be on a tether or in a carrier at all times shall inform other building security members of the decision. Staff shall also inform the animal handler of the decision.

337.4 EMPLOYEE RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department employees are expected to treat individuals with service and support animals with the same courtesy and respect that the San Francisco Sheriff's Department affords to all members of the public (28 CFR 35.136).

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Support animals are allowed in CCSF buildings. For state areas within a CCSF building (i.e. Hall of Justice, Civic Center Courts, etc.), state law prevails. California law allows persons with disabilities to bring service dogs to all public places in state buildings, but not support animals. Therefore, support animals are not allowed in the Hall of Justice, Civic Center Courts, or any other state area within a CCSF building.

337.4.1 INQUIRY

If it is apparent or if an employee is aware that an animal is a service or support 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 or support animal, the employee should ask the individual only one question:

- Is the animal a service or support animal required because of a disability?

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. If the individual explains that the animal provides well-being, safety or calm, the animal meets the definition of a support animal. In either situation, no further questions as to the animal's status should be asked. The individual should not be questioned about their disability nor should the person be asked to provide any license, certification or identification card for the service or support animal or asked that the dog demonstrate its ability to perform the work or task.

337.4.2 CONTACT

Service and support animals are not pets. Department employees should not interfere with the important work performed by a service or support animal by talking to, petting or otherwise initiating contact with the animal.

337.4.3 REMOVAL

A person with a disability cannot be asked to remove the service dog from the premise unless:

- (a) The dog is not leashed, harnessed, tethered, or in a carrier unless one of the exceptions applies.
- (b) The service animal is out of control and the handler does not take effective action to control it (barking or growling aggressively or repetitively; running around; poses a direct threat to the health of others, etc.).
 1. Barking alone is not a threat if the person takes prompt, effective action to control the animal (28 CFR 35.136(b)).
- (c) The service animal is not housebroken or is damaging the premises.

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. A deputy may direct the handler to remove the animal from the premises and shall offer the person with the disability the opportunity to obtain goods or services without the animal's presence. The individual may remove the animal out of the building and off

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City property and re-enter. Employees are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

337.4.4 QUESTIONS AND COMPLAINTS

When handling calls of a complaint regarding a service or support animal in a building not owned or controlled by CCSF, employees should remain neutral and should be prepared to explain the ADA requirements concerning service and support animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or employees are allowed (28 CFR 36.302). Businesses are not required to allow support animals into establishments under their control.

Absent a violation of law independent of the ADA, deputies should take no enforcement action beyond keeping the peace. Individuals who believe the Department has been non-compliant with the law or San Francisco City guidelines may call the Sheriff's administrative offices or the building manager.

Department employees or the public may contact the Mayor's Office on Disability with questions regarding service dogs and support animals in City buildings or on City property.

Off-Duty Law Enforcement Actions

339.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty must be done with careful consideration. This policy is intended to provide guidelines for deputies of the San Francisco Sheriff's Department with respect to taking law enforcement action while off-duty.

At present, this policy does not apply to MSA members. MSA members seeking direction regarding Off-Duty Law Enforcement Actions should click on the link below:

[See attachment: SFSD 03-01 Employee Rules and Regulations.pdf](#)

339.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Deputies should not attempt to initiate enforcement action when witnessing misdemeanor crimes and should promptly report such incidents to the appropriate law enforcement agency.

Deputies are not expected to place themselves in unreasonable peril. However, any deputy of this Department who becomes aware of an incident or circumstance that they reasonably believe poses an threat of serious bodily injury or death may take reasonable action to minimize the threat. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

339.3 FIREARMS

Deputies of this department may carry firearms while off-duty in accordance with federal, state, and local regulations and department policy. All firearms and ammunition must meet guidelines as described in the Department Firearms Policy. When carrying firearms while off-duty deputies shall also carry their Department-issued badge and identification.

Firearms shall not be carried by any deputy 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 deputy's senses or judgment.

339.4 DECISION TO INTERVENE

There is no legal requirement for off-duty deputies to take law enforcement action. However, should deputies 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.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders.

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- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty deputy to be misidentified by other peace officers or members of the public.

Deputies should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

339.4.1 INTERVENTION GUIDELINES

If a deputy determines that involvement is appropriate, the deputy should attempt to call or have someone else call 9-1-1 to request immediate assistance. The caller should inform the dispatcher that an off-duty deputy is on-scene and should provide a description of the deputy if possible.

Whenever practicable, the deputy should loudly identify themselves as a law enforcement officer. The deputy should also display official identification when safe to do so.

339.4.2 INCIDENTS OF PERSONAL INTEREST

Deputies should avoid handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances deputies should call the responsible agency to handle the matter.

339.4.3 OTHER CONSIDERATIONS

When encountering a non-uniformed deputy in public, uniformed deputies should wait for acknowledgement by the non-uniformed deputy in case they need to maintain an undercover capability.

339.5 REPORTING

Any off-duty deputy who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Central Records and Warrants (CRW) Unit as soon as practicable.

When an off-duty deputy makes an arrest, the deputy shall notify the CRW Watch Commander. A written report shall be prepared by the deputy within 24 hours after the arrest and filed with the Undersheriff, with a copy to the Sheriff's administration, the deputy's Facility/Section/Unit Commander and to the supervisor who was verbally notified.

Deputies should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Gun Violence Restraining Orders

340.1 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).

340.1.1 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).

340.2 POLICY

It is the policy of the San Francisco Sheriff's 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. The San Francisco Sheriff's Department will track and enforce prohibitions on firearm possession by persons who have a restraining order or protective order issued against them.

340.3 GUN VIOLENCE RESTRAINING ORDERS

A deputy who reasonably believes a person is a present danger to themselves or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request approval from their supervisor to petition the court for a gun violence restraining order.

Deputies petitioning the court shall use the forms established by the Judicial Council (Penal Code § 18105). The petition shall describe the number, types, and locations of any firearms and ammunition that the deputy 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, a deputy may orally request a temporary order (Penal Code § 18140).

340.3.1 ADDITIONAL CONSIDERATIONS

Deputies 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.

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- (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.

Deputies 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).

340.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

A deputy serving any gun violence restraining order shall:

- (a) Verbally ask the subject of the order if they have any firearm, ammunition, or magazine in their possession or under their 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 their shift, submit proof of service to the Central Records and Warrants Unit (CRW) for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The deputy shall inform the restrained person that they are required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition they own or that is in their custody or control or sell them to a firearms dealer. The restrained person then has an additional 24 hours to show proof to the court that they have done so. This notification shall be documented by the deputy.

All firearms and ammunition collected shall be handled and booked in accordance with the department policy.

340.4.1 TEMPORARY EMERGENCY GUN VIOLENCE RESTRAINING ORDERS

A deputy requesting a temporary emergency 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 person can be reasonably located.
- (c) Forward a copy of the order to the Unit Commander for filing with the court and appropriate databases.

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340.5 SEARCH WARRANTS PURSUANT TO GUN VIOLENCE RESTRAINING ORDERS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the deputy should consider whether to forward the case to the Warrant Services Unit (WSU) 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 deputy 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 deputy 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.

340.6 CRW UNIT RESPONSIBILITIES

The Central Records and Warrants Unit is responsible for ensuring:

- (a) Proof of service of any gun violence restraining order served by a deputy 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 a deputy, 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).

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340.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS

Deputies shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order regardless of the deputy's unit, post, or assignment. The deputy 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 receipt.
- (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.

Procedural link:

[Administration and Field Operations Procedure Manual: 340.1 SEIZING FIREARMS RELATED TO RESTRAINING ORDERS AND PROTECTIVE ORDERS](#)

[Administration and Field Operations Procedure Manual: 340.2 DEPUTY RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 340.3 FIREARMS SURRENDER](#)

340.8 RELEASE OF FIREARMS AND AMMUNITION

Firearms will be returned when an Order to Surrender Firearms, a restraining order, a protection order, or another similar order issued in a civil or criminal case has expired or been dismissed and there is no other legal basis to withhold the firearm.

If a Temporary Order has been replaced with another order, the Department will review the latest order to determine whether firearm restrictions under state or federal law exist in the order.

Absent a court order, the legal owner will be the only person that can recover firearms from the Department. If the legal owner is not able to recover the firearm, because they no longer want it or because of legal prohibitions, they may transfer ownership with a court order in accordance to DOJ procedures regarding the transfer of firearms.

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.

Individuals seeking the return of firearms that are in the custody or control of a court or law enforcement agency must submit a Law Enforcement Gun Release (LEGR) Application along with the appropriate fees to the DOJ. A firearms eligibility check will be conducted to determine if the applicant is lawfully eligible to possess firearms. It may take up to 30 days to process the application. A notice of the results will be sent to the applicant. The notice must be presented to the court or agency within 30 days of the date of notice. Failure to do so will result in the need to submit a new application and fees and undergo another firearms eligibility check.

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If the firearm was taken for safekeeping the owner must start the clearance process with DOJ within 180 days. Upon receiving clearance from DOJ the owner must provide the clearance letter to the agency within 30 days of receipt. If the owner is prohibited and the firearm is not illegal, they may sell/transfer the firearm to a licensed firearms dealer (Penal Code 12071).

Deputies shall not release a firearm to any person until AFS, DVROS, and other criminal justice systems have been queried.

340.9 GUN VIOLENCE RESTRAINING ORDER COORDINATOR

The Civil Unit Commander is the gun violence restraining order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department employees, 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.
- (d) Coordinating review of notices of court hearings and providing notice to the appropriate deputy of the hearing date and the responsibility to appear (Penal Code § 18108).

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340.10 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS

A Civil Unit 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).

340.11 TRAINING

The Training Unit Commander should ensure that employees receive periodic training on the requirements of this policy (Penal Code § 18108).

Chapter 4 - Patrol Operations

Patrol Operations

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function.

400.2 POLICY

The San Francisco Sheriff's Department provides patrol services 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

The function of patrol is to respond to calls for assistance, act as a deterrent to crime, and enforce state and local laws.

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 calls for service, such as public assistance or public safety.
- (g) Responding to alarms in buildings where the Department maintains public safety.
- (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.

400.4 CALLS FOR SERVICE

Data analysis and/or statistics for patrol operations will be produced at the Sheriff's direction. The report may contain information regarding the number and types of calls for service, time of calls for service, number of detentions and arrests, crime trends and any other information requested by the Sheriff.

400.6 RESPONSE TO ALARMS

The Department secures multiple buildings throughout the City and County of San Francisco and each has a unique set of alarms. Sheriff's deputies shall respond and investigate alarms related to the buildings in which they provide law enforcement services.

Procedural link:

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[Administration and Field Operations Procedure Manual: 400.1 RESPONSE TO ALARMS](#)

Field Training Officer Program

401.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the deputy's transition from the academic setting to the actual performance of general law enforcement duties of the San Francisco Sheriff's Department.

It is the policy of this department to assign all sheriff's deputies, newly assigned to a patrol unit, to a structured Field Training Officer Program that is designed to prepare the new deputy to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive, and professional manner.

The intent of the San Francisco Sheriff's Department Field Training Program (FTP) is to produce solo patrol deputies that will be able to operate independently in any field assignment.

401.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced deputy trained in the art of supervising, training, and evaluating entry level and lateral sheriff's deputies in the application of their previously acquired knowledge and skills.

401.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO
- (b) Minimum of two years of patrol experience
- (c) Demonstrated behavior as a positive role model
- (d) Participate in and pass an internal oral interview and selection process developed by the FTP supervisor
- (e) Evaluation by supervisors and current FTOs
- (f) Possess a POST Basic certificate

401.2.2 TRAINING

A deputy selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer's Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

401.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor should be selected from the rank of sergeant or above by the Field Operations Division Commander or designee and should possess all the training previously

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indicated for a line level FTO. The FTO Program supervisor should possess, or be eligible to receive, a POST Supervisory Certificate.

The responsibilities of the FTO Program supervisor include:

- (a) Assignment of trainees to FTOs
- (b) Conduct FTO meetings
- (c) Maintain and ensure FTO/trainee performance evaluations are completed
- (d) Maintain, update, and issue the Field Training Manual to each trainee
- (e) Monitor individual FTO performance
- (f) Monitor overall FTO Program
- (g) Maintain liaison with FTO coordinators of other agencies
- (h) 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)).

401.4 TRAINEE DEFINED

A deputy employed by the San Francisco Sheriff's Department who has successfully completed a POST approved Basic Academy.

401.5 REQUIRED TRAINING

Deputies shall be required to successfully complete the SFSD Field Training Program, consisting of a minimum of 10 weeks (11 CCR 1004; 11 CCR 1005).

The training period for a lateral deputy may be modified depending on the trainee's demonstrated performance and level of experience. A lateral deputy may be exempt from the Field Training Program requirement if the deputy qualifies for an exemption as provided in 11 CCR 1005(a)(B).

To the extent practicable, deputies should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

401.5.1 FIELD TRAINING MANUAL

Deputies will be issued a Field Training Manual at the beginning of their Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as a patrol deputy with the San Francisco Sheriff's Department. The deputy shall become knowledgeable of the subject matter as outlined. The deputy shall become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover policies, procedures, rules, and regulations adopted by the San Francisco Sheriff's Department.

401.5.2 FIELD TRAINING GUIDE

The San Francisco Sheriff's Department Field Training Guide and Training Directives have a wealth of information that was developed from policies, procedures, training and best practices

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over the years. The FTP Training Directives are a useful tool for the Trainee and FTO to reference, and gain an expansive depth of knowledge regarding Field Training Program Guide topics.

401.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

401.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of the 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 the 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 the assigned trainee.
- (e) Develop, implement, and document remedial training as needed to assist trainees to overcome performance deficiencies.
- (f) Attend FTP meeting regarding the program and trainee performance.
- (g) Keep up with professional and legal developments affecting law enforcement.
- (h) Notify a FTP supervisor when trainee performance issues are consistently below standards and declining or trainees are scored as not responding to training (NRT).
- (i) Communicate with other FTOs and FTP supervisors regarding trainees as needed.

401.6.2 IMMEDIATE SUPERVISOR

The immediate supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the FTP supervisor.

401.6.3 FIELD TRAINING PROGRAM SUPERVISOR

The Field Training Program supervisor will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through their immediate supervisor.

401.6.4 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

401.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the deputy's training files and will consist of:

- (a) Daily Trainee Performance Evaluations
- (b) End-of-phase evaluations

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- (c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training
- (d) Documentation in the event the deputy does not pass the FTO program

401.8 TRAINING BULLETINS

See attachment: [SFSD SPU TD 01.01.001 Agency-Specific Training.pdf](#)

See attachment: [SFSD SPU TD 01.02.002 Agency Orientation.pdf](#)

See attachment: [SFSD SPU TD 01.03.003 Community Orientation Geographic Locations.pdf](#)

See attachment: [SFSD SPU TD 01.04.004 Support Services.pdf](#)

See attachment: [SFSD SPU TD 02.01.005 Contact and Cover.pdf](#)

See attachment: [SFSD SPU TD 02.02.006 Body Armor.pdf](#)

See attachment: [SFSD SPU TD 02.03.007 Officer Survival.pdf](#)

See attachment: [SFSD SPU TD 03.01.008 Ethical Standards.pdf](#)

See attachment: [SFSD SPU TD 03.02.009 Decision Making.pdf](#)

See attachment: [SFSD SPU TD 04.01.010 Use of Force Legal and Ethical Considerations.pdf](#)

See attachment: [SFSD SPU TD 04.02.011 Force Options.pdf](#)

See attachment: [SFSD SPU TD 05.01.012 Patrol Vehicle Inspections.pdf](#)

See attachment: [SFSD SPU TD 05.02.013 Patrol Vehicle Operation Safety.pdf](#)

See attachment: [SFSD SPU TD 05.03.014 Situation-Appropriate Focused Educated \(SAFE\) Driving.pdf](#)

See attachment: [SFSD SPU TD 05.04.015 Use of Seatbelts.pdf](#)

See attachment: [SFSD SPU TD 05.05.016 Emergency Vehicle Operations.Pursuits.pdf](#)

See attachment: [SFSD SPU TD 05.06.017 Vehicle Operation Liability.pdf](#)

See attachment: [SFSD SPU TD 06.01.018 Community Relations and Service.pdf](#)

See attachment: [SFSD SPU TD 06.02.019 Professional Demeanor and Communication.pdf](#)

See attachment: [SFSD SPU TD 06.03.020 Cultural Diversity.pdf](#)

See attachment: [SFSD SPU TD 06.04.021 Racial Profiling.pdf](#)

See attachment: [SFSD SPU TD 06.05.022 Crime Prevention.pdf](#)

See attachment: [SFSD SPU TD 06.06.023 Community-Oriented Problem-Oriented Policing.pdf](#)

See attachment: [SFSD SPU TD 07.01.024 Radio Communication.pdf](#)

See attachment: [SFSD SPU TD 07.02.025 Information Systems.Telecommunications.pdf](#)

See attachment: [SFSD SPU TD 08.01.026 Leadership.pdf](#)

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See attachment: [SFSD SPU TD 09.01.027 Criminal Law.pdf](#)

See attachment: [SFSD SPU TD 09.02.028 Reasonable Suspicion.Probable Cause.pdf](#)

See attachment: [SFSD SPU TD 09.03.029 Laws of Arrest.pdf](#)

See attachment: [SFSD SPU TD 09.04.030 Juvenile Law and Procedure.pdf](#)

See attachment: [SFSD SPU TD 09.05.031 Additional Laws.pdf](#)

See attachment: [SFSD SPU TD 10.01.032 Search Concepts.pdf](#)

See attachment: [SFSD SPU TD 10.02.033 Seizure Concepts.pdf](#)

See attachment: [SFSD SPU TD 10.03.034 Warrants.pdf](#)

See attachment: [SFSD SPU TD 11.01.035 Field Notes and Notebook.pdf](#)

See attachment: [SFSD SPU TD 11.02.036 Report Writing Requirements.pdf](#)

See attachment: [SFSD SPU TD 12.01.037 Control.Searching of Persons.pdf](#)

See attachment: [SFSD SPU TD 12.02.038 Handcuffing.pdf](#)

See attachment: [SFSD SPU TD 12.03.039 Legal Responsibilities and Requirements with Custodies.pdf](#)

See attachment: [SFSD SPU TD 12.04.040 Transporting Custodies.pdf](#)

See attachment: [SFSD SPU TD 12.05.041 Booking Custodies.pdf](#)

See attachment: [SFSD SPU TD 12.06.42 People with Disabilities.pdf](#)

See attachment: [SFSD SPU TD 12.07.043 Mental Illness Cases.pdf](#)

See attachment: [SFSD SPU TD 13.01.044 Patrol Techniques.pdf](#)

See attachment: [SFSD SPU TD 13.03.046 Preventing and Detecting Crime.pdf](#)

See attachment: [SFSD SPU TD 13.04.047 Additional Patrol Safety.pdf](#)

See attachment: [SFSD SPU TD 13.05.048 Pedestrian Stops.pdf](#)

See attachment: [SFSD SPU TD 13.06.049 Searching Persons.pdf](#)

See attachment: [SFSD SPU TD 13.07.050 Vehicle Stops.pdf](#)

See attachment: [SFSD SPU TD 13.08.051 Felony High Risk Vehicle Stops.pdf](#)

See attachment: [SFSD SPU TD 13.09.052 Searching Vehicles.pdf](#)

See attachment: [SFSD SPU TD 13.10.053 Searching Building Areas.pdf](#)

See attachment: [SFSD SPU TD 13.11.054 Handling Crimes in Progress.pdf](#)

See attachment: [SFSD SPU TD 13.12.055 Domestic Violence.pdf](#)

See attachment: [SFSD SPU TD 13.13.056 Victims of Violent Crime.pdf](#)

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See attachment: [SFSD SPU TD 13.14.057 Hate Crimes.pdf](#)

See attachment: [SFSD SPU TD 13.15.058 Gang Awareness.pdf](#)

See attachment: [SFSD SPU TD 13.16.059 Missing Persons.pdf](#)

See attachment: [SFSD SPU TD 13.17.060 Fires.pdf](#)

See attachment: [SFSD SPU TD 13.18.061 Hazardous Occurrences.Major Disasters.pdf](#)

See attachment: [SFSD SPU TD 13.19.062 Bombs Explosive Devices.pdf](#)

See attachment: [SFSD SPU TD 13.20.063 Aircraft Crashes.pdf](#)

See attachment: [SFSD SPU TD 13.21.064 First Aid.pdf](#)

See attachment: [SFSD SPU TD 13.22.065 Sick Injured or Deceased Persons.pdf](#)

See attachment: [SFSD SPU TD 13.23.066 Lost Found and Recovered Property.pdf](#)

See attachment: [SFSD SPU TD 13.24.067 Crowd Control.pdf](#)

See attachment: [SFSD SPU TD 13.25.068 News Media Relations.pdf](#)

See attachment: [SFSD SPU TD 13.26.069 Hostage Situations and Barricaded Suspects.pdf](#)

See attachment: [SFSD SPU TD 13.27.070 Sniper Attack.pdf](#)

See attachment: [SFSD SPU TD 13.28.071 Animal Control.pdf](#)

See attachment: [SFSD SPU TD 14.01.072 Interview and Interrogation.pdf](#)

See attachment: [SFSD SPU TD 14.02.073 Preliminary Investigation.pdf](#)

See attachment: [SFSD SPU TD 14.03.074 Burden of Proof.pdf](#)

See attachment: [SFSD SPU TD 14.04.075 Concepts of Evidence.pdf](#)

See attachment: [SFSD SPU TD 14.05.076 Rules of Evidence.pdf](#)

See attachment: [SFSD SPU TD 14.06.077 Evidence Collection and Preservation.pdf](#)

See attachment: [SFSD SPU TD 14.07.078 Lineups.pdf](#)

See attachment: [SFSD SPU TD 14.08.079 Sources of Information.pdf](#)

See attachment: [SFSD SPU TD 14.09.080 Subpoenas.pdf](#)

See attachment: [SFSD SPU TD 14.10.081 Courtroom Testimony and Demeanor.pdf](#)

See attachment: [SFSD SPU TD 15.01.082 Tactical Communications.pdf](#)

See attachment: [SFSD SPU TD 15.02.083 Handling Disputes.pdf](#)

See attachment: [SFSD SPU TD 15.03.084 Civil Disputes.pdf](#)

See attachment: [SFSD SPU TD 15.04.085 Repossessions.pdf](#)

See attachment: [SFSD SPU TD 16.01.086 Vehicle Codes.pdf](#)

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See attachment: [SFSD SPU TD 16.02.087 Impounding.Storing Vehicles.pdf](#)

See attachment: [SFSD SPU TD 16.03.088 Vehicle Collisions.pdf](#)

See attachment: [SFSD SPU TD 16.04.089 Traffic Control.Direction.pdf](#)

See attachment: [SFSD SPU TD 16.05.090 Driving Under the Influence.pdf](#)

See attachment: [SFSD SPU TD 17.01.091 Self Initiated Activities.pdf](#)

See attachment: [SFSD SPU TD 18.01.096 Homeless Persons.pdf](#)

See attachment: [SFSD SPU TD 18.02.097 Human Trafficking.pdf](#)

See attachment: [SFSD SPU TD 18.03.098 Diplomatic Immunity.pdf](#)

See attachment: [SFSD SPU TD 18.04.099 Narcotics.pdf](#)

See attachment: [SFSD SPU TD 18.05.100 Tarasoff Incidents.pdf](#)

See attachment: [SFSD SPU TD 18.06.101 Syringe Access and Disposal Program.pdf](#)

See attachment: [SFSD SPU TD 18.07.102 Identity Theft.pdf](#)

See attachment: [SFSD SPU TD 18.08.103 Anti Reproductive Crimes.pdf](#)

See attachment: [SFSD SPU TD 18.09.104 Peddler Permits.pdf](#)

See attachment: [SFSD SPU TD 18.10.105 Juvenile Curfew.pdf](#)

Bias-Based Law Enforcement

402.1 PURPOSE AND SCOPE

The San Francisco Sheriff's Department is committed to ensuring that members do not engage in racial or bias based profiling or violate any related laws while serving the community.

402.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based enforcement - A reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

402.2 POLICY

The San Francisco Sheriff's 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. Bias-based enforcement is strictly prohibited.

402.3 MEMBER RESPONSIBILITIES

Every member of this department shall perform their duties in a fair and objective manner and is responsible for promptly reporting suspected or known instances of bias-based enforcement to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

402.3.1 REASON FOR CONTACT

Deputies contacting a person shall be prepared to articulate a sufficient reason for the contact that is not based solely on the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed, the involved deputy 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 deputy to document a contact that would not otherwise require reporting.

402.3.2 REPORTING OF STOPS

A stop is any detention or search (including consensual searches).

Unless an exception applies under 11 CCR 999.227, a deputy conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report. When multiple deputies conduct a stop, the deputy with the highest level of

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engagement with the person shall collect the data elements and prepare the report by the end of the deputy's shift (11 CCR 999.227).

When a deputy conducts a traffic stop and issues a citation, the deputy shall ensure the entry of data into the RIPA database.

402.4 SUPERVISOR RESPONSIBILITIES

Supervisors shall monitor those individuals under their command for compliance with this policy and shall take appropriate action to correct and/or recommend discipline for alleged or observed violations of this policy.

Supervisors shall discuss and document any suspected issues of bias-based policing with the involved deputy and their supervisor in a timely manner.

402.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Field Operations Division Chief Deputy shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against deputies is collected and provided by the Sheriff's Patrol Unit Commander for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020).

Supervisors should ensure that data stop reports are provided to the Sheriff's Patrol Unit Commander for required annual reporting to the DOJ (Government Code § 12525.5).

402.6 ADMINISTRATION

Each year, the Field Operations Division Chief shall review the efforts of the Department to provide fair and objective law enforcement and submit an annual report, including public concerns and complaints, to the Sheriff.

The annual report should not contain any identifying information about a specific complaint, member of the public or deputies. It shall be reviewed by the Sheriff to identify any changes in training or operations that should be made to improve service.

402.7 TRAINING

Training on fair and objective enforcement and review of this policy shall be conducted as directed by the Training Unit.

- (a) All deputies will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based enforcement.
- (b)
- (c) All deputies who received initial bias-based enforcement 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)).

Muster Briefings and Training

403.1 PURPOSE AND SCOPE

Muster briefings and training are conducted at the beginning of the employee's assigned shift, for the majority of the Department. Muster provides an opportunity for an important exchange between employees and supervisors.

Muster accomplishes the following:

- (a) Brief employees with information regarding recent events (past and future), activities, unusual situations, and changes that occurred during the period of time while they were off-duty. Watch Commanders are responsible to ensure employees who are not at the scheduled briefing are apprised of the briefing information as soon as possible.
- (b) Notify employees of changes in schedules and assignments.
- (c) Notify employees of new or updated directives, policies, procedures or orders. To ensure there is a clear understanding of the content.
- (d) Review recent incidents for training purposes.
- (e) Provide training on a variety of subjects.
- (f) Allow employees to ask questions and provide information.
- (g) Allowing employee's constructive feedback and concerns regarding material that was presented.

403.2 PREPARATION OF MATERIALS

Supervisors conducting Muster are responsible for preparation of the materials necessary for a constructive briefing. Supervisors conducting muster are expected to communicate in a professional manner.

403.3 RETENTION OF MUSTER TRAINING RECORDS

All materials presented at muster should be retained by the Facility/Section/Unit conducting the muster. Materials must be archived with the date, shift, and location where they were presented and retained based on the department record retention schedule.

Stolen Vehicles

404.1 PURPOSE

The San Francisco Sheriff's Department shall ensure reports of stolen, recovered, stored, and impounded vehicles are properly investigated and entered into the California Law Enforcement Telecommunications System (CLETS), Stolen Vehicle System (SVS).

404.2 MISSING VEHICLES

Deputies responding to a stolen vehicle call must verify that a crime actually occurred. Deputies contacting the reporting party shall:

- (a) Repossessed by a lending institution without warning.
- (b) In storage or impounded.
- (c) Misplaced (i.e. parked on a different street, large parking lot, parking garage, etc.).
- (d) Through a series of questions inquire as to:
 1. Are vehicle payments current and up to date?
 2. Has the vehicle owner received warnings regarding late payments?
 3. Is the owner involved in a related dispute (i.e. divorce, child custody/support)?
 4. Do other persons often use or have duplicate keys to the vehicle?

404.3 PRELIMINARY INVESTIGATION

Deputies shall interview the reporting party and/or witnesses and obtain the following:

- (a) Identification
 1. Registered owner
 2. Reporting party
 3. Individual who first noticed the missing vehicle
 4. Person who had possession of the vehicle at the time it was reported stolen
- (b) Similar thefts in the area, if known.
- (c) Suspicious vehicles or persons in the area prior to the theft.
- (d) Vehicle-related information, such as:
 1. Year, make, model, style and color
 2. Registration and license plate numbers
 3. Vehicle identification number (VIN)
 4. Title documentation
 5. Description of accessories (i.e. fog lights, trailer hitch, tinted windows, etc.)
 6. Unique markings (i.e. bumper stickers, dents, scratches, etc.)

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7. An inventory of items of value that were in the vehicle
8. Finance company and the account number, if applicable
9. Insurance company, account number and amount of coverage

Deputies shall contact the Department of Emergency Management (DEM) dispatch and request an "add" to the San Francisco County Vehicle Hot Sheet.

404.4 STOLEN VEHICLE RECOGNITION

Deputies who observe occupied or unattended vehicles should be aware of characteristics that indicate a vehicle may have been stolen, such as:

- (a) The vehicle is parked illegally or in one location for a long period of time.
- (b) The vehicle has a poorly attached license plate or identification, no plates, a clean plate on a dirty vehicle, and/or the DMV registration shows a salvage history, yet the vehicle shows no signs of being salvaged.
- (c) The vehicle appearance shows evidence of being stolen such as:
 1. broken side or vent windows, missing or scratched door locks, damaged steering column, missing or altered VIN, missing electronics, recent exterior damage, and/or stripped vehicle.
- (d) The vehicle operator's behavior is suspicious or the operator does not produce a vehicle key/key fob.

Deputies should run the vehicle identification through DEM dispatch to determine if the vehicle has been stolen.

404.5 STOLEN VEHICLE DOCUMENTATION

Deputies shall document reported stolen vehicles in an Incident Report. In addition, the deputy who wrote the Incident Report shall enter stolen vehicle information into CLETS Stolen Vehicle System (SVS), without delay.

Procedural link:

[Administration and Field Operations Procedure Manual: 404.1 CLETS SVS Entry Procedure](#)

404.6 RECOVERED STOLEN VEHICLES

Recovered stolen vehicles are evidence and shall be preserved as a crime scene. Care shall be taken to preserve latent fingerprints and other forms of trace or transfer evidence. Vehicles may also contain suspect items or belongings.

Deputies shall document recovered stolen vehicles in an Incident Report as soon as practical (see Report Preparation Policy). If the vehicle is stolen and recovered at the same time, only one Incident Report and entry into CLETS SVS is necessary, with the fields completed to document the theft and recovery.

Procedural link:

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Administration and Field Operations Policy Manual
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Stolen Vehicles

[Administration and Field Operations Procedure Manual: 404.2 RECOVERED STOLEN VEHICLE PROCEDURE](#)

404.7 STORED, IMPOUNDED OR REPOSSESSED VEHICLES

Vehicles stored or impounded by the Sheriff's Department, including repossessed vehicles and private property impounds, are to be entered into SVS by deputies taking the report. Stolen vehicles reported to other agencies recovered as a "Locate" by this Department will not be "Cleared" SVS by this Department. The reporting agency will update the SVS entry upon receiving the Teletype (§914.12(a)).

404.8 TRACKING DEVICE EQUIPPED VEHICLES

Deputies who take stolen vehicle reports equipped with a tracking device shall contact DEM dispatch, via radio from the field, for an immediate broadcast of the vehicle identifying information.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure. To comply with 8 CCR § 5194, the following is to be the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be taken at any scene involving suspected hazardous materials:

- (a) Approach upwind and updrift to assess the substance. Attempt to use binoculars. Do not compromise safety to conduct the assessment.
- (b) Attempt to identify the type of hazardous substance. (Identification can be determined by the Emergency Response Guidebook (ERG), placard, driver's manifest or statements from the person transporting).
- (c) Notify DEM Dispatch with the following information:
 1. Location, scope of incident (i.e. size, number of structures, streets affected, wind speed and direction, etc.), and number of injured.
 2. Request San Francisco Fire Department, Police Department, and ambulance response to the scene when appropriate.
 3. Safe avenue of approach for responding units.
- (d) Isolate and deny entry to scene utilizing crime scene tape, vehicles and flares if safe.
- (e) Provide first-aid for injured parties if it can be done safely and without contamination.
- (f) 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.
- (g) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).
- (h) Notify the State Department of Toxic Substances Control. This is mandatory when a deputy 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 § 25354.5).

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406.3 REPORTING EXPOSURES

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an Incident Report and be forwarded via the chain of command to the Personnel Unit. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the Incident Report.

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 an Incident Report.

406.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, they shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, the Department provides safety equipment for its members. Safety items not maintained by the Department will be obtained through the Fire Department, Department of Public Health or contracted vendor.

Medical Aid and Response

407.1 PURPOSE AND SCOPE

This policy recognizes that employees may encounter persons in need of medical aid and establishes a law enforcement response to such situations.

407.2 POLICY

It is the policy of the San Francisco Sheriff's Department that all deputies and other designated employees be trained to provide emergency medical aid and to facilitate an emergency medical response.

407.3 FIRST RESPONDING EMPLOYEE RESPONSIBILITIES

Whenever practical, employees 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 employees can safely do so.

Prior to initiating medical aid, the employee should contact 9-1-1 or DEM dispatch and request a response by Emergency Medical Services (EMS) as the member deems appropriate.

- (a) For incarcerated persons in court at the Hall of Justice Courts, deputies may call 9-1-1, DEM dispatch or may call Jail Health Services (JHS), who will determine the appropriate medical treatment for the incarcerated person. A call to 9-1-1 or DEM dispatch must be made for incarcerated persons experiencing a life-threatening emergency (i.e. chest pain, shortness of breath, uncontrollable bleeding, drug/alcohol overdose, etc.).

Employees should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Employees should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the employee should provide 9-1-1 or DEM dispatch 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 employee.
 2. Changes in apparent condition.
 3. Number of patients, gender, and age, if known.
 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.

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5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Deputies shall stabilize the scene, remove uninvolved persons and notify a supervisor whenever practical while awaiting the arrival of EMS. A deputy should be assigned to meet and escort the ambulance to the medical emergency location. An additional deputy shall be assigned to ride in the ambulance or escort the ambulance (time permitting to obtain a department vehicle) in the event an incarcerated person is taken to a hospital. Employees should not direct EMS personnel whether to transport the person for treatment. Only EMS personnel can decide if transport is warranted or complete an Against Medical Advice form.

407.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, deputies 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.

Deputies should search any person who is in custody before releasing that person to EMS for transport.

A deputy shall 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. If possible, deputies shall obtain a copy of the incarcerated person's Field Arrest Card prior to transport.

407.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, a deputy shall not force that person to receive care or be transported. However, deputies 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 deputy should consider proceeding with a 72-hour treatment and evaluation (5150 Welfare and Institutions Code) process in accordance with the Mental Illness Detainer Policy. When evaluating an incarcerated person, only Jail Health Services staff may use "gravely disabled" as a reason for a 5150 hold.

If a person who has been arrested refuses medical care, the deputy may require the person to be transported to the nearest medical facility.

Sheriff's employees shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

407.6 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 Electrical Weapon (CEW) policies.

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407.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

An employee should only use an AED after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

407.7.1 AED USER RESPONSIBILITY

Employees who operate a department vehicle equipped with an AED shall check the AED at the beginning of the shift to ensure it is functioning properly. Any AED that is not functioning properly will be taken out of service and the First Aid Training Coordinator will be notified. Facility/Section/Unit Commanders shall ensure all Sheriff's deputies know the location and how to use the AED's in the buildings in which they are assigned.

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.

Employees who use an AED shall contact DEM dispatch or call 9-1-1 as soon as possible and request a response by EMS. Employees using an AED shall complete an Incident Report detailing its use.

407.7.2 AED TRAINING AND MAINTENANCE

The Training Unit Commander shall ensure appropriate training and refresher training is provided to employees authorized to use an AED. A list of authorized employees 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).

Each Facility/Section/Unit Commander is responsible for ensuring Department AED devices are appropriately inspected and maintained.

The First Aid Training Coordinator is responsible for responding to AED maintenance requests and tracking inspection and maintenance records for all Departmental AEDs and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).

407.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained employees may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

Any employee who administers an opioid overdose medication shall contact DEM dispatch or ensure that 9-1-1 is contacted.

407.8.1 OPIOID OVERDOSE MEDICATION REPORTING

Employees administering opioid overdose medication shall detail its use in an Incident Report.

407.8.2 OPIOID OVERDOSE MEDICATION TRAINING

Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

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407.8.3 DESTRUCTION OF OPIOID OVERDOSE MEDICATION

The Department shall ensure employees are instructed on the proper destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

407.8.4 OPIOID OVERDOSE MEDICATION RECORD MANAGEMENT

Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained in accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code § 4119.9).

407.9 DIGNITARY PATIENTS

When Very Important Persons (VIP) and/or dignitaries (high ranking government officials) seek emergency medical care (ambulance transport) or treatment at Zuckerberg San Francisco General Hospital (ZSFGH), deputies shall immediately notify a supervisor who will follow the below procedure.

[Administration and Field Operations Procedure Manual: 407.1 Dignitary Patients Security Procedure](#)

407.10 SICK OR INJURED ARRESTEE

If the deputy has any concerns about an arrestee's medical state or conditions, the deputy should notify JHS and the Watch Commander.

Arrestees who appear to have a serious medical issue should be transported by ambulance.

Nothing in this section should delay a deputy 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 deputy's training.

A decision to arrest or not shall not be based on any medical condition that is present.

407.11 AIR AMBULANCE

Generally, 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 City and County of San Francisco, Department of Emergency Management, Division of Emergency Services has designated locations for air ambulance landings.

One department officer 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. Deputies should direct vehicle and pedestrian traffic away from the landing zone.

Deputies should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.

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- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

407.12 FIRST AID TRAINING

The Training Unit Commander shall ensure deputies receive initial first aid training within one year of employment and refresher training every two years thereafter (22 CCR 100016; 22 CCR 100022).

Patient Identification

408.1 PURPOSE

To investigate if an unconscious patient has been reporting missing.

408.2 POLICY

The San Francisco Sheriff's Department Patrol Unit at Zuckerberg San Francisco General Hospital, provides assistance to the Department of Public Health (DPH) in identifying patients who could be a person reported missing.

408.3 FINGERPRINTING UNIDENTIFIED PATIENTS

Hospital patients who are not in custody or detained shall not be fingerprinted without consent, unless they are the subject of a missing person investigation.

Procedural links:

[Administration and Field Operations Procedure Manual: 401.1 FINGERPRINTING UNIDENTIFIED PATIENTS](#)

[Administration and Field Operations Procedure Manual: 316.1 INITIAL INVESTIGATION](#)

Mental Illness Detention

409.1 PURPOSE AND SCOPE

This policy provides guidelines for when deputies may take a person into custody for psychiatric evaluation and treatment detention (Welfare and Institutions Code § 5150).

409.2 POLICY

It is the policy of the San Francisco Sheriff's Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation detention (5150 detention) process.

409.3 AUTHORITY

A deputy having probable cause may detain and place a person in an approved mental health facility for 72-hour treatment and evaluation when the deputy believes that the person is a danger to themselves or others or the person is gravely disabled as a result of a mental health disorder, a severe substance use disorder (including impairment by chronic alcoholism) or a co-occurring mental health disorder and a severe substance use disorder (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to detain, deputies 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.

409.3.1 VOLUNTARY EVALUATION

If a deputy encounters an individual who may qualify for a 5150 detention, they may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the deputies shall:

- (a) Notify DEM dispatch for an ambulance that will transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 detention.
- (b) If at any point the person changes their mind regarding voluntary evaluation, deputies should proceed with the 5150 detention, if appropriate. If, while waiting for the ambulance, the person's behavior escalates and/or they make suicidal statements, deputies shall proceed with the 5150 detention.
- (c) Document the circumstances surrounding the individual's evaluation and/or admission.

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409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any deputy handling a call involving an individual who may qualify for a 5150 detention should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade deputies from taking reasonable action to ensure the safety of the deputies and others.

409.4.1 SECURING OF PROPERTY

When a person is detained 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 deputy shall take reasonable precautions to safeguard the individual's personal property in their possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

409.5 TRANSPORTATION

Deputies may transport individuals who have no criminal charges pending or have been released from secure custody who have been placed in a 5150 detention in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in an ambulance (violent and/or medically unstable) and the safety of any person, including the detainee, requires the presence of a deputy during the transport, the deputy shall ride in the ambulance. The deputy shall notify DEM dispatch or the SOC before transport commences.

409.6 TRANSFER AND RETURN TO APPROPRIATE FACILITY

A deputy arriving with an assaultive/violent detainee at any medical facility, shall request to have additional Sheriff's staff or hospital security staff meet them at the hospital entrance. Upon arrival at the facility, the individual will be escorted into a treatment area designated by facility staff. If the individual is not seeking treatment voluntarily, the deputy shall provide the staff with the written application for a 5150 detention and remain present to provide clarification of the grounds for detention, upon request.

Deputies shall assist facility staff in providing physical control of the detainee, upon request by hospital staff or when the patient is actively resisting, while hospital staff apply facility-ordered restraints on the individual.

Any peace officer may involuntarily return an escaped mental patient to the designated facility without a warrant when the facility provides or confirms that it is in the process of completing an apprehension form (7325 WIC) or the patient commits a crime, including but not limited to 647f. This order does not apply to patients whose commitment is voluntary.

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409.7 DOCUMENTATION

The deputy 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 Incident Report.

The application shall include the circumstances for deputy involvement; the probable cause to believe the person is, as a result of a mental health disorder, a danger to others or themselves 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 deputy shall also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

409.7.1 ADVISEMENT

The deputy taking a person into custody for evaluation shall advise the person of:

- (a) The deputy'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 them 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 their residence, they should also be advised that they may take a few personal items, which the deputy must approve, and may make a telephone call or leave a note indicating where they are being taken. The deputy 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).

409.8 CRIMINAL OFFENSES

Deputies investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 detention should address the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 detention has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the deputy shall:

- (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 detention.
- (c) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 detention, and include the reasonable cause to detain.

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409.9 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for a 5150 detention, the handling deputies shall seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institutions Code § 8100. Deputies 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).

Deputies 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 deputies 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. Deputies 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).

409.9.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS

Whenever the handling deputy has cause to believe that the future return of any confiscated weapon might endanger the person or others, the deputy shall detail those facts and circumstances in an Incident Report. The report shall be forwarded to the Criminal Investigations Unit, 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 them of the right to a hearing on the issue, that they have 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

409.10 CONSERVATEE

A person appointed conservator may request assistance in the detention and return of a conservatee who leaves a treatment facility without approval, or when the court has authorized the conservator to involuntarily commit the conservatee to a facility. Section 7325 WIC, requires any peace officer, upon written request of the administrator of a state hospital, Veteran's facility, designated County facility, or a patient's conservator, to apprehend, take into custody and deliver the conservatee to the designated facility, providing the facility is within the county in which the patient was apprehended.

- (a) Prior to deputies accepting a request for apprehension and rendering assistance, staff must provide or confirm they have readily available or will complete as soon as possible the required paperwork, including:

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1. An apprehension form.
2. A certified copy of the judicial commitment documents or documents establishing conservatorship, authorizing the commitment to a designated facility.
3. Identification of the individual legally empowered to request assistance.

In situations where the forms are not immediately available, the deputy should not delay taking necessary action but may act upon a verbal confirmation that hospital staff is able to and will provide the documentation as soon as practicable.

409.11 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 detentions, and crisis intervention.

Cite and Release Policy

410.1 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.

410.2 POLICY

It is the policy of the San Francisco Sheriff's 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.

410.3 RELEASE BY CITATION

Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor and/or infraction offense, including a private person's arrest, shall be released from custody on a citation (Penal Code § 853.6). Except for limited circumstances regarding juveniles, citations are not issued for felony offenses.

The citing deputy 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 the defendant understands their written promise to appear.

410.3.1 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 practical or immediately required, provided the individual can be satisfactorily identified through a valid government identification with picture, there is no outstanding arrest warrant, and none of the below disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting deputy 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.

410.3.2 ISSUING CITATIONS

Prior to issuing a citation, deputies shall verify, either through the Central Records and Warrants Unit (CRW) or through dispatch, that a subject does not have outstanding warrants. Deputies may use discretion when issuing a citation or a warning to a person for traffic or non-traffic infraction violations. If a warning is issued the contact shall be documented through dispatch.

Citations shall include the following information:

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- (a) Type of violation (traffic/infraction, misdemeanor) listing the most serious charge first
- (b) Date and time of violation
- (c) Subjects first and last name and current mailing address, if available
- (d) Identification information and subject's physical description
- (e) Vehicle information, if applicable
- (f) Violation
- (g) Deputy signature, badge number and unit identifier
- (h) Subjects signature
- (i) Court information (specific court location and date to appear)

Citations issued for a misdemeanor arrest must have a thumbprint. In the absence of a thumb, obtain a fingerprint and indicate which finger was printed and from which hand. Use a numeric value to identify the digit printed (i.e. 1 thumb, 2 index finger, 3 middle finger, 4 ring finger, 5 pinky finger).

Deputies shall advise the person that signing a citation is a promise to appear and not an admission of guilt. If the person refuses to sign, advise the person that this will result in being booked at the Intake and Release Center (IRC).

- (a) The deputy shall notify an on-duty supervisor of the non-compliance.
- (b) The deputy shall include in the Incident Report the refusal to sign the citation and transport to the county jail. The report shall include the number of attempts to resolve this matter through the field citation process prior to booking.

Citations issued for a warrant shall include the warrant number, court number, most serious charge and bail amount.

On-view offenses, traffic violations, and warrant arrest citations shall not be written on the same citation. Each type of charge (on-view, traffic, warrant) shall be written on separate citations. Each warrant (except for traffic warrants) shall be written on a separate citation.

[Administration and Field Operations Procedure Manual: 410.1 COURT CITATION SCHEDULE](#)

410.3.3 RELEASE AFTER BOOKING

In some cases, a person may not be released in the field (failure to identify or sign citation, etc.). The person should instead be released on citation after booking at the jail. Deputies issuing citations from the CRW and/or the IRC shall:

- (a) Document the Field Arrest Card and make a notation in the Jail Management System (JMS) with the date and time the person was cited and/or released.
- (b) A person who has been held in Sheriff's custody, for a non-citable out-of-county warrant, shall be issued a citation and/or released when all local charges are adjudicated and the holding period has elapsed per Penal Code 821 or Penal Code 832.

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410.3.4 CITATION BOOKS AND VOIDED CITATIONS

- (a) Sheriff's Citation Books are distributed and tracked by the Custodian of Records at CRW.
- (b) Deputies who void individual citations due to error or damage shall enter that fact into the voided citation log before the end of their shift.
 - 1. Supervisors shall forward the voided/lost citation log to the Custodian of Record on a monthly basis.
- (c) Deputies shall report a lost, stolen or misplaced Citation Book or single citation to a supervisor, write an Incident Report and enter the information into the citation log. The supervisor will forward the Incident Report to the Custodian of Records.
- (d) If a citation needs to be corrected a notice of correction shall be submitted.
- (e) Once issued, a citation cannot be voided. Deputies may file a dismissal request through the San Francisco Superior Criminal Court Office (Room 101).
- (f) Citations written incorrectly may be voided and rewritten. A supervisor will be notified as soon as reasonably possible.

410.4 NON-RELEASE

410.4.1 DISQUALIFYING OFFENSES

An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the Intake and Release Center or held for court or bail after booking (Penal Code § 1270.1 and §853.6):

- (a) Misdemeanor domestic battery (Penal Code § 243(e)(1))
- (b) 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)
- (c) Stalking (Penal Code § 646.9)
- (d) 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 by the release of the person arrested (Penal Code § 853.6)

[See attachment: Misdemeanor Cite and Release Exceptions.pdf](#)

410.4.2 REASONS FOR NON-RELEASE

A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release, except as provided in subdivision (a) of Penal Code § 853.6(i). 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).

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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.
- (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.
- (e) The person is charged with felony or wobbler.
- (f) The person could not provide satisfactory evidence of personal identification or cannot be positively identified through fingerprint processing (WebID or Livescan).
 - 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.
- (g) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.
- (h) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested, including:
 - (a) The person has been arrested within the previous 24 hours on the same charge.
 - (b) The person has violated domestic violence court order.
- (i) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.
- (j) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. Reasons may include:
 - (a) Previous failure to appear is on record
 - (b) The person lacks ties to the area, such as a residence, job, or family
 - (c) Unusual circumstances lead the deputy responsible for the release of incarcerated persons to conclude that the suspect should be held for further investigation
- (k) A previous conviction, citation, or arrest for misdemeanor or felony retail theft from a store in the previous six months.
- (l) There is probable cause to believe that the person arrested is guilty of committing organized retail theft.

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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 Certificate of Non-Release form and documented in an Incident Report.

The Certificate of Non-Release form is created by each local law enforcement agency. The form shall be filed with the arresting agency as soon as practicable and shall be made available to any party having custody of the arrested person, subsequent to the arresting officer, and to any person authorized by law to release them from custody before trial.

The Sheriff's Department (Pre-Trial) will provide a copy of the Certificate of Non-Release form to the duty judge deciding if the person will get out on Project/OR prior to arraignment.

The San Francisco Sheriff's 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).

410.5 MISDEMEANOR WARRANTS

An adult arrested on a misdemeanor warrant (local or out of county) shall be issued a citation and released unless any of the following conditions exist (Penal Code § 827.1):

- (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 bail amount of the warrant is over \$50,000.
- (f) The person arrested is a danger to themselves or others due to intoxication or being under the influence of drugs or narcotics.
- (g) The person requires medical examination or medical care or was otherwise unable to care for their own safety.
- (h) The person has other ineligible charges pending against them.
- (i) 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.
- (j) The person refuses to sign the notice to appear.
- (k) The person cannot provide satisfactory evidence of personal identification or cannot be identified through Web-ID or Livescan fingerprinting.
- (l) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear.
- (m)

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Release under this section shall be done in accordance with the provisions of this policy. Deputies must provide one of the non-citable conditions listed above on the Certificate of Non-Release form and document that information on an Incident Report, when arresting a person for a local or out of county misdemeanor warrant.

[See attachment: Misdemeanor Cite and Release Exceptions \(OUT OF COUNTY\).pdf](#)

410.6 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of the Vehicle Code except for DUIs
- Violations of the San Francisco City and County codes
- Juveniles may be cited and released for some violent non-707(b) W&I felonies under 602 W&I.

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Criminal Investigations Unit for further action including diversion under welfare and institutions code 654.

[Citation Schedule](#)

[SCHEDULING OF COURT DATES FOR SF JAIL - updated 4-27-23.pdf](#)

Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the San Francisco Sheriff's Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law. The Department will investigate all claims of immunity and accept custody of the person when appropriate.

411.2 POLICY

The San Francisco Sheriff's Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

411.3 CLAIMS OF IMMUNITY

If a deputy comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the deputy should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that their claim will be investigated and they may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

411.4 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, contact the San Francisco Police Department, Special Investigations Division, who has a ranking member who is a liaison to the consular corps. Supervisors shall be aware of the following:

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- (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.
- (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.
 - (a) 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

California law mandates that whenever a foreign national is arrested, incarcerated or detained for more than two hours, they must be informed that they have the right to speak to an official (Penal Code § 834). However, whenever a deputy arrests, incarcerates or detains for investigation a person with diplomatic and consular privileges and immunities, the deputy shall promptly begin the notification process.

411.5 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.

411.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

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Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise.	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (c))	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

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- (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.

411.7 CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY IN CUSTODY

When an arrestee who claims diplomatic or consular immunity is brought to the San Francisco Sheriff's Department County Jail the receiving deputy shall first inform the Watch Commander and then generally proceed as follows:

- (a) Do not accept custody of the person from the transporting deputy/officer. The person should not be brought inside the San Francisco Sheriff's Department County Jail.
- (b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.
- (c) If the person has already been accepted into custody, inform the person that they will be detained until their identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.
- (d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

It will be the responsibility of the Watch Commander to communicate the claim of immunity to the on-duty supervisor of the arresting department (if not the San Francisco Sheriff's Department). The Watch Commander may assist another agency in determining the person's immunity status.

The Watch Commander is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

411.7.1 REPORTING

If the person's immunity status has been verified, the Watch Commander should ensure an Incident Report is prepared describing the details and circumstances of any detention or custody. A copy of the Report should be provided as soon as possible to the U.S. Department of State in Washington, D.C. or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

Immigration

412.1 PURPOSE

To provide guidelines to employees with the enforcement of immigration law, including DHS/ICE Requests for Release Notification and/or detention, in conformity with federal, state and local law.

412.2 POLICY

The San Francisco Sheriff's Department shall serve all members of the public equally without consideration of immigration status. A person's immigration status shall have no bearing on the manner in which employees execute their duties. The Department does not comply with the Department of Homeland Security/Immigration and Customs Enforcement Agency (DHS/ICE) requests to detain individuals after they are eligible to be released from Sheriff's custody.

The Sheriff alone may exercise discretion to respond to DHS/ICE requests for notification of release from Sheriff's custody if the subject of that request meets the specific criteria set forth in San Francisco Administrative Code 12I.3(d.)

The Sheriff does comply with criminal arrest warrants signed by a judge. This policy does not prohibit or restrict employees "from sending to, or receiving from, DHS/ICE information regarding the citizenship or immigration status, lawful or unlawful, of any individual." (8 U.S.C. 1373.)

Under no circumstances shall employees arrest or detain an individual based solely on their known or suspected immigration status.

412.3 IMMIGRATION ENFORCEMENT

(a) Immigration Enforcement Jurisdiction

1. DHS/ICE has primary responsibility to investigate and enforce federal immigration laws. DHS/ICE is responsible for the identification, apprehension and removal of undocumented persons, where appropriate under federal immigration law.
 - (a) Removal is a civil not a criminal matter.
2. Federal law does not compel state and local LEA participation in federal civil immigration functions. Employees may not assist DHS/ICE in the enforcement of federal civil immigration laws, except as noted in this policy.
 - (a) Employees must forward DHS/ICE requests for Department enforcement assistance in the investigation of non-immigration related criminal violations to the Sheriff, through the chain of command, for approval.
 - (b) Employees may assist DHS/ICE by providing emergency assistance when employees determine that an emergency poses an imminent danger to public safety, including to the safety of DHS/ICE agents.
 - (c) If safety permits, employees must seek supervisor approval before providing emergency assistance. On-scene supervisors shall evaluate each request for emergency assistance to ensure the Department's

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participation remains consistent with this policy while protecting human life and property.

- (b) Federal Criminal Enforcement:
 - 1. State and local law permits Department cooperation with federal criminal investigations. The Sheriff shall direct all Department cooperation with federal criminal investigations.
- (c) DHS/ICE Voluntary Detainer/Notification Requests:
 - 1. A DHS/ICE detainer/notification request is a written request asking the LEA to:
 - (a) Notify DHS/ICE as early as practicable, at least 48 hours if possible, before a removable alien is released from local custody, and maintain custody of the alien for a period not to exceed 48 hours beyond the time they would otherwise have been released, to allow DHS/ICE to assume custody for removal purposes.
 - (b) According to DHS/ICE, Form I-247A replaces the following forms: Form I-247D (Immigration Detainer - Request for Voluntary Action); Form I-247N (Request for Voluntary Notification of Release of Suspected Priority Alien); and Form I-247X (Request for Voluntary Transfer).
 - (c) Hold an individual beyond the time when the individual is otherwise eligible for release from local custody, so that DHS/ICE may take custody of that individual, and/or notify DHS/ICE in advance of the individual's scheduled release. DHS/ICE detainer/notification requests are only requests, and compliance is voluntary. The form of these requests may vary. Currently, DHS/ICE requests detention and release notification by submitting to LEAs Form I-247A (Immigration Detainer – Notice of Action).
 - 2. Additionally, DHS/ICE requests for detention and release notification may include the following attachments:
 - (a) Form I-200, "Warrant for Arrest of Alien"
 - (b) Form I-205, "Warrant for Removal/Deportation."
 - (c) Forms I-200 and Form I-205 are administrative civil warrants signed by Immigration officials and not by a judge. These documents are not criminal warrants.

Procedures:

[Administration and Field Operations Procedure Manual: 400.1 ORDER](#)

[Administration and Field Operations Procedure Manual: 400.1.1 ESTABLISH IDENTITY](#)

[Administration and Field Operations Procedure Manual: 400.1.2 CENTRAL RECORDS AND WARRANTS UNIT \(CRW\)](#)

[Administration and Field Operations Procedure Manual: 400.1.3 DHS/ICE IMMIGRATION DETAINERS AND REQUESTS FOR NOTIFICATION/PROCESS](#)

[Administration and Field Operations Procedure Manual: 400.1.4 TRUTH ACT COMPLIANCE](#)

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[Administration and Field Operations Procedure Manual: 400.1.5 COMMUNICATIONS WITH LEA, INCLUDING AGENCIES CONDUCTING CIVIL IMMIGRATION ENFORCEMENT](#)

[Administration and Field Operations Procedure Manual: 400.1.6 CONTACT](#)

412.4 U VISA

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 Criminal Investigations Unit supervisor assigned to oversee the handling of any related case. The Criminal Investigations Unit 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.
 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
 2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.
- (e) Inform the victim liaison of any requests and their status.

412.4.1 TIME FRAMES FOR COMPLETION

Deputies 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).

Deputies 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 (as defined in Penal Code § 679.10 and Penal Code § 679.11) related to one of

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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.

412.4.2 REPORTING TO LEGISLATURE

The Criminal Investigations Unit supervisor or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

412.4.3 POLICE REPORTS

Upon request, a deputy or supervisor should provide a victim or authorized representative with a copy of the report filed by the victim within seven days of the request (Penal Code § 679.10).

412.5 ATTACHMENTS

[See attachment: ICE Inmate Notification of Release - Initial Statement.pdf](#)

[See attachment: ICE Notification of Release - Determination to Notify.pdf](#)

[See attachment: ICE Notification - Designation of Persons to Receive Ice Request Information.pdf](#)

Aircraft Accidents

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

413.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed-wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

413.2 POLICY

It is the policy of the San Francisco Sheriff's Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

413.3 ARRIVAL AT SCENE

Deputies tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

413.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed.

413.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to DEM Dispatch and the, law enforcement agency of jurisdiction,

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the NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

413.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Office of the Chief Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the law enforcement agency of jurisdiction, NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the law enforcement agency of jurisdiction should ensure the accident is still appropriately investigated and documented.

413.7 DANGEROUS MATERIALS

Deputies should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.
- (d) Evacuation chutes, ballistic parachute systems and composite materials.

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413.8 DOCUMENTATION

All aircraft accidents occurring within the City and County of San Francisco shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of Department deputies deployed to assist; other City and County resources that were utilized; and cross-reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report. The first responding deputy and those directed by a supervisor shall write an Incident Report.

413.8.1 WRECKAGE

When reasonably safe, deputies should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

413.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of their observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

413.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

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Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Obtaining Air Support

414.1 PURPOSE AND SCOPE

The use of a law enforcement agency helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

414.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or deputy in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made to a Division/Facility/Section/Unit Commander.

414.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the Division/Facility/Section/Unit Commander, or designee, will request DEM to contact the California Highway Patrol for helicopter support. The Commander on duty will apprise that agency of the specific details of the incident prompting the request.

414.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement agency helicopters may be requested under any of the following conditions:

- (a) When the helicopter is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement officers are in jeopardy and the presence of the helicopters may reduce such hazard.
- (c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits.

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for deputies on the ground.

Contacts and Temporary Detentions

415.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and cursory searches, and the taking and disposition of photographs.

415.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When a deputy contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that their contact with the deputy is voluntary, the individual agrees to talk with the deputy, and they are free to leave at any time, as communicated by the deputy.

Cursory search - A type of search used by deputies in the field to check an individual for dangerous weapons. It involves a patting-down of the outermost layers of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the detainee, or others. Reasonable suspicion that the person is armed or consent is required.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable, articulable suspicion of criminal activity for the purpose of determining the individual's identity and resolving the deputy's suspicions regarding criminal activity.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Reasonable suspicion - When, under the totality of the circumstances, a deputy has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity, and the deputy has more than an unsupported hunch but less than probable cause.

Temporary Detention - When a deputy intentionally, through words, actions, or physical force, causes an individual to reasonably believe they are restricted from movement without an actual arrest. Temporary detentions also occur when a deputy actually restrains a person's freedom of movement (i.e., moves a person from a current location to the back of a patrol vehicle). Moving an individual for their safety (i.e. out of the middle of a street) does not constitute a detention, however, a Certificate of Release should be issued.

415.2 POLICY

The San Francisco Sheriff's Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the

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deputy, the decision to temporarily detain a person and complete a field interview (FI), pat search, or field photograph shall be left to the deputy based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

415.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, a deputy may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the deputy's suspicions concerning criminal activity.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the San Francisco Sheriff's Department to strengthen community involvement, community awareness, and problem identification.

415.3.1 INITIATING A FIELD INTERVIEW

When initiating the field interview, the deputy should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the field interview. Factors that may be relevant include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that they are part of a criminal enterprise or is engaged in a criminal act
- (b) Actions suggesting that they have been, are, or are about to be engaged in a criminal activity
- (c) Presence in an area at an inappropriate hour of the day or night
- (d) Presence in a particular area is suspicious
- (e) Carrying of suspicious objects or items
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest they are carrying a dangerous weapon
- (g) Location in proximate time and place to an alleged crime
- (h) Physical description or clothing worn that matches a suspect in a recent crime
- (i) Prior criminal record or involvement in criminal activity as known by the deputy

415.4 PAT SEARCHES

Once a valid stop has been made, and consistent with the deputy's training and experience, a deputy may pat a suspect's outer clothing for weapons if the deputy, under the totality of the circumstances has a reasonable, articulable suspicion the suspect may be armed and presently dangerous (see Searches Policy). The purpose of this limited search is not to discover evidence of a crime, but to allow the deputy to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat search include, those factors noted above 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.

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- (b) Where more than one suspect must be handled by a single deputy.
- (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.

When practicable, a pat search should not be conducted by a lone deputy. A cover deputy should be positioned to ensure safety and should not be involved in the search.

415.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the deputy shall carefully consider, among other things, the factors listed below.

415.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the deputy should have the individual read and sign the appropriate form accompanying the photograph.

415.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The deputy must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the deputy's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

415.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Watch Commander with an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Watch Commander should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Watch Commander will forward the photograph and documents to the designated criminal intelligence system supervisor.

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The supervisor will ensure the photograph and supporting documents are retained as prescribed in department policy.

- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Central Records and Warrants Unit.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

415.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

415.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, deputies should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following (see Eyewitness Identification Policy):

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to their 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 San Francisco Sheriff's Department deputies.
 - 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

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416.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the San Francisco Sheriff's Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

416.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

416.2 POLICY

The San Francisco Sheriff's Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information, in accordance with the rules governing the sharing information, while respecting the privacy and legal rights of the public.

416.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Sheriff has approved the system for department use.

Any criminal intelligence system approved for department use shall meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

416.3.1 SYSTEM ENTRIES

Only authorized employees may make an entry of any information from a report, field interview (FI), photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained. Any supporting documentation for an entry

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shall be retained in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Central Records and Warrants Unit are appropriately marked as intelligence information. The Unit Commander may not purge such documents without the approval of the designated supervisor, subject to the Department's records retention schedule.

416.3.2 GANG DATABASES

The Sheriff 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).

Prior to designating any person as a suspected gang member, associate, or affiliate in a shared gang database; or submitting a document to the Attorney General's office for the purpose of designating a person in a shared gang database; or otherwise identifying the person in a shared gang database, the gang unit supervisor shall provide written notice to the person and, if the person is under the age of 18, to 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 they 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 unit supervisor. If it is determined that the person is not a suspected gang member, associate, or affiliate, the person shall be removed from the database. The person and the parent or guardian shall be provided written verification of the department's decision within 30 days of receipt of the written documentation contesting the designation and shall include the reason for a denial when applicable (Penal Code § 186.34).

The unit supervisor should forward reports or FIs to the Central Records and Warrants Unit after appropriate database entries are made. The supervisor should clearly mark the report/FI as gang intelligence information.

It is the responsibility of the Central Records and Warrants Unit supervisor to retain reports and FIs in compliance with the database rules and any applicable end user agreement.

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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). These records shall not be disclosed in violation of the provisions of San Francisco Administrative Code Sections 12H and 12I.

416.4 TEMPORARY INFORMATION FILE

Employees may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. No employee may create or keep files on individuals that are separate from the approved criminal intelligence system. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

416.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Central Records and Warrants Unit, but should be copies of, or references to, retained documents such as copies of reports, FI documents, dispatch records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

416.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged. Records may be subject to subpoena or discovery in a criminal or civil case and may require a longer retention period.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

416.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

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- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Unit Commander to train employees to identify information that may be particularly relevant for inclusion.

416.6 RELEASE OF INFORMATION

Department employees shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department employees and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

416.7 CRIMINAL STREET GANGS

The Sheriff should ensure that there are an appropriate number of department employees who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:
 - 1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).
 - 2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
 - 3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).
- (b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.
- (c) Train other employees to identify gang indicia and investigate criminal street gang-related crimes.

416.8 TRAINING

The Department should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

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- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

416.8.1 SHARED GANG DATABASE TRAINING

The Department should ensure that members who are authorized users of a shared gang database receive the required training from the California Department of Justice (DOJ) or an instructor certified by the DOJ that includes comprehensive and standardized training on the use of shared gang databases, and any other associated training required by the Department (Penal Code § 186.36; 11 CCR 751.6).

Public Safety Video Surveillance System

417.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

417.2 POLICY

The San Francisco Sheriff's Department operates public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in Sheriff's facilities and in buildings where the Sheriff provides contracted services. The Sheriff's Department does not own nor does it determine camera locations or systems in buildings where the Sheriff provides contracted services (i.e. hospital, City Hall, etc.). Cameras may be placed in strategic locations throughout the City and County to detect and deter crime and to help safeguard against potential threats to employees, incarcerated individuals, and the public, to help manage emergency response situations during natural disasters and human-caused events, and to assist City and County officials in providing services to the community.

Video surveillance will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

417.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized in Sheriff's facilities. The Sheriff or the authorized designee shall approve all proposed locations for the use of video surveillance technology in Sheriff's facilities and should consult legal counsel as necessary in making such determinations.

417.3.1 PLACEMENT AND MONITORING

Camera placement in Sheriff's owned or leased facilities or facilities that the Sheriff operates will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. Environmental factors, including lighting, location of buildings, presence of vegetation, or other obstructions, should also be evaluated when determining placement.

Recorded images and sound may be used for a variety of purposes, including criminal investigations and monitoring of activity. Signage will be posted in areas where sound, in addition to video, is being recorded. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To coordinate response to critical incidents.

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- (c) To assist in identifying, apprehending, and prosecuting offenders.
- (d) To document deputy and offender conduct during interactions to safeguard the rights of the public and deputies.
- (e) To augment resources in a cost-effective manner.
- (f) To monitor pedestrian activity.

Real time images may be transmitted to viewing stations in Sheriff-controlled areas. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding deputies in a timely manner. Department employees are authorized to adjust the cameras to more effectively view a particular area for public safety purposes.

Unauthorized recording, viewing, reproduction, dissemination or retention, unrelated to the purposes stated above, is prohibited.

417.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment including audio-recording should be marked in a conspicuous manner with appropriate signage to inform the public that the area is under sheriff's surveillance. Signs shall be well lit, placed appropriately and without obstruction to ensure visibility.

417.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure employees are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

417.4.1 VIDEO LOG

A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. Access to view and/or monitor images must be approved by a supervisor. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

417.4.2 PROHIBITED ACTIVITY

Public video surveillance systems 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.

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Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

417.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance 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 a minimum of one year. Prior to destruction, written consent shall be obtained from the City Attorney, only if the recording is subject to a litigation hold. 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). Recordings should be retained consistent with any litigation hold letter received by the Department.

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.

417.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

417.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment in Sheriff's facilities are for the official use of the San Francisco Sheriff's Department. Recorded video images gathered by the public safety video surveillance equipment in buildings where the Sheriff performs contracted services are for the official use of the building owner.

Requests for recorded video images from the public or the media shall be processed according to the policy of the building owner/manager in which the recorded video images were taken and in the same manner as requests for department public records for those owned by the Department.

Requests for recorded images from other law enforcement agencies shall be referred to the building owner/manager for release. For recorded images owned by the Department, law enforcement agencies shall be referred to Sheriff's Legal Counsel for release.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

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417.7 VIDEO SURVEILLANCE AUDIT

The Sheriff or the authorized designee will conduct an annual review of the public safety video surveillance 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 Sheriff or the authorized designee. Any recommendations for training or policy should be promptly addressed.

417.8 TRAINING

All department employees authorized to operate or access public video surveillance systems shall receive training to include guidance on the use of cameras, interaction with building tenants, the public, and patrol operations, and a review regarding relevant policies and procedures including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Mobile Data Terminal Use

419.1 PURPOSE AND SCOPE

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 DEM Dispatch.

419.2 POLICY

San Francisco Sheriff's Department deputies using the MDT shall comply with all federal and state Department of Justice (DOJ) rules and regulations and shall use the MDT in a professional manner in accordance with this policy. Deputies shall use the MDT for official department business only.

419.3 PRIVACY EXPECTATION

Because deputies may only use the MDT for official department business, members should not have 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).

419.4 RESTRICTED ACCESS AND USE

When using the MDT, deputies must comply with all department and City policies related to the use of information and technology.

Deputies assigned to vehicles equipped with an MDT shall log onto the MDT with the required information when going on-duty. Deputies shall not access the MDT system if they have not received prior authorization and required training.

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 a deputy has questions about sending a particular message or accessing a particular database, the deputy should consult their 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 (see the Discrimination and Harassment Policy).

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. 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. The system provides for auditing and printing of transmissions. All transmissions are subject to legal discovery and subpoena.

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419.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator shall be limited to times when the vehicle is stopped. Deputies shall not use the MDT while the vehicle is in motion unless the deputy is a passenger. Information that is required for immediate enforcement, a license plate check, investigative, tactical or safety needs shall be transmitted over the radio. In no case shall an operator attempt to send or review any message while the vehicle is in motion.

419.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Watch Commander or dictated by other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the sheriff's radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the deputy's contacts or daily activity at the time of contact. To ensure accuracy:

- (a) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (b) Whenever the activity or contact is not initiated by voice, the deputy shall document it via the MDT.

419.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) should be transmitted over the sheriff's radio or through the MDT system.

Deputies responding to in-progress calls should advise changes in status over the radio to assist other deputies responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

419.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the deputy 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 deputy. If the location is known, the nearest available deputy should respond in accordance with the Deputy Response to Calls Policy.

Deputies should ensure a field supervisor and the Watch Commander are notified of the incident without delay.

Deputies not responding to the emergency shall refrain from transmitting on the sheriff's radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

419.6 EQUIPMENT CONSIDERATIONS

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419.6.1 MALFUNCTIONING MDT

Whenever deputies must drive a vehicle in which the MDT is not working, they shall notify the Department of Emergency Management (DEM) dispatch. It shall be the responsibility of the dispatcher to document all information that will be transmitted verbally over the sheriff's radio.

Portable Audio/Video Recorders

420.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by employees of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn (Body Worn Cameras (BWC)), handheld, remotely controlled (i.e. drones and robots) or integrated into portable equipment.

This policy does not apply to mobile audio/video (MAV) recordings (See Mobile Audio/ Video Policy), interviews or interrogations conducted at any San Francisco Sheriff's Department facility, authorized undercover operations, wiretaps and/or eavesdropping (concealed listening devices).

420.2 POLICY

The San Francisco Sheriff's Department may provide deputies with access to portable recorders, either audio or video or both, for use during the performance of their duties in compliance with federal, state and local laws. The use of recorders is intended to enhance the mission of the Department by creating an audio and visual recording of an event. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

420.3 COORDINATOR

The Sheriff or designee shall appoint an employee 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.

420.4 PRIVACY EXPECTATION

All recordings made by employees 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. Employees shall have no ownership interest in the content of these recordings. State law requires the release of law

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enforcement video or audio recordings to the public except under limited circumstances. (Cal. Gov't Code § 6254(f)(4)).

420.5 EMPLOYEE RESPONSIBILITIES

When equipped with a portable recording device, issued by the Department, deputies will be responsible for ensuring that the recorder is working. If the recorder is not working or the deputy becomes aware of a malfunction, the deputy shall promptly report the failure to a supervisor and obtain a functioning device as soon as reasonably practical. Uniformed deputies should wear the recorder (BWC) in a conspicuous manner (in the upper quadrant of their person) or otherwise notify persons that they are being recorded, stating "camera on", whenever reasonably practical.

A deputy assigned to a non-uniformed position may carry an approved portable recorder, as approved by a supervisor when the employee believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed deputies should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Only deputies trained in the use of portable recorders shall be authorized to use them unless directed by a supervisor.

Deputies assigned a BWC should wear their issued BWC and have it turned on at all times while on duty unless on a break, at training or working in an administrative function/task. Deputies shall not intentionally and knowingly, with the intent to interfere with the BWC at any time during activation and shall not purposefully interfere with the audio recording during activation. Deputies assigned a BWC or any other portable recording device shall not erase, alter, reuse, modify, destroy, abuse or tamper with audio/video recordings or the device.

The existence of a known recording in any report or other official record of the contact, including any instance where the recorder malfunctioned, or the deputy deactivated the recording shall be documented. Reasons for deactivation shall be included.

Deputies shall activate the download procedure at the end of their shift or when directed by a supervisor.

420.5.1 SUPERVISOR RESPONSIBILITIES

The Sheriff should ensure deputies are properly trained in the use of portable recording devices.

Supervisors should ensure the data is downloaded (Penal Code § 832.18).

- (a) A supervisor shall ensure the recording and all associated documents are completed and submitted by the end of the shift, in accordance with current protocol regarding 16-hour work limitations to the Facility/Section/Unit Commanders.
- (b) Facility/Section/Unit Commanders or designees shall safely secure audio/video recordings.
 1. Upon investigation by the IAU or CIU, an investigator will take the original recording and either provide a copy to the Facility/Section/Unit Commander or sign a document indicating they have seized the recording.

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- (c) Prisoner Legal Services (PLS), when representing an incarcerated person in a disciplinary hearing for conduct that may have been recorded, may submit a written request to the Facility/Section/Unit Commander to review a recorded file. Approval or denial of access is at the discretion Facility/Section/Unit Commanders. If approved, PLS may view a file but will not be given a copy of the file.

420.6 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which a deputy should use a portable recorder, although there are many situations where its use is appropriate. Deputies should activate the recorder any time they believe it would be appropriate or valuable to record an incident.

The portable recorder should be activated without delay in any of the following required situations unless a delay would constitute a serious hazard to employees or others or would result in a major incident. Deputies, including supervisors, should make a reasonable effort to activate the portable recorder prior to making contact or responding to in the below-required use situations:

1. At a supervisor's direction
2. Self-initiated activity in which a deputy would normally notify Dispatch and/or a supervisor
3. All enforcement and investigative contacts including stops, field interview situations, detentions and arrests
4. Contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
5. Vehicle or foot pursuit
6. Use of force incidents
7. Response to an emergency call
8. Civil eviction
9. Serving a search or arrest warrant
10. Unlawful demonstrations
11. Mass arrest incidents
12. Traffic stops including, but not limited to, traffic violations, stranded motorist assistance, and all crime interdiction stops
13. Victim and witness statements, excluding juveniles, sexual assault or child abuse victims
14. Miranda advisements
15. Conducting a search on a person (with the exception of strip searches) and/or property, including incident to an arrest, cursory, probable cause, probation/parole, consent, or vehicle searches.
16. Searches of a cell, housing unit or holding areas

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17. All arrestee or incarcerated transports, loading and unloading
18. 5150 Evaluation
19. Movement to a Safety Cell
20. Safety Cell and Restraint Chair Placements and Removals
21. Cell Extractions
 1. Decision as to who will wear a camera will be made by the incident supervisor.
22. Supervising incarcerated workers who are in close proximity to exterior security exit/entry points or perimeter

Deputies are not required to obtain consent to record or advise that they are recording an event that is a public place or where they are lawfully entitled to be. Deputies 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 deputy 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 an issue unless the circumstances no longer fit the criteria for recording. In the event of an incident requiring the use of a portable recorder in an area where there is an expectation of privacy, precautions should be taken to protect the dignity of the victim and uninvolved parties, such as the avoidance of recording nudity and sensitive areas, if possible. If this cannot be accomplished due to a specific circumstance it must be noted in a report.

At no time is a Deputy expected to jeopardize their safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practical.

420.6.1 CESSATION OF RECORDING

When a deputy is aware that their camera is not operational, they must attempt to address the issue as soon as it is safe and reasonable to do so. A recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in an incident.

If a recording is terminated early, including because of a dead battery (which is recorded in the video), the reasons for the termination shall be documented in the subsequent report, if written, of the incident.

Deputies 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).

420.6.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Employees of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the employee reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

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Employees shall not surreptitiously record another department member without a court order unless lawfully authorized by the Sheriff or designee. Employees shall not surreptitiously record a private conversation between an attorney and the attorney's client.

420.6.3 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.

420.7 PROHIBITED USE OF PORTABLE RECORDERS

Employees are prohibited from using department-issued portable recorders 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.

Employees 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. Employees shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Employees are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any employee 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 practical.

Recordings shall not be used by any employee for the purpose of embarrassment, harassment or ridicule. Employees shall not intentionally record conversations of other employees during routine activities. Employees shall not intentionally record any personal conversation with or between other employees without the member's recorded consent and/or knowledge.

BWCs are not to be used for conducting department administrative (internal) investigations, including undercover recordings. However, this does not restrict internal investigators access to or review of recordings when investigating complaints of misconduct.

At no time shall any internal investigator record communication between a deputy and their representative, union, or legal counsel.

Deputies shall not activate portable recording devices when encountering:

- (a) Sexual assault and child abuse victims
- (b) During preliminary investigation situations that could compromise the identity of confidential informants or undercover operatives.

420.7.1 NON SAN FRANCISCO SHERIFF ISSUED BODY WORN CAMERAS (BWC)

Only Sheriff issued Body Worn Cameras may be in operation inside a San Francisco County Jail. Any other BWC must be turned off and not merely put in buffer mode. The IRC shall have signage

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posted at the booking entrance instructing all outside agency personnel to ensure their BWCs are turned off before entering.

420.7.2 PROHIBITED USE OF BIOMETRIC SURVEILLANCE SYSTEM

The installation, activation, or use of biometric surveillance systems, including facial recognition, in connection with portable recorders is prohibited (Penal Code § 832.19).

420.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, deputies will download, tag or mark recordings in accordance with procedures at the conclusion of their shift and document the existence of the recording in any related case report. If this is not completed by the end of the shift, deputies will notify a supervisor.

A deputy should transfer, tag or mark recordings when the deputy 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) The recording contains medical or mental health information.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time an employee reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the employee should promptly notify a supervisor of the existence of the recording.

420.9 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, employees may review their recordings as a resource prior to completing reports. However, employees shall not retain personal copies of recordings. Employees should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the employee's performance. Such reviews will be documented as to why the supervisor reviewed the recordings.

Recorded files may also be reviewed by any employee of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

- (a) By media personnel with permission of the Sheriff or the authorized designee.

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All recordings must be reviewed by CRW staff prior to public release (see the Records Maintenance and Release Policy). CRW staff will determine whether release is required by law, and will not publicly release recordings that unreasonably violate a person's privacy unless ordered by a court.

The following persons may submit a written request to the Sheriff's Legal Counsel to review recorded files:

- (a) San Francisco City Attorney or designee
- (b) District Attorney or designee
- (c) Counsel of record for an incarcerated person who has been criminally charged as documented on the recording device
- (d) Department employees (or their representative) charged with disciplinary action as a result of incidents believed to have been recorded
- (e) Law enforcement agencies
- (f) A person issuing a subpoena or court personnel who are otherwise authorized to review evidence in a related case.
- (g) A member of the public in compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.
- (h) Union in compliance of a Request for Information
- (i) When an employee has been noticed as the subject or witness or an administrative interrogation.

420.10 RETENTION OF RECORDINGS

The department shall retain recordings of the following for a minimum of two years (Penal Code § 832.18):

- (a) Incidents involving use of force by a deputy
- (b) Officer-involved shootings
- (c) Incidents that lead to the detention or arrest of an individual
- (d) Recordings relevant to a complaint against a deputy or the San Francisco Sheriff's 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 no less than 90 calendar days.

In the event of an activation of a portable recorder, where the recording contains private or personal conversations, a deputy may request that the conversation be deleted, if it does not contain information related to an ongoing criminal or internal affairs investigation, or serve any

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valid purpose. All requests for deletion of data shall be made in writing to the Division Commander for review and action.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

420.10.1 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.

Public Recording of Law Enforcement Activity

421.1 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.

421.2 POLICY

The San Francisco Sheriff's 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 deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Deputies should exercise restraint and should not resort to highly discretionary arrests for offenses as a means of preventing someone from exercising the right to record members performing their official duties.

421.3 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 deputies.
 4. Being so close to the activity as to interfere with a deputy's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the deputies, to themselves or to others.

421.4 DEPUTY RESPONSE

Deputies should promptly request 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 practical, deputies should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

When practical, deputies 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

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be compliant and directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, a deputy could advise the person that they 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, deputies shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

421.5 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 deputy and:

- (a) Request 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 practical, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that 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.

421.6 SEIZING RECORDINGS AS EVIDENCE

Deputies 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. Ensure the consent is voluntary and without coercion.
 - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practical. 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.

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Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

Medical Marijuana

422.1 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.

422.1.1 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 they have 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).

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422.2 POLICY

It is the policy of the San Francisco Sheriff's Department to prioritize resources to forgo making arrests related to marijuana that the arresting deputy 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 San Francisco Sheriff's Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

422.3 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.

422.3.1 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 deputy 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 deputies should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

422.3.2 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A CARDHOLDER

A cardholder or designated primary caregiver in possession of an identification card shall not be arrested for possession, transportation, delivery or cultivation of medical marijuana at or below the statutory amount unless there is probable cause to believe that (Health and Safety Code § 11362.71; Health and Safety Code § 11362.78):

- (a) The information contained in the card is false or falsified.
- (b) The card has been obtained or used by means of fraud.
- (c) The person is otherwise in violation of the provisions of the MMP.
- (d) The person possesses marijuana but not for personal medical purposes.

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Deputies who reasonably believe that a person who does not have an identification card in their possession has been issued an identification card may treat the investigation as if the person had the card in their 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.

422.3.3 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 deputy 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).

Deputies 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.

Deputies 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.

Deputies should generally accept verified recommendations by a physician that statutory amounts do not meet the patient's needs (Health and Safety Code § 11362.77).

422.3.4 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. Deputies 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).

422.3.5 ADDITIONAL CONSIDERATIONS

Deputies should consider the following when investigating an incident involving marijuana possession, delivery, production or use:

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- (a) Because enforcement of medical marijuana laws can be complex, time consuming and call for resources unavailable at the time of initial investigation, deputies 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, deputies 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, deputies 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.

422.3.6 EXCEPTIONS

This policy does not apply to and deputies should consider taking enforcement action for the following:

- (a) Persons who engage in illegal conduct that endangers others, such as driving under the influence of marijuana in violation of the Vehicle Code (Health and Safety Code § 11362.5).
- (b) Marijuana possession in jails or other correctional facilities that prohibit such possession (Health and Safety Code § 11362.785).

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- (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).

422.4 FEDERAL LAW ENFORCEMENT

Deputies should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the deputy believes those authorities would have a particular interest in the information.

422.5 PROPERTY ROOM RESPONSIBILITIES

The Property Room 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. However, in a custodial setting, marijuana and drug paraphernalia may be seized and destroyed, booked as: evidence; for destruction; or into a person's property; and charges brought against the individual.

Upon the prosecutor's decision to forgo prosecution or the dismissal of charges or an acquittal, the Property Room 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 Room may release marijuana to federal law enforcement authorities upon presentation of a valid court order.

The Sheriff's Department will abide by local and state laws and guidelines regarding the release, destruction, booking and evidence of marijuana and drug paraphernalia.

Bicycle Patrol Unit

423.1 PURPOSE AND SCOPE

The San Francisco Sheriff's Department has Bicycle Patrol trained deputies enhance patrol efforts in areas serviced by the Department. Bicycle patrol has been shown to be an effective way to increase officer visibility 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.

423.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize mobility and visibility to the community.

Bicycles may be deployed at any hours of the day or night according to Department needs.

Requests for specific deployment of bicycle patrol deputies shall be coordinated through the Field Division Captain or designee.

423.3 SELECTION OF PERSONNEL

Deputies who are interested for consideration, off probation, and assigned to a Unit that has a bicycle patrol function may submit a request to the Division Commander via the chain of command. A copy will be retained by the Unit supervisor. Qualified applicants may then be invited to an oral interview. Interested personnel shall be evaluated by the following criteria:

- (a) Good physical condition.
- (b) Willingness to perform duties using the bicycle as a mode of transportation.

423.3.1 BICYCLE PATROL SUPERVISOR

The bicycle patrol supervisor at each Unit where bicycle patrols function will be selected by the Division Commander or designee. The bicycle patrol supervisor shall:

- (a) Organize bicycle patrol training.
- (b) Inspect and maintain inventory of patrol bicycles and program equipment.
- (c) Schedule maintenance and repairs.
- (d) Coordinate activities within the Division.
- (e) Maintain documentation, records and statistics of bicycle patrol activities.
- (f) Update rules, specifications and regulations concerning the program's operation.
- (g) Oversee uniform compliance based on this policy and the Department's Uniform Regulations Policy. Staff shall submit a request for bicycle parts/supplies, uniform and/or equipment items for bicycle patrol through their chain of command via the Unit Commander to the Division Commander.

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423.4 TRAINING

Participants in the program must pass an initial Department approved bicycle patrol-training course after acceptance into the program. Thereafter bicycle patrol deputies should receive 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.

Bicycle patrol deputies will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

423.5 UNIFORMS AND EQUIPMENT

Deputies shall wear the department-approved safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

Bicycle patrol deputies shall wear the authorized uniform and carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment. Deputies shall only wear the bicycle uniform when they are actively assigned to bicycle patrol. Deputies shall not be deployed to bicycle patrol unless they are dressed in an appropriate uniform.

423.6 CARE AND USE OF PATROL BICYCLES

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a "SHERIFF" decal affixed to each side of the crossbar and/or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of Vehicle Code §2800.1(b). 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). Deputies shall not modify the patrol bicycle, remove or add components, except with the expressed approval of the Division Commander or designee in the event of an emergency.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddlebag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations. Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information and user manuals. These items are to remain with/on the bicycle at all times.

Bicycle patrol deputies shall conduct an inspection of the bicycle and equipment prior to each use to ensure proper working order of the equipment. At the end of a shift, the bicycle shall be returned clean and ready for the next tour of duty.

Deputies are responsible for the routine care and maintenance of the bicycle and equipment assigned to them (e.g., tire pressure, chain lubrication, overall cleaning). If a needed repair is beyond the ability of the bicycle deputy, a repair work order will be completed and forwarded to

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the Unit supervisor. The bicycle and equipment in need of repair shall be placed "Out of Service" until inspection and repairs can be performed by a qualified bicycle or equipment technician. Each bicycle will have scheduled maintenance twice yearly to be performed by a department-approved repair shop technician.

Bicycles shall be properly secured when not in the deputy's immediate presence. Department patrol bicycles shall not be removed from the Unit's area of operation or used for a non-work related function without the specific approval of the Unit Commander.

423.7 DEPUTY RESPONSIBILITY

Deputies must operate the bicycle in compliance with the vehicle code under normal operations. Deputies may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Deputies must use caution and care when operating the bicycle without lighting equipment.

Deputies 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.
- (c) In the immediate pursuit of an actual or suspected violator of the law.

Foot Pursuits

424.1 PURPOSE AND SCOPE

This policy provides guidelines to assist deputies in making the decision to initiate or continue the pursuit of suspects on foot.

424.2 POLICY

It is the policy of this department that deputies, 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. Deputies are expected to act reasonably, based on the totality of the circumstances.

424.3 DECISION TO PURSUE

Deputies should analyze the risk of initiating, continuing, and/or terminating a foot pursuit. If the threat to public or officer safety is greater than the need for immediately apprehending the suspect, then the foot pursuit should not be initiated or it should be terminated.

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 a deputy must make quickly and under unpredictable and dynamic circumstances. No deputy 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, a deputy should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

424.4 GENERAL GUIDELINES

When reasonably practical, deputies should consider alternatives to engaging in or continuing a foot pursuit when:

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- (a) The deputy is acting alone.
- (b) Two or more deputies 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 deputy keep the suspect in sight from a safe distance and coordinate the containment effort.
- (c) The deputy is unsure of their location and direction of travel.
- (d) The deputy is pursuing multiple suspects and it is not reasonable to believe that the deputy would be able to control the suspects should a confrontation occur.
- (e) The physical condition of the deputy renders them incapable of controlling the suspect if apprehended.
- (f) The deputy loses radio contact with the dispatcher or with assisting or backup units.
- (g) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient deputies to provide backup and containment. The primary deputy should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (h) The deputy becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to deputies or the public.
- (i) The deputy reasonably believes that the danger to the pursuing deputies or public outweighs the objective of immediate apprehension.
- (j) The deputy loses possession of their firearm or other essential equipment.
- (k) The deputy or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (l) The suspect's location is no longer definitely known.
- (m) 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.
- (n) The deputy's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

424.5 RESPONSIBILITIES IN FOOT PURSUITS

424.5.1 INITIATING DEPUTY RESPONSIBILITIES

When acting alone and when practical, the initiating deputy should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient deputies are present to safely apprehend the suspect.

Early communication of available information from the involved deputies is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion.

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Deputies initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available based on the acronym "I LANDD":

- I – Identifier (call sign)
- L - Location (include direction of travel)
- A – Activity ("On foot pursuit" and give the crime classification)
- N – Number (of suspects and names if known)
- D – Description (include skin color, clothing, tattoos, etc)
- D – Dangers (Is the suspect known or believed to be armed with a dangerous weapon)

Deputies should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any deputy unable to promptly and effectively broadcast this information should terminate the foot pursuit.

When a foot pursuit terminates, the deputy will notify the dispatcher of their 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 deputies, suspects or members of the public.

424.5.2 ASSISTING DEPUTY RESPONSIBILITIES

When a deputy announces that they are engaged in a foot pursuit, all other deputies should minimize non-essential radio traffic to permit the involved deputies maximum access to the radio frequency.

424.5.3 SUPERVISOR RESPONSIBILITIES

The supervisor shall terminate the foot pursuit when the danger to pursuing deputies or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

424.5.4 DISPATCHER 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 deputies.
- (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 possible.
- (g) Assigning an incident number and logging all pursuit activities.

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424.6 REPORTING REQUIREMENTS

The initiating deputy shall complete an Incident Report if the suspect is not apprehended, and an arrest report if the suspect is apprehended documenting, at a 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 deputies.
- (f) Whether a suspect was apprehended as well as the means and methods used.
 - 1. Use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Injuries and/or medical treatment.
- (i) Property or equipment damage.
- (j) Name of the supervisor who was advised of the incident.

Assisting deputies taking an active role in the apprehension of the suspect, and/or the foot pursuit, shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report(s) will make a preliminary determination if the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

Homeless Persons

426.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the persons experiencing homelessness and to establish procedures to guide deputies during all contacts with the individuals, whether consensual or for enforcement purposes. The San Francisco Sheriff's Department recognizes that members of the homeless community are often in need of special protection and services. The San Francisco Sheriff's Department will address these needs in balance with the overall mission of this department. Therefore, deputies will consider the following when serving the homeless community.

426.1.1 POLICY

It is the policy of the San Francisco Sheriff's Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of those experiencing homelessness. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

426.2 HOMELESS COMMUNITY OUTREACH COORDINATOR

The Sheriff may designate a supervisor to act as the Homeless Community Outreach Coordinator (HCOC). The responsibilities of the HCOC include the following:

- (a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to those who are homeless.
- (b) Meet with social services and representatives of other organizations that render assistance to those who are homeless.
- (c) Maintain a list of the areas within the Sheriff's jurisdiction that are used as frequent homeless encampments.
- (d) Remain updated on laws dealing with the removal and/or destruction of the personal property of those who are homeless. This will include but is not limited to:
 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 clean-up operations conducted by this department involving the removal of personal property of those who are homeless to ensure that the rights of the homeless are not violated.
- (f) Develop training to assist deputies in understanding current legal and social issues relating to those who are homeless.

426.3 FIELD CONTACTS

Deputies are encouraged to contact the persons who appear homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to

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dissuade a deputy from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity.

Deputies should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

426.3.1 OTHER CONSIDERATIONS

Members of the community who are homeless 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. Deputies 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 person may frequent.
- (c) Provide victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event that a victim who is homeless is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution, even when a victim who is homeless indicates that they do not desire prosecution.

426.4 PERSONAL PROPERTY

The personal property of those who are homeless must not be treated differently than the property of other members of the public. Deputies should use reasonable care when handling, collecting and retaining the personal property of those who are homeless and should not destroy or discard the personal property of those who are homeless.

When a person who is homeless is arrested or otherwise removed from a public place, deputies should make reasonable accommodations to permit the person to lawfully secure their 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 deputy, it will be the deputy's responsibility to coordinate the removal and safekeeping of the property.

Deputies should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of those who are homeless without the prior authorization of a supervisor or the department HCOC. When practical, requests by the public for clean-up of a homeless encampment should be referred to the HCOC or San Francisco Department of Public Health.

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Deputies 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 HCOC or DEM Dispatch if such property appears to involve a trespass, blight to the community or is the subject of a complaint.

426.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some persons who are homeless may suffer from a mental illness or a mental impairment. Deputies shall not detain those who are homeless under a mental illness detention unless facts and circumstances warrant such a detention (see the Crisis Intervention Incidents Policy).

When a mental illness hold is not warranted, the contacting deputy should provide the person with contact information for mental health assistance as appropriate. In these circumstances, deputies may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

426.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Deputies are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Circumstances affecting facilities, buildings or persons where Sheriffs provide contract services shall be documented.

First Amendment Assemblies

427.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations on City and County of San Francisco property for which the Department provides security and when responding to provide mutual aid for assemblies or demonstrations occurring elsewhere.

427.2 POLICY

The San Francisco Sheriff's Department respects the rights of people to peaceably assemble and exercise their First Amendment rights. It is the policy of this Department not to interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of such rights, while also preserving the peace, protecting life and preventing the destruction of property. Supervisors should follow any operations order but may alter the response as is necessary and prudent.

427.3 GENERAL CONSIDERATIONS

Both the state and federal constitutions protect the right of persons to assemble, demonstrate, protest and otherwise engage in expressive activity. A government may impose reasonable time, place and manner restrictions on such activity, including, for example, requiring a permit under certain prescribed circumstances, or prohibiting non-expressive activity taken in conjunction with expressive activity, such as intentionally blocking the passage of a particular individual, violating the vehicle code, or possessing a gun at a public gathering (see S.F. Police Code §§ 22, 3602C, Park Code § 7.03). Whether a restriction is a reasonable time, place or manner restriction consistent with the First Amendment, may differ depending on whether the activity occurs on a traditional public forum such as a sidewalk, a limited public forum such as City Hall, or private property.

No employee may make law enforcement decisions based on the content of any expressive activity. 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. It is imperative that law enforcement actions are measured and appropriate for the behaviors deputies may encounter. It is essential that deputies employ adaptable strategies and tactics.

Deputy response to public assemblies or demonstrations relating to anti-reproductive rights should be consistent with this policy (Penal Code § 13778.1).

427.3.1 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of a planned event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

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427.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering/disturbance, the first responding deputy should conduct an assessment of conditions, including, but not limited to:

- 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 the gathering or disturbance will impact lawful use of a public place
- Ability and/or need to continue monitoring the incident

The first deputy on the scene is the incident commander and should promptly communicate initial assessment to DEM Dispatch, the Watch Commander, and request resources as appropriate to the incident. Upon arrival, a responding supervisor may assume command of the incident until command is expressly assumed by another and the assumption of command is communicated to the involved members.

The supervisor should request additional resources as appropriate. The supervisor should establish a clearly defined command structure that is consistent with the Incident Command System (ICS) as the supervisor deploys resources.

When an unplanned or spontaneous public disturbance occurs inside a City building for which the Sheriff provides security, the Watch Commander shall notify the building manager. Whenever possible the activities shall be monitored and recorded via the security camera surveillance system.

427.5 PLANNED EVENT PREPARATION

For planned events, the supervisor charged with planning for a response should develop a comprehensive, incident-specific operational plan, consistent with ICS (see Operations Planning Policy).

427.5.1 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 communicating to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- 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.

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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).

427.5.2 OPERATIONAL PLANS

The supervisor assigned to lead and manage the department's response to the incident should develop an operational plan for the event (see Operations Planning Policy).

The operational plan for an event should provide, as necessary, for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and required safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City and County government and legal staff.
- (i) Media relations and a defined area for media observance of event.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Arrestee transport and detention.
- (n) Review of policies regarding public assemblies and use of force.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

The San Francisco Sheriff's Department shall respond to unlawful behavior in a manner that is consistent with the operational plan.

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427.6 CITY AND COUNTY OF SAN FRANCISCO PROPERTY

The San Francisco Sheriff's Department provides security for certain City facilities and buildings, including City Hall, the San Francisco Public Library, Department of Public Health facilities, etc. The building manager for each of these buildings has identified prohibited activities within the facility/building. The types of activities prohibited by the building managers may include:

- Chanting, yelling and whistleblowing
- Sound amplification without the express authorization of the building manager
- Signs exceeding 11" x 17" in size or other large items
- Throwing any type of object
- Physical violence of any type
- Blocking hallways, aisles, corridors, entrance/exit, etc.
- Any violation of the law

427.6.1 SHERIFF'S CONTRACTED BUILDINGS

- (a) In a Sheriff's contracted building, (i.e., a City building in which the Sheriff provides security) when the building manager determines that a disturbance and/or demonstration impairs government business and/or violates the established building rules, deputies shall:
1. Direct the individual/group to cease the disruptive behavior.
 2. If the individual/group fails to comply, attempt to verbally persuade event organizers or participants to disperse of their own accord.
 3. When verbal persuasion is unsuccessful, make the announcements as described above.
- (b) Inside a Sheriff's contracted building, a meeting, board commission, hearing or other closed door gathering where the public attends may at times become noisy or volatile. When a demonstration, group and/or individual disturbs the peace and/or official government business inside a meeting/hearing room, the meeting facilitator or designee shall make that determination and shall provide the deputy with an order or direction to remove individuals from the room. The deputy shall:
1. Direct individuals to voluntarily leave the room.
 2. If necessary, remind individuals that failure to comply will result in an arrest for disturbing an assembly and/or other applicable charge.
 3. Prior to the arrest, the meeting facilitator may choose to:
 - (a) Warn individuals prior to ordering an arrest.
 - (b) Turn off the public microphone
 - (c) Recess the meeting to allow a cool-down period
 - (d) Order the meeting/hearing room cleared

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- (e) Order individuals to be arrested

Deputies may take appropriate actions without the meeting facilitator's permission when an individual's actions threaten the safety of other persons or property.

427.6.2 DISRUPTIONS ON CITY PROPERTY

For City property where the Sheriff provides security, it is the responsibility of the building manager or designee to determine when a disturbance and/or demonstration impairs government business and/or violates the established building rules, when to request deputy assistance and to designate persons who they wish to have removed or arrested. After building staff make those determinations, but prior to a deputy removing or arresting any group or individual, either the building staff or a deputy shall direct the individual/group to cease the disruptive behavior. If the individual/group fails to comply, building staff or the deputy shall attempt to verbally persuade event organizers or participants to disperse of their own accord. The attempt shall include a warning that the individual or group may be subject to arrest if the individual or group fails to leave. If the individual or group continue to refuse to leave, deputies may remove or arrest the persons who remain.

427.6.3 DISRUPTION OF PUBLIC MEETINGS

- (a) When a demonstration, protest or disruptive behavior occurs during, a public meeting, or at a board commission, hearing or another closed-door gathering where the public attends, a meeting facilitator, Board or Commission President, or Hearing Officer or their designee (hereinafter "meeting official") may determine that a group or individual is disturbing the peace and/or disrupting official government business inside a meeting/hearing room. In that case, the meeting official may request that a deputy remove the disruptive individuals from the room. Prior to doing so, the meeting official may choose to:
1. Warn individuals prior to ordering an arrest
 2. Turn off the public microphone
 3. Recess the meeting to allow a cool-down period
 4. Order the meeting/hearing room cleared
- (b) Prior to removing the person or conducting an arrest, deputies shall first ensure that:
1. The disruptive individuals have been ordered to voluntarily leave the room.
 2. The individuals have been warned that failure to comply will result in an arrest for disturbing an assembly and/or other applicable charges.

427.6.4 CRIMES IN PUBLIC MEETINGS

Deputies may take appropriate actions without the meeting official's permission when an individual's actions constitute a crime such as assault, battery, criminal threats, vandalism, or other crimes that threaten the safety of other persons or property.

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427.6.5 POST ARREST PROCEDURES

Upon arrest, deputies shall remove the arrestee from the area. Deputies who believe the individual will not return to the facility/building that day, at the direction of a supervisor, may issue a citation or release the individual as a detention only pursuant to Penal Code 849(b). However, deputies may need to transport an arrestee to the Intake and Release Center (IRC) for booking.

After removal from a meeting/hearing room and/or building, the deputy or supervisor shall request a narrative statement for the Incident Report. The deputy shall in all cases complete an Incident Report.

427.7 INTERACTIONS WITH DEMONSTRATORS

When conducting law enforcement operations at an assembly or other demonstration, deputies should not:

- (a) Engage in assembly or demonstration-related discussions with participants.
- (b) Harass or intimidate participants based on their participation or expressive activity.
- (c) Seize the cameras, cell phones or materials of participants or observers unless a deputy is placing a person under lawful arrest.

Supervisors should continually observe department employees under their commands to ensure employees' interaction with participants and their response to crowd dynamics is appropriate.

427.7.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Employees may take photographs and video recordings of First Amendment activity for legitimate purposes, including support of criminal prosecutions by documenting criminal acts; assist in evaluating department performance; serve as training material; record dispersal orders; and facilitate a response to allegations of improper law enforcement conduct. However, no employee shall take or retain photographs and videos for the sole purpose to surveil or document political, religious, or social views or activities, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct. Deputies shall request prior permission of a supervisor to take photographs or video recordings during a response to an assembly, protest or demonstration whenever reasonably possible.

427.7.2 DISPERSAL ORDERS

In situations where a gathering is being warned to leave a building and/or to disperse, the person providing the warning should make a clear standardized announcement to those gathering that they are required to leave. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress.

If the Incident Commander or supervisor has determined that those remaining may be arrested for participating in an unlawful assembly, rather than an alternative crime (see Penal Code § 407), the order must announce that the event is an unlawful assembly and order the dispersal of the participants. The announcement should be given by whatever methods are reasonably

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available to ensure the content of the message is clear as possible and it can be heard by the participants. If possible and reasonably safe to do so, the announcement should be amplified, made in different languages as appropriate and made from multiple locations in the affected area. Participants should be allowed a reasonable time to disperse following such an order whenever possible, before beginning removals, detentions or arrests and an effort should be made to ensure that only those present during the dispersal order are arrested. Employees should document all announcements.

Dispersal Order

427.7.3 USE OF FORCE

Use of force is governed by current department policy and applicable law, as well as other policies that regulate additional force options (see Use of Force, Handcuffing and Restraints, Control Devices and Techniques and Conducted Electrical Weapon (CEW) policies).

Before any application of force to remove non-violent individuals who are refusing to comply with lawful orders to disperse or leave, deputies shall ensure individuals have been given a clear verbal warning and a reasonable time to comply before the application of force. The Incident Commander shall evaluate the type of resistance and adopt a reasonable response, consistent with all Department policies governing Use of Force in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Deputies must ensure deployment of control devices and ECDs are consistent with Department policies governing those devices.

Deputies should direct force or control devices, including oleoresin capsaicin (OC), toward individuals and not toward groups or crowds.

Any use of force by a deputy of this department shall be documented promptly, completely and accurately in an Incident Report.

427.8 MASS ARRESTS

Supervisors should employ mass arrests 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 deputies 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.

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- (g) Coordination and cooperation with the District Attorney's Office, the Intake and Release Center (IRC) and the courts (see the Cite and Release Policy).

427.9 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 deputies 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 a deputy, 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) Deputies 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.

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427.9.1 USE SUMMARY

The Field Operations Division Commander or the authorized designee should ensure that 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.

427.9 MEDIA RELATIONS

The Sheriff's Communication Staff 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).

If deputies 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, deputies 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).

427.11 DEMOBILIZATION

When appropriate, the Incident Commander or designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel shall promptly complete any required reports, including use of force reports and account for all issued equipment and vehicles prior to returning to normal operational duties.

427.12 POST EVENT DOCUMENTATION

The Incident Commander shall designate a deputy to assemble documentation of the event, to include the following:

- (a) Operational plan
- (b) Incident logs
- (c) Assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, dispatch records/tapes
- (g) Media accounts (print and broadcast media)

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427.12.1 AFTER-ACTION REPORTING

The Incident Commander or Department supervisor should prepare a comprehensive after-action report of the event, to include response actions, incidents where force was used and including but not limited to:

- (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.

427.13 TRAINING

The Department will provide periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5) to its employees. The Department, when practical, should train with external and mutual aid partners.

Civil Orders and Disputes

428.1 PURPOSE AND SCOPE

This policy provides members of the San Francisco Sheriff's 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 which may or may not need to be enforced by the Department.

428.2 POLICY

The San Francisco Sheriff's Department recognizes that a law enforcement presence at a civil dispute can play an important role in maintaining the peace and safety of the community. Subject to available resources, members of this department may 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 advice.

428.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of the civil courts or other community resolution resources. 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) Deputies are reminded that they shall not enter a residence or other non-public location without legal authority or valid consent.

428.4 COURT OR RESTRAINING ORDERS

Disputes involving court or restraining orders can be complex. Where no mandate exists for a deputy to make an arrest for a violation of a court order, a violation of a restraining order may still warrant action. The Civil Section is responsible for serving and enforcing a variety of civil court orders and can be consulted for questions in this area of law.

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If a person appears to be violating the terms of a court or restraining order but is disputing the validity of the order or its applicability, the investigating deputy should document the following:

- (a) The person's knowledge of the 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.
- (c) Contact the Civil Section for further information or guidance when needed.

A copy of the 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.

428.4.1 STANDBY REQUESTS

The San Francisco Sheriff's Department may perform civil stand by pursuant to a court order.

428.5 VEHICLES AND PERSONAL PROPERTY

Deputies 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. All other inquires or requests should be directed to the civil courts, an attorney or the Civil Section for further instructions.

428.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through the civil courts or through an attorney.

Suspicious Activity Reporting

429.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

429.1.1 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.

429.2 POLICY

The San Francisco Sheriff's 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.

429.3 RESPONSIBILITIES

The Criminal Investigations Unit Commander and Northern California Regional Intelligence Center (NCRIC) liaison will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems.

The Criminal Investigations Unit (CIU) Commander and NCRIC liaison will:

- (a) Remain familiar with those databases available to the Department that would facilitate the purpose of this policy.

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- (b) Maintain 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) Ensure 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) Ensure 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) Ensure that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinate investigative follow-up, if appropriate.
- (g) Coordinate with any appropriate agency or intelligence 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).

429.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity must make every reasonable effort to accurately gather and report information. Once the information is gathered immediate notification to a sworn supervisor is required. Supervisors may require an Incident Report to be completed in order to document the information.

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, a deputy 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.

If the reporting party is not an NCRIC member or does not have access to a SAR form, they can go to [NCRIC.ca.gov](https://www.ncric.ca.gov) to submit a SAR.

[Events that may trigger SAR reporting](#)

Chapter 5 - Traffic Operations

Traffic Enforcement and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic enforcement is to reduce traffic collisions and promote vehicular safety. 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.

500.2 TRAFFIC DEPUTY DEPLOYMENT

Several factors are considered in the development of deployment schedules for deputies of the San Francisco Sheriff's Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore deputy deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

Deputies assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All deputies will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. Deputies 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.

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions are discretionary and can be considered in many situations and substituted for citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS

Citations may be issued when a deputy believes it is appropriate. It is essential that deputies fully explain the basic rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Deputies should provide the following information at a minimum:

- (a) Explanation of the violation or charge

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- (b) Court appearance procedures including the optional or mandatory appearance by the motorist. Have the motorist sign the citation without having the motorist admit guilt.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court, contest a citation, or is eligible for other special considerations offered by the court including traffic school.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES

If a deputy contacts a traffic violator for driving on a suspended or revoked license, the deputy shall issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has their license in possession, the license shall be seized by the deputy. The deputy shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The deputy 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 while on foot 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 may be worn at any time increased visibility would improve the safety or efficiency of the deputy.

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, deputies 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

High-visibility vests shall be maintained in the trunk of each patrol unit, and in the saddlebag or gear bag of each sheriff's bicycle. Each vest should be stored 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.

500.6 DISABLED VEHICLES

When an on-duty deputy observes an occupied disabled vehicle on the roadway, the deputy should provide assistance when possible. In cases where the deputy cannot provide assistance

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(transporting an arrestee/ incarcerated person, responding to a call for service, etc.), the deputy will notify or request that another person respond. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of department resources, and the vulnerability of the occupants. The relocation of a disabled vehicle should only occur with the operator's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard.

Traffic Collisions

501.1 PURPOSE AND SCOPE

The San Francisco Sheriff's Department shall investigate reportable traffic collisions involving death or injury, property damage, an impaired driver, hit and run, or hazardous materials, involving Department employees and/or San Francisco citizens. The Department will ensure deputies assigned to traffic enforcement functions will have the proper training, equipment and procedures necessary to effectively conduct collision investigations. Deputies shall utilize the procedures established by the California Highway Patrol Collision Investigation Manual (CIM)

501.1.1 DEFINITIONS

At fault - The individual in a vehicle traffic collision considered by the deputy to be most at fault.

Collision - Involves one or more vehicles

Hit-and-run - The deputy determined that the facts and evidence indicate either a felony or misdemeanor hit-and-run violation was committed.

Injury collision - A traffic collision resulting in injury to one or more persons. Injuries include severe wounds, visible injuries or complaints of pain. A fatal collision is not included in injury collision.

Property damage only collision - A traffic collision which results in property damage only.

501.2 RESPONSIBILITY

The Field Training Program Coordinator (FTPC) will be responsible for distribution of the Collision Investigation Manual, will receive all changes in the state manual and ensure conformity with the policy. The FTPC will also maintain a traffic collision investigation section in the Field Training Program Manual.

501.3 TRAFFIC COLLISION REPORTING

A Field Operations Division supervisor will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Field Operations Division Commander, or other persons as required.

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC COLLISIONS INVOLVING CITY AND COUNTY VEHICLES

Traffic collision investigation reports shall be taken by the law enforcement agency of primary jurisdiction when a City and County-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results.

If a deputy is taking the report in lieu of the SFPD or CHP, a Traffic Collision Report (CHP 555 form) should be used. The deputy shall also:

- Request medical assistance if the driver was unable

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- Complete a Vehicle Damage Report and forward according to procedures
- Take photographs of the collision scene and vehicle damage
- Take a report for a collision, whether the driver was or was not injured, or contact the law enforcement agency of primary jurisdiction to take the report

If a driver of a CCSF owned or operated vehicle is involved in a collision with injuries, the driver shall:

- Contact the law enforcement agency of primary jurisdiction
- Request medical assistance, then render medical assistance if able and safe to do so
- Contact their immediate supervisor

501.4.2 COLLISIONS INVOLVING SHERIFF'S DEPARTMENT EMPLOYEES

When a Department employee, either on-duty or off-duty, is involved in a collision while driving a CCSF owned or operated vehicle, information of the other party must be obtained to include:

- (a) Name, address, telephone numbers (cell, work, and home) of the driver
- (b) Driver's license state, number, and expiration date (verify address given)
- (c) Vehicle license number, make, model and year
- (d) Registered owner of the vehicle (see registration slip)
- (e) Insurance company name, policy number, and telephone number
- (f) Description of other vehicle's damage (take photos of damage to all vehicles)
- (g) Name, address, telephone numbers (cell, work, and home) of all injured persons
- (h) Name, address, telephone numbers (cell, work, and home) of all witnesses

If the collision occurs in San Francisco:

- (a) Notify DEM Dispatch or the SOC and advise that you have been in an accident involving a City vehicle. Advise if there are any injuries and request appropriate assistance.
- (b) Notify a Supervisor
- (c) If a tow is needed for the City vehicle call the City's contracted towing company.

In either situation, whether the collision occurs in San Francisco or outside of the City, Department employees shall document every collision in an Incident Report to include the above information as well as details of the collision. At a minimum also include:

- (a) Date, hour, and location of the collision
- (b) How the collision occurred
- (c) Weather and road conditions
- (d) Employee's name badge numbers and/or DSW number

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Employees shall submit the completed Incident Report to their supervisor within 24 hours of the collision. A copy of the report will be forwarded to the Fleet Unit in order to schedule the vehicle for repairs.

501.4.3 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

Traffic collision reports need not be taken when the collision occurred on private property unless there is a death or injury to a person involved or a hit-and-run violation. An Incident Report may be taken at the discretion of a supervisor.

501.5 NOTIFICATION OF SERIOUS INJURY OR DEATH

The Sheriff's supervisor or deputy shall notify the primary agency of jurisdiction to request an accident investigator for the traffic collision. When investigating collisions where a life threatening injury has occurred, the SFPD Major Accident Investigation Team (MAIT) will be contacted to respond to the scene.

501.6 GUIDELINES

501.6.1 GENERAL

The Sheriff's Patrol Unit should maintain one deputy on each watch trained in accident investigations that fulfills the training requirements of 40600 CVC. Accident investigation trained deputies shall use procedures established by The CHP Collision Investigations Manual HPM 110.5 to complete collision investigations.

- (a) Deputies trained in accident investigations will have the following equipment/documentation available in their assigned patrol vehicles:
 - 1. California Highway Patrol Forms related to investigate traffic collisions
 - 2. Diagram Sheets
 - 3. Measurement Instrument
 - 4. Roadway Marking Device
 - 5. Tow sheets
 - 6. Department PDO Collision Exchange Forms
- (b) Deputies may be sent to traffic collisions, involving employees of the Department and/or the San Francisco Department of Public Health, in any of the following situations:
 - 1. Injury.
 - 2. Hit and run.
 - 3. Impairment of an operator by alcohol or drugs.
 - 4. Damage to City vehicles or property.
 - 5. Hazardous materials.
 - 6. Disturbance between involved individuals.
 - 7. Major traffic congestion as a result of the collision.

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- (c) There is no time limit for a citizen to file a traffic collision report. In cases where there is a delay in filing, deputies will not investigate the crime scene unless sufficient information is available to warrant additional investigation. If the citizen reports a hit and run collision, which is a criminal act, and the collision occurred within the past 24 hours, the deputy shall investigate the collision by responding to the scene to investigate.

501.6.2 TRAFFIC COLLISION SCENES

The initial deputy who responds to investigate traffic collisions will:

- (a) Provide a safe traffic pattern around the scene to protect those involved as well as those approaching the scene.
- (b) Call for medical/fire department assistance if needed. Administer first aid to injured persons until paramedics, the fire department, and/or additional resources arrive.
- (c) Identify hazardous materials that may be involved and isolate areas of contamination to insure public safety.
 - 1. Absent extenuating circumstances, only properly trained and equipped deputies will enter areas where hazardous materials may be encountered.
- (d) Preserve evidence and protect the collision scene.
- (e) Locate witnesses and record necessary information concerning the collision.
- (f) Expedite the removal of vehicles, persons and debris from the roadway.
- (g) Ensure personal property is protected from theft and is placed in safekeeping if the responsible party is unable to secure their property.
 - 1. If a vehicle is to be removed, the vehicle shall be inventoried by a deputy.

The deputy conducting the collision investigation shall accomplish the following:

- (a) Interview witnesses and those involved in the collision
- (b) Examine and record vehicle damage and the effects of the collision on the road
- (c) Take required measurements and photographs
- (d) Collect and preserve evidence
- (e) Ensure information is exchanged by involved parties
- (f) Expedite the removal of vehicles and debris from the road
- (g) If the traffic collision occurred in San Francisco and involved injuries, complete the required CHP 555 Forms and issue citation(s) if a driver does not produce evidence of vehicle insurance, regardless of the damage amount.

501.6.3 HIT AND RUN SCENES

- (a) Misdemeanor hit and run cases, and Felony hit and run cases involving minor injuries, will be initially investigated by the responding deputy and handled in the same manner as other collision cases.

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1. If the hit and run recently occurred the deputy will check the area for the suspect vehicle.
 2. If there is a suspect or a lead in the case, the deputy will attempt to locate the vehicle and contact witnesses, suspects, or investigative leads.
- (b) For felony hit and run cases involving severe injuries, the deputy shall notify the SFPD MAIT Team.
- (c) The following forms should be completed involving Hit and Run Cases:
1. The Department FORM 10 along with the Department FORM P25 Hit and Run Report shall be completed on all non-injury reports.
 2. The Department FORM 10, SFSD FORM P25 Hit and Run Report, and CHP 555 Forms shall be completed on cases involving injuries, and/or identifiable suspects, and/or solid leads that will be submitted to the Criminal Investigations Unit (CIU).
 3. If a suspect is identified at a later time, and the above forms were not completed, the form(s) will be completed by the deputy receiving the information.
 4. The California Highway Patrol Report Writing System shall be used to complete all CHP 555 Reports and related Forms.

501.6.4 DETENTION, ARRESTS AND CITATIONS

- (a) A deputy investigating a traffic collision may stop and detain a person, as reasonably necessary, to investigate an actual or suspected traffic law violation committed in the deputy's presence.
- (b) A deputy may arrest a person if they have probable cause to believe that the person to be arrested has been involved in a traffic collision and violated a criminal section of the California Vehicle Code or Penal Code and that such violation occurred prior to or immediately following the traffic collision.
- (c) A deputy may stop and detain a person, as reasonably necessary, to investigate an actual or suspected violation of the California Vehicle Code or Penal Code and to issue a citation for said violation.

501.6.5 TRAFFIC CONTROL AT SCENE

- (a) Deputies will direct, control and facilitate the orderly flow of traffic.
- (b) At fire scenes, deputies will coordinate a traffic plan with the Fire Department supervisor.
- (c) During periods of adverse weather or road conditions, a supervisor may terminate the scene investigation, if the supervisor believes to continue would place deputies or the public in a position of danger.
1. A deputy may use hand signals to manually direct traffic. The Uniform Hand Signals used are those taught by POST.

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2. Temporary traffic control devices can be used during special traffic operations such as:
 - (a) Driving Under the Influence (DUI) checkpoints
 - (b) Roadblocks (i.e., traffic cones, barricades, or flare pattern)
 - (c) When a supervisor determines signs will facilitate deputy and public safety. Temporary signs will be in accordance with applicable state statutes and city ordinances.
 - (d) Use of a flashlight is mandatory during time of darkness, whereas use of a whistle is optional.

501.6.6 TRAINING

Deputies receive initial training in collision investigation at a POST certified basic academy and in the Department Field Training Program.

Deputies may request to attend a POST certified course designed to provide the student with skills and knowledge to properly investigate and document traffic collisions. Peace officer requirements to write traffic collision-related notices of violations are based on reasonable cause per California Vehicle Code Section 40600.

501.7 ATTACHMENTS

[SFSD FORM P24 - PDO INFO EXCHANGE CARD](#)

[SFSD FORM P25A - HIT AND RUN FORM](#)

Vehicle Towing and Release

502.1 PURPOSE AND SCOPE

This policy provides guidance for towing a vehicle by or at the direction of the San Francisco Sheriff's 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 deputy 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 CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator and the original shall be submitted to the Central Records and Warrants Unit (CRW) as soon as practical 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 deputy shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the list of tow companies with a current contract with the City and County of San Francisco.

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 deputy shall request the dispatcher to call the towing company used by the San Francisco Sheriff's Department. The deputy will document that the vehicle was stored/impounded using a CHP Form 180.

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 tow the arrestee's vehicle subject to the exceptions described below. The vehicle, however, shall be towed to a designated location when it is needed for the furtherance of the investigation or prosecution of a case (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 towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

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- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the registered 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/impounded 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.

In a situation of a driver having an invalid, suspended or revoked driver's license, in lieu of towing the vehicle, the deputy may issue a Hold Harmless form to the driver and allow the driver to complete and sign the form, which would allow another licensed driver to take possession of the vehicle at the scene. The arriving driver would sign the form for the transaction to be complete.

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 deputy shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The deputy 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 deputy shall list on the 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)).

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 sheriff's 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 Department of Emergency Management (DEM) dispatch or Sheriff's Operations Center (SOC) shall promptly telephone the specified authorized towing service. The deputy shall be advised when the request has been made and the towing service has been dispatched.

502.2.7 CENTRAL RECORDS AND WARRANTS UNIT RESPONSIBILITY AND STOLEN VEHICLE SYSTEM NOTIFICATION PROCEDURES

The deputy effecting the tow shall notify the Sheriff's Patrol Unit (SPU) Watch Commander who will forward the pertinent data from the completed storage form (CHP Form 180) to the CRW, who shall promptly enter the data into the Stolen Vehicle System (SVS) (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).

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Approved storage forms shall be stored 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 deputy affecting the tow 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 and County of San Francisco periodically selects firms to act as tow services for city agencies and awards contracts to those firms. Those firms 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.

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. Deputies 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, to provide for the safety of deputies, and to protect the Department against fraudulent claims of lost, stolen, or damaged property. The storage form shall be included in the incident report for the inventory.

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, deputies 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.

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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. Prior to release of any vehicle towed by the Sheriff Department, a vehicle release form shall be completed, signed in the deputy's presence and forwarded to the Tow dispatch center. Ensure the vehicle is removed from the SVS system and the "HOT SHEET", if applicable.

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.

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 their 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 their driver's license or acquires a license and provides proof of proper insurance.
 - 3. Any other circumstance as set forth in Vehicle Code § 14602.6.
 - 4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.

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.

Deputies 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 their agent to request a hearing.

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 a deputy of the San Francisco Sheriff's Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or their 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 Field Operations Division (FOD) Administrative Lieutenant or designee will generally serve as the hearing officer. Hearings will be held at the FOD headquarters building. The person requesting the hearing may record the hearing at their own expense.

The failure of either the registered or legal owner or interested person or their 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),

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warranting release of the vehicle. This mitigating circumstance exception is not limited to situations 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 FOD Captain. The hearing officer will recommend to the FOD Division Captain that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.

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 Central Records and Warrants Unit (CRW) shall be responsible for the supply and accounting of all traffic citation books issued to employees of this department.

505.2.1 ISSUING TRAFFIC CITATIONS

Consistency is a critical element of traffic enforcement practices of the Sheriff's Department. The policy is not intended to supersede deputy judgment, for it is impossible to foresee every conceivable situation involving traffic violations. The deputy shall include the original probable cause on the citation issued.

- (a) It is a policy of the San Francisco Sheriff's Department to strictly enforce the law prohibiting:
 - 1. Driving Under the Influence
 - 2. Speeding Violations
 - (a) Deputies shall take into consideration the time of day, traffic flow, weather conditions and previous history of violations to determine the most appropriate method of enforcement. Enforcement may be accomplished with the use of verbal warnings or the issuance of citations.
 - (b) Deputies will use their certified speedometer to gauge the speed of a suspected violator. The deputy should maintain a constant speed for at least two blocks to measure the speed of a suspected violator.
- (b) A number of violations of the California Vehicle Code Statutes applicable to the operation of vehicles can be considered hazardous, to include but not limited to:
 - 1. Disregarding a traffic control device/signal
 - 2. Failure to yield to a vehicle and/or pedestrian
 - 3. Reckless or careless driving
 - 4. Improper lane usage and/or change
- (c) Vehicles must be properly equipped as provided by law to ensure safe use of public roadways. In some instances, the operator of a vehicle may be unaware certain equipment has malfunctioned or failed. A warning may be all that is necessary to bring about compliance with the vehicle equipment laws. A driver knowingly operating an improperly equipped vehicle may require more than a warning.
- (d) Public/Commercial carriers will be treated the same as the general motoring public.

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- (e) The enforcement action required in non-hazardous violations remains at the discretion of the deputy. Training, experience, and common sense will guide the deputy in selecting the appropriate course of enforcement action.
 - 1. Driving without a valid driver's license is cause for a citation to be issued
 - 2. Driving on a suspended or revoked license is cause for a citation to be issued
- (f) The seriousness and circumstances of multiple violations are significant factors in the decision as to the course of action to be taken by law enforcement officials. Consistent with other traffic procedures, the discretion of the deputy will be the guideline for appropriate action.

The enforcement guidelines within the text of each new law shall be followed. Deputies must remember the goal is to obtain compliance and discretionary authority exists in the level of enforcement delivered.

505.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the SFPD Traffic Bureau. Upon a review of the circumstances involving the issuance of the traffic citation, the SFPD Traffic Bureau may request the Field Operations Division (FOD) Chief to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to Traffic 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 Traffic court.

Should a deputy determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the deputy may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the deputy shall notify their immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the FOD Chief for review.

505.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the SFPD Traffic Bureau.

505.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the deputy issuing the citation shall complete a CHP 411 form detailing the correction, adding additional relevant information and submitting the two remaining copies of the citation and a letter requesting a specific correction to their immediate supervisor. The citation and correction form shall then be forwarded to the SFPD Traffic Bureau. The SFPD Traffic Bureau shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

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505.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by deputies shall be turned into the SFPD Traffic Bureau for review. The citation copies shall be filed with the FOD Chief.

Upon separation from employment with this department, or when no longer assigned in a position to issue traffic citations, deputies issued traffic citation books shall return any unused citations to their supervisor who will forward them to CRW.

505.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.7.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

- (a) Administrative reviews are conducted by the SFPD Traffic Bureau who will review written/documentary data. Requests for administrative reviews are available at the SFPD Traffic Bureau. 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.

505.7.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

- (a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking Violation (Vehicle Code § 40215(a)).
- (b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).
- (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).

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- (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).

505.7.3 COSTS

- (a) There is no cost for an administrative review.
- (b) Appellants must deposit the full amount due for the citation before receiving an administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215).
- (c) An appeal through Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.

505.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

Chapter 6 - Investigation

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 San Francisco Sheriff's Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to the appropriate prosecutorial entity.

600.3 INITIAL INVESTIGATION

600.3.1 DEPUTY RESPONSIBILITIES

A deputy responsible for an initial investigation shall do no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 1. Initiate or review statements from any witnesses or complainants.
 2. Complete examination for evidence.
- (b) If information indicates a crime has occurred, the deputy shall:
 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - (a) To the best of the deputy's ability taking into account the size of the scene and the safety of themselves and others.
 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and deputies/supervisors shall notify the Sheriff's Criminal Investigations Unit (CIU), even if the facility has completed or is in progress of completing an investigation.
 - (a) CIU will investigate all crimes that occur in areas under Sheriff's control or jurisdiction (Jails, City Hall, Clinics, ZSFGH, etc.) For those crimes that occur outside the Sheriff's control or jurisdiction, the appropriate local agency will be contacted.
 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander and the CIU.
 4. Make reasonable attempts to locate, identify, and separate all involved individuals (including suspects). Interview available victims, complainants, and witnesses.
 5. Collect evidence.
 6. Take appropriate law enforcement action.
 7. Complete and submit the appropriate documentation.

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- (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 Watch Commander and complainant of this information.

600.3.2 CIVILIAN EMPLOYEE RESPONSIBILITIES

Civilian employees are not assigned to conduct preliminary investigations. Should an initial investigation indicate that investigative steps are required, the employee shall notify their sworn supervisor to initiate an investigation.

600.3.3 ARREST OF EMPLOYEES

Sheriff's employees are prohibited from arresting other Sheriff's employees pursuant to a warrant, without the prior approval of the Undersheriff or Assistant Sheriff. Sheriff's employees may, however, arrest other Sheriff's employees for an on-view violation of the law.

600.4 INTERROGATION REQUIREMENTS

Suspects subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1 MANDATORY RECORDING OF ADULTS

Any 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 or in the investigators chronological of events.
- (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 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 employee conducting the interrogation has a reason to believe that the individual may have committed murder. Continued interrogation concerning that offense shall be electronically recorded if the interrogating investigator 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 a deputy, 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.

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- (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 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 case has been submitted to a prosecutor but no charges have been filed and further investigation is not reasonable nor has the prosecutor requested further investigation.
- (c) The case has been submitted to a 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.
- (d) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted, or requested.
- (e) 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, and Adult Abuse policies may also require an arrest or submittal of a case to the DA.

600.6 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 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.

600.7 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, deputies should request that Sheriff's Information and Technology Support Services (ITSS) staff assist with seizing computers and related evidence. If ITSS is unavailable, deputies should take reasonable steps to prepare for such seizure and use the resources that are available.

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600.8 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 investigators or persons designated by the Sheriff while on-duty and for purposes related to the mission of this department. If an employee encounters information relevant to a criminal investigation while off-duty or while using their own equipment, the employee should note the dates, times and locations of the information and report the discovery to their supervisor as soon as practical. The employee, 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).

600.8.1 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.

Except for employees pre-approved and authorized for independent investigation and/or access, 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 Sheriff's 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.

600.8.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Deputies should seek Sheriff's Legal Counsel before any such interception.

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600.9 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY

If used, the Sheriff 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 the 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.

Employees 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.

600.10 MODIFICATION OF CHARGES FILED

Employees are not authorized to recommend to a prosecutor or the court that charges on a pending case be amended or dismissed without the authorization of the Sheriff.

600.11 ANTI-REPRODUCTIVE RIGHTS CRIMES

A member should take a report any time a person living within the jurisdiction of the San Francisco Sheriff's Department reports that 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).

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- (b) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Deputies 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 that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in the city and county to facilitate the crime).

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.

601.2 POLICY

It is the policy of the San Francisco Sheriff's Department that deputies, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will actively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community (see Prison Rape Elimination Policy, Property and Evidence Policy, Crime and Disaster Scene Preservation Policy).

601.3 INITIAL RESPONSE TO REPORTS OF SEXUAL ASSAULT

Deputies shall respond to all reports of sexual assault and shall:

- (a) Secure the safety of the victim and determine the immediate need for medical treatment.
- (b) Determine what crime, if any, has been committed.
- (c) Obtain as much initial information as is available.
- (d) Secure the crime scene and separate all involved parties.
- (e) Notify the Watch Commander and CIU.
- (f) When possible, initiate a thorough search for the suspect.
- (g) If the assault occurred within the past 72 hours, arrange for the transport of the victim to Zuckerberg San Francisco General Hospital (ZSFGH) or a hospital of their choice as soon as possible or a medical investigation.
 1. A person in the custody of the Sheriff will be transported to ZSFGH,
 2. A victim may refuse any type of medical investigation.
 - (a) A person in the custody of the Sheriff may refuse a medical investigation once transported to ZSFGH.
 3. Secure a complete change of clothes if possible unless the victim has changed prior to reporting.

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4. Secure all items of clothing worn at the time of the assault.

(h) Deputies will provide the victim with support information, as soon as practical.

In all reported or suspected cases of sexual assault, an Incident Report shall be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated. Deputies shall complete an Incident Report prior to the end of their shift. At a minimum the Incident Report shall include:

- (a) Reporting party, victim, witness, and suspect information.
- (b) A complete description of the alleged sexual assault incident.
- (c) Physical evidence noted and secured.
- (d) Actions and observations by investigators and others.
- (e) Victim's response to the privacy notification.
- (f) Statements made by involved persons.

601.4 INVESTIGATORS

Investigators assigned to the Sheriff's Criminal Investigations Unit (CIU) shall be available for assignment of sexual assault investigations. These investigators shall:

- (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.

601.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations 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. If the alleged assault is less than 72 hours old, advise the victim not to shower, wash, drink, eat, defecate or remove clothing or touch any item at the crime scene.

Deputies may take the initial report of a sexual assault unless the victim is unwilling to meet with the deputy. 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. The follow-up interview shall be conducted by a CIU investigator.

When the victim is an incarcerated person, remove the victim from the immediate area and place them in a protective area, under deputy observation, until they can be brought to Jail Health Services (JHS) for a medical evaluation. JHS are not involved in the collection of evidence nor

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should they attempt to examine a victim to determine the extent of an assault. Deputies shall inform JHS of sexual assault complaints whether the assault occurred prior to or during incarceration. Upon the incarcerated person returning from a medical examination and interview by investigators, the incarcerated person shall be reassigned to another secure facility or area where the assailants and previous cellmates are not located.

No opinion of whether the case is unfounded shall be included in the Incident 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.

601.5.1 VICTIM RIGHTS

When there is an alleged sexual assault, the assigned deputy shall accomplish the following:

- (a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim's choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2, and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).
- (b) If the victim is to be transported to Zuckerberg San Francisco Hospital (ZSFGH) for any medical evidentiary or physical examination, the hospital shall immediately contact the San Francisco Rape Treatment Center (SFRTC) (Penal Code § 264.2).
 - (a) The deputy shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 679.04).
 - (b) A support person may be excluded from the examination by the deputy or the medical provider if their presence would be detrimental to the purpose of the examination (Penal Code § 264.2).
 - (c) If the victim is not transported to ZSFGH for medical evidentiary or physical examination the deputy shall immediately contact the SFRTC.

601.5.2 VICTIM CONFIDENTIALITY

Deputies 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 their name will become a matter of public record unless the victim requests their name not be made public. The reporting deputy shall document in their 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, employees of this department shall not publicly disclose the name of any victim of a sex crime who has exercised their right to confidentiality (Penal Code § 293).

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601.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

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 practical.

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.

Procedural link:

[Administration and Field Operations Procedure Manual: 603.1 COLLECTING EVIDENCE](#)

[Administration and Field Operations Procedure Manual: 603.2 EVIDENCE COLLECTION FROM SUSPECTS](#)

601.6.1 COLLECTION AND TESTING REQUIREMENTS

Investigators 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). Generally, 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 investigator shall ensure that an information profile for the SAFE kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection investigators 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 investigator determines that a SAFE kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the investigator shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned investigator shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is an issue and is not going to be analyzed within 18 months of the crime, the assigned investigator 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.

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601.6.2 DNA TEST RESULTS

A victim's assistance 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 results). Investigators 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, investigators 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 investigator should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
 - 2. Absent a written request, no employee of this department is required to, but may, communicate with the victim or the victim's authorized designee regarding the status of any DNA testing.
- (b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):
 - 1. To be informed if a DNA profile of the assailant was obtained from the testing of the SAFE kit or other crime scene evidence from their case.
 - 2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.
 - 3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.
- (c) Provided that the sexual assault victim or the victim's authorized designee has kept the assigned investigator 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 investigator should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
 - 2. No deputy shall be required or expected to release any information which might impede or compromise any ongoing investigation.

601.6.3 STANDARDIZED SEXUAL ASSAULT FORENSIC MEDICAL EVIDENCE KIT

The Criminal Investigations Unit Commander should make California standardized Sexual Assault Forensic Medical Evidence (SAFE) kits available to deputies who may investigate sexual assault cases. Deputies investigating a sexual assault should use these SAFE kits when appropriate and

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follow related usage guidelines issued by the California Clinical Forensic Medical Training Center (Penal Code § 13823.14).

601.6.4 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).

601.7 CASE PREPARATION

CIU investigators shall prepare the case for booking when it is determined that criminal charges will be filed. Deputies and supervisors who initially take statements, write reports and collect evidence shall forward the information to the CIU. Deputies shall:

- (a) Ensure victims, witnesses and suspects are separated from each other.
- (b) Obtain a complete statement from the victim if the victim is willing.
- (c) Determine whether to interview the suspect and if so, read the suspect their Miranda rights prior to asking questions.
- (d) Write a report, if needed.
- (e) Obtain criminal records of the victim and suspect.
- (f) Identify the applicable penal code violations.
- (g) If the evidence indicates, book the suspect or forward the complete packet (statements, collected evidence, Incident Reports, etc.) to the CIU who will review the packet prior booking charges.

The District Attorney's Office will determine if the case is to be prosecuted.

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 Criminal Investigations Unit Commander.

Classification of a sexual assault case as unfounded requires the CIU Commander 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 their 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 CIU Commander shall ensure case dispositions are reviewed on a periodic basis, at least annually by the Division Chief Deputy. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.

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- Status of submissions of biological evidence for lab testing.

Summary reports on these reviews shall be forwarded through the chain of command to the Sheriff.

601.10 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The CIU Commander shall 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.

601.11 TRAINING

Subject to available resources, periodic training should be provided to deputies and should include:

- (a) Initial response to sexual assaults.
- (b) Legal issues.
- (c) Victim advocacy.
- (d) Victim's response to trauma.
- (e) Proper use and handling of the California standardized SAFE kit (Penal Code § 13823.14).

Investigators assigned to the CIU should receive advanced training on additional topics to include:

- (a) Interviewing sexual assault victims.
- (b) Sexual Assault Response Team.
- (c) Medical and legal aspects of sexual assault investigations.
- (d) Serial crimes investigations.
- (e) Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (VICAP).
- (f) Techniques for communicating with victims to minimize trauma.

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602.1 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 incarcerated persons in San Francisco Sheriff's Department Facilities (28 CFR 115.111; 15 CCR 1029) (see Discrimination and Harassment Policy).

602.1.1 DEFINITIONS

Definitions related to this policy include. Throughout this policy, the term "individual" refers to department employees, detainees, and incarcerated persons:

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 individual 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 an employee, contractor, or volunteer as follows, with or without consent of the individual:

- 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 employee, 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 employee, 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

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duties, or where the employee, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.

- Any attempt, threat, or request by an employee, contractor, or volunteer to engage in the activities described above.
- Any display by an employee, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of an individual.
- Voyeurism by an employee, 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 individual that is directed toward another; repeated verbal comments or gestures of a sexual nature to an individual by an employee, 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). TGN is the acronym used for transgender, gender variant, or non-binary.

602.2 POLICY

The San Francisco Sheriff's 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 San Francisco Sheriff's Department will take immediate action to protect individuals who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029) and will promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

The San Francisco Sheriff's Department endeavors to comply with the training standards in the PREA Rule and to ensure that all employees, volunteers and contractors are aware of their responsibilities and the policies and procedures of the Department as it relates to PREA.

602.2.1 PRESERVATION OF ABILITY TO PROTECT INCARCERATED PERSONS

The Department shall not enter into or renew any collective bargaining agreement or other agreement that limits the department's ability to remove alleged staff sexual abusers from contact with any incarcerated persons pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

602.3 PREA COORDINATOR

The Sheriff shall designate a sworn upper-level agency-wide employee as the PREA Coordinator and shall afford the Coordinator sufficient time and authority to develop, implement, and oversee

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department efforts to comply with PREA standards in the San Francisco Sheriff's Department Jail Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Reviewing the Custody and Court Operations Policy and Procedure Manual, facility policies and practices, and requesting compliance recommendations from Facility Commanders.
- (b) Ensuring that within 30 days of intake, during incarcerated person facility orientation, incarcerated persons are provided with education, either in person or through video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the department's policies and procedures for responding to such incidents (28 CFR 115.33).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees and incarcerated persons from sexual abuse (28 CFR 115.113; 15 CCR 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. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration (28 CFR 115.13).
 - 1. Generally accepted detention and correctional practices.
 - 2. Any findings of inadequacy from a judicial proceeding, federal investigative agency, or internal or external oversight bodies.
 - 3. All components of the facility's physical plant, including blind spots or areas where staff or incarcerated persons may be isolated.
 - 4. The composition of the incarcerated person population.
 - 5. The number and placement of supervisory staff.
 - 6. Institution programs occurring on a particular shift.
 - 7. Any applicable state or local laws, regulations or standards.
 - 8. The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
- (d) Ensuring that, when designing, acquiring, expanding or modifying facilities, or when installing or updating a video-monitoring system, electronic surveillance system or other monitoring technology, consideration is given to the department's ability to protect incarcerated persons from sexual abuse (28 CFR 115.18).
- (e) Ensuring that any contract for the confinement of department detainees or incarcerated persons includes the requirement to adopt and comply with the PREA standards including obtaining incident-based and aggregated data, as required in 28 CFR 115.187. Any new contract or contract renewal shall provide for department contract monitoring to ensure that the contractor is complying with the PREA standards (28 CFR 115.12).
- (f) Making reasonable efforts to enter into agreements with community service providers to provide incarcerated persons with confidential, emotional support services related to sexual abuse. Incarcerated persons shall be provided with access to outside victim advocates for emotional support services related to sexual abuse by giving incarcerated persons mailing addresses and telephone numbers, including toll-free

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hotline numbers where available, of local, state or national victim advocacy or rape crisis organizations and shall enable reasonable communication between incarcerated persons and these organizations and agencies in as confidential a manner as possible. Each facility shall inform incarcerated persons, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (28 CFR 115.53).

- (g) 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) and a process to monitor those who have suffered or reported sexual abuse. The plan must also outline the department's approach to identifying imminent sexual abuse toward incarcerated persons and preventing and detecting such incidents (28 CFR 115.11; 28 CFR 115.65; 28 CFR 115.62).
- (h) Ensuring a protocol is developed for investigating allegations of sexual abuse are followed. 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. Ensure agreements with outside investigating agencies include PREA requirements and a requirement to keep the Department informed of the progress of the investigation (28 CFR 115.71).
 - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by the San Francisco Rape Center Treatment Center (SFRTC) or Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SFRTC, SAFE or SANE cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SFRTC, SAFE or SANE shall be documented.
 - 5. In accordance with security needs, provisions to permit, to the extent available, detainee and incarcerated person access to victim advocacy services if the detainee or incarcerated person is transported for a forensic examination to an outside hospital that offers such services.
- (i) Ensuring that detainees and incarcerated persons 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, etc.) (28 CFR 115.116).

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1. The Department shall not rely on other detainees or incarcerated persons for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee's or incarcerated person's safety, the performance of first-response duties under this policy, or the investigation of an incarcerated person's allegations of sexual abuse, harassment, or retaliation.
- (j) Publishing on the department's website:
1. Information on how to report sexual abuse and sexual harassment on behalf of a detainee or incarcerated person (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).
- (k) The Department shall ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this department, using a standardized instrument and set of definitions. Upon request, the Department shall provide all such data from the previous calendar year to the U.S. Department of Justice (DOJ) no later than June 30 (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.
- (l) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Facilities used to house detainees or incarcerated persons overnight (28 CFR 115.193).
- (m) Ensuring contractors or others who work in a Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

602.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Sexual abuse and sexual harassment between an employee, volunteer or contract personnel and an incarcerated person/detainee is strictly prohibited. The fact that an incarcerated person/detainee may have initiated a relationship or sexual contact is not recognized as a defense to violating this policy.

During intake the Department shall notify all detainees and incarcerated persons 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 incarcerated person reports of sexual abuse and sexual harassment to agency officials. This allows the individual to remain anonymous (28 CFR 115.51 and 115.132).

Individuals may make reports to any employee verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):

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- Sexual abuse
- Sexual harassment
- Retaliation by other detainees or incarcerated persons or employees for reporting sexual abuse or sexual harassment
- Employee neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

Incarcerated persons, detainees or a third party may report sexual assault/abuse, sexual harassment and retaliation by other incarcerated persons or employees, to the Department through:

- (a) An Action Request or Grievance Form
- (b) Direct report to a deputy, Jail Health Services or Prisoner Legal Services
- (c) Telephone contact to the Criminal Investigations Unit (CIU) or Internal Affairs Unit (IAU).
- (d) Confidential correspondence or communication with the Facility Commander.
- (e) Confidential telephone communication to the Department of Police Accountability at (415) 241-7711.

Individuals may also report sexual abuse or harassment to the District Attorney's Office or the Human Rights Commission, who is able to receive and immediately forward the report of sexual abuse and sexual harassment to the Facility Commander or Sheriff's Office, allowing the person to remain anonymous (28 CFR 115.51; 15 CCR 1029).

Employees shall accept all reports made verbally, in writing, anonymously or from third parties and shall promptly document and forward any report through the chain of command to the Facility/Section/Unit Commander. Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred to the IAU. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61). No employee shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

Any employee, volunteer or contractor who becomes aware of an incident of sexual abuse, sexual harassment or retaliation against incarcerated persons or employees shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.61). Department employees may privately report any knowledge, suspicion, or information regarding sexual abuse and sexual harassment of an individual in a facility, including retaliation against incarcerated persons or employees who may have reported such an incident. This also includes an observed instance of an employee's neglect or violation of responsibilities that may have contributed to an incident or to retaliation (28 CFR 115.151).

Any contractor or volunteer who engages in sexual abuse within a facility shall be immediately prohibited from having any contact with incarcerated persons. They shall be promptly reported to

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the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

Facility/Section/Unit Commanders shall provide information to uninvolved incarcerated persons, family, community members, and other interested third parties on how to report any incident or suspected incident of sexual abuse or sexual harassment to an employee. Signage shall also be publicly posted at each Sheriff's facility (28 CFR 115.54; 15 CCR 1029).

602.4.1 SUPERVISOR RESPONSIBILITIES

Supervisors shall report to the PREA Coordinator and the Undersheriff all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. Allegations of sexual harassment or retaliation shall be reported to the Department's Equal Employment Opportunity Coordinator (EEOC). This includes third-party and anonymous reports (28 CFR 115.161). Additionally, the Sheriff may direct the Internal Affairs Unit or Department of Police Accountability to conduct an investigation.

If the alleged victim is under the age of 18 or considered a vulnerable adult, supervisors shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee or incarcerated person was sexually abused while confined at another facility, the supervisor shall notify the COD Chief Deputy and Facility Commander 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 supervisor shall document such notification (28 CFR 115.163).

If an alleged detainee or incarcerated person victim is transferred from the Intake and Release Center (IRC) to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the incarcerated persons potential need for medical or social services, unless the incarcerated person requests otherwise (28 CFR 115.165).

602.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only CIU and IAU investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171). The EEOC shall refer all sexual harassment allegations for investigation.

602.5.1 FIRST RESPONDERS

The first deputy to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Notify a supervisor.
- (c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.

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- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim, and the alleged perpetrator, do not take any actions that could destroy physical evidence, (i.e., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating).
- (e) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, deputies shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).
- (f) Consider whether a change in classification or housing assignment for the incarcerated person victim is needed or whether incarcerated person witnesses to the incident need protection, both of which may include reassignment of housing.
- (g) Determine whether the alleged incarcerated person perpetrator should be administratively segregated or administratively transferred during the investigation.

If the first responder is not a deputy the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then immediately notify a deputy (28 CFR 115.164).

602.5.2 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, incarcerated person, or an employee of the San Francisco Sheriff's 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 incarcerated person sexually abused another detainee or incarcerated person in a Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

602.5.3 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

Individuals who are victims of sexual abuse shall be transported to the nearest medical facility for treatment of injuries, collection of evidence, and for crisis intervention services (28 CFR 115.82).

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A victim advocate from a rape crisis center (SFRTC) should be made available to the victim. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in (34 USC § 12511(b)(2)(C)), to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

602.5.4 EXAMINATION, TESTING, AND TREATMENT

Victims of sexual abuse shall receive immediate, unimpeded access to emergency medical treatment, mental health, and crisis intervention services. 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).

Examination, testing and treatment shall include the following (15 CCR 1206):

- (a) Forensic medical examinations shall be performed as evidentiary or medically appropriate. Where possible, these examinations shall be performed by the San Francisco Rape Treatment Center (SFRTC) or Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SFRTC, SAFE nor SANE are available, other qualified medical practitioners can perform the examination. The Department shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).
- (b) If requested by the victim, a victim advocate, a qualified department employee or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information and referrals (28 CFR 115.21).
- (c) Provisions shall be made for testing the victim for sexually transmitted diseases (28CFR 115.82). Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.
- (d) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.
- (e) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.
- (f) Victims shall be provided with follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from custody (28 CFR 115.83) if the victim is an incarcerated person or detainee.

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- (g) The health authority or mental health staff shall obtain informed consent from incarcerated persons or detainees before reporting information to county jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the incarcerated person is under the age of 18 (28 CFR 115.81).
- (h) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform county jail staff about security or management decisions (28 CFR 115.81).

602.5.5 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS

An administrative investigation or criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.22). Administrative investigations shall include an effort to determine whether the employee's actions or failure to act contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed department-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.71).

When practical, an investigator of the same identified gender as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to an incarcerated person's sexual orientation or gender identity. Investigators should not assume any sexual activity among incarcerated persons or detainees is consensual.

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 115.71).

If the investigation is referred to another agency for investigation, the Department shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Department shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.71) If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.71).

Incarcerated persons alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is under 18 or considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

602.5.6 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Sheriff, or if the allegations may reasonably involve the Sheriff, to the City Attorney's Office. The Sheriff shall review the investigation and

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determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All employees shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department employees who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the employee's disciplinary history and the sanctions imposed for comparable offenses by other employees with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by employees 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 and law enforcement agency that would handle any related investigation (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees or incarcerated persons and shall be reported for criminal investigation unless the activity was clearly not criminal, and reported to any relevant licensing bodies (28 CFR 115.177). The Sheriff shall take appropriate remedial measures and consider whether to prohibit further contact with detainees or incarcerated persons by a contractor or volunteer.

Any employee who has knowledge or receives information or fails to report or take immediate action regarding incidents of sexual assault/abuse, harassment or retaliation, or intentionally inflicts humiliation toward the victim or reporting party, or actively minimizes a report of such an incident will be subject to progressive discipline up to and including termination.

602.5.7 REPORTING TO INCARCERATED PERSONS

The PREA Coordinator or designee shall inform a victim incarcerated person in writing whether an allegation has been substantiated, unsubstantiated or unfounded. If the Department did not conduct the investigation, the Department shall request relevant information from the investigative agency in order to inform the incarcerated person.

If an employee is the accused (unless the Department determined the allegation was unfounded), the incarcerated person shall also be informed whenever:

- (a) The employee is no longer assigned to the incarcerated person's facility or employed by the Department.
- (b) The Department learns that the employee has been indicted or convicted on a charge related to sexual abuse within the facility.

If an employee or another incarcerated person is the accused, the alleged victim shall be notified when the Department learns the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the incarcerated person is in custody, the incarcerated person will sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.73).

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602.6 RETALIATION PROHIBITED

All detainees, incarcerated persons, and employees 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.

Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or reassignment of the victim or alleged perpetrator to another housing area, and support services for incarcerated persons or employees who fear retaliation shall be utilized (28 CFR 115.67; 15 CCR 1029).

The Coordinator shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of incarcerated persons or employees who report sexual abuse or sexual harassment, as well as incarcerated persons or employees who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider incarcerated person disciplinary reports, housing or program changes, negative employee performance reviews or reassignment of employees. Monitoring may continue beyond 90 days if needed. Incarcerated person monitoring shall also include periodic status checks. The Coordinator should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that employees who pose a threat of retaliation are not entrusted with monitoring responsibilities.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the Department shall take reasonable measures to protect that individual against retaliation (28 CFR 115.67).

602.6.1 PROTECTIVE CUSTODY

Incarcerated persons at high risk for sexual victimization shall not be involuntarily placed in protective custody unless it has been determined that there are no reasonably available alternative means of separation. Incarcerated persons may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the Classification Unit Commander and designated supervisor shall clearly document the basis for the concern for the incarcerated person's safety and the reasons why no alternative means of separation can be arranged (28 CFR 115.43).

The facility shall assign these incarcerated persons to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, not ordinarily in excess of 30 days.

Incarcerated persons placed in temporary protective custody shall continue to have reasonable access to programs, privileges, education and work opportunities. If restrictions are put in place, the Facility Commander shall document the following:

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- (a) The opportunities that have been limited
- (b) The duration of the limitation
- (c) The reasons for such limitations

Every 30 days, the Facility Commander shall afford each such incarcerated person a review to determine whether there is a continuing need for protective custody (28 CFR 115.43).

602.7 REVIEWS AND AUDITS

602.7.1 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 and seek input from line supervisors, qualified health care and/or mental health professionals, as appropriate 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; sexual orientation 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/building 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 (28 CFR 115.186).

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 Sheriff and the PREA Coordinator. The Sheriff or designee shall implement the recommendations for improvement or shall document the reasons for not doing so.

602.7.2 DATA REVIEWS

The PREA Coordinator 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.

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- (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 Sheriff and made readily available to the public through the department website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88).

All aggregated sexual abuse data from San Francisco Sheriff's Department facilities and facilities with which it contracts shall be made readily available to the public at least annually through the department website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

602.8 RECORDS

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

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).

602.9 TRAINING

All employees, volunteers and contractors who may have contact with detainees or incarcerated persons shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within department facilities. The Training Unit shall ensure staff receive training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questions the arrestees and incarcerated persons may have regarding sexual assault or abuse, and they are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Training Unit Commander shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131, 28 CFR 115.132):

- The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.
- The dynamics of sexual abuse and harassment in confinement settings, including which detainees and incarcerated persons are most vulnerable.

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- The right of an individual 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 and common reactions of victims.
- How to detect and respond to signs of threatened and actual sexual abuse.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
- Avoiding inappropriate relationships with incarcerated persons.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations. 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.
- Uniform evidence protocol and maximize the potential for obtaining useable physical evidence.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral (28 CFR 115.21).

The Training Unit Commander shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. Training should include written testing to validate knowledge and understanding of the material. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees or incarcerated persons 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.

Crime and Disaster Scene Preservation

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a crime or disaster scene.

603.2 POLICY

It is the policy of the San Francisco Sheriff's Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a crime or disaster scene for the safety of all persons and those required to enter or work near the scene.

603.3 SCENE RESPONSIBILITY

The first deputy at the scene of a crime or major incident is responsible for the immediate safety of all persons and preservation of the scene. Deputies 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 a deputy has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the deputy shall maintain the crime or disaster scene until they are properly relieved by a supervisor or other designated person.

A crime or disaster scene may include a single cell, a common area or hallway, a floor of a building, or the size of a parking lot. Scenes include not only the incident location but the entrance and exits to the incident site and may include secondary locations. Deputies shall secure the entire scene as soon as practical.

603.4 FIRST RESPONDER CONSIDERATIONS

The following list describes the deputy'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. Deputies shall:

- (a) Broadcast emergency information, including requests for additional assistance, resources, and a supervisor to respond to the scene.
- (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 when safe to do so.
- (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 Crime Scene Log noting critical times and personnel allowed access.

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Procedural link:

[Administration and Field Operations Procedure Manual: 600.1 SCENE PRESERVATION PROCEDURES](#)

603.5 SEARCHES

Deputies arriving at crime or disaster scenes may be 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 deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Deputies 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.

603.5.1 CONSENT

When possible and there are no exigent public safety concerns, deputies 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.

603.6 EXECUTION OF HEALTH ORDERS

Deputies are 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).

603.7 EVIDENCE

Physical evidence shall not be touched, moved or disturbed prior to the arrival of CIU or IAU, local law enforcement agency of jurisdiction, or the Medical Examiner's Office.

Unless the evidence is in danger of being lost, contaminated or destroyed or when a firearm or other weapon must be secured in order to ensure the safety of all individuals. The fact that a firearm may be loaded or a weapon present does not in itself justify moving a firearm or a weapon if it does not present an immediate danger.

- (a) If it is necessary to move evidence, deputies shall document its original position and condition, notify the investigator upon their arrival and record the details in an Incident Report.
- (b) Deputies should not attempt to return items of evidentiary value to the original location once moved.

Sheriff's employees shall not leave any piece of collected evidence, whether for criminal or administrative proceedings, unsecured and/or unattended. See the Property and Evidence Policy for additional guidance.

603.8 ATTACHMENTS

See attachment: [Crime Scene Log.pdf](#)

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when employees of this department employ eyewitness identification techniques (Penal Code § 859.7).

604.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Field identification, live lineup or photographic identification.

Field identification - A live presentation of a single or multiple individual(s) to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person(s) 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 (conducted by Criminal Investigations Unit (CIU) or other investigative personnel).

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The San Francisco Sheriff's Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crimes and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Deputies should make a reasonable effort to arrange for an authorized 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 deputy 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 Criminal Investigations Unit supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by deputies 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.

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- (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 lighting conditions, weather, and time of day may impact their ability to identify a person and 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 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 understand the identification procedures and instructions.
- (j) 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.
- (k) Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

A live lineup may 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 deputy shall contact the prosecuting attorney before proceeding. Investigating deputies will confer with DA in establishing lineup procedures in order to assure the best use of this type of evidence and procedures established are compatible with the prosecution of criminal cases. Likewise, instructions given to witnesses during a lineup procedure will be those established and approved by the DA's Office and California State Law.

The process and related forms should be reviewed at least annually and modified when necessary. Deputies shall receive initial and refresher training in lineup procedures to establish uniformity and consistency of such procedures.

604.5 EYEWITNESS IDENTIFICATION

Deputies 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.

Deputies 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.

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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.

When feasible, the eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures (Penal Code § 859.7).

604.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

Prior to a photographic or live lineup, the investigating deputy should record a complete description of the suspect provided by the eyewitness and in the eyewitness's own words. This statement should include information the eyewitness observed about the suspect including location, time, distance, obstructions, lighting, weather conditions, and other impairments, including, but not limited to alcohol, drugs, stress, the presence of a weapon and any other relevant conditions. The witness should be asked if they need glasses or contact lenses and whether they were wearing them at the time of the offense.

When practical, the deputy 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 deputy presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness, until identified by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The deputy presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously (known as a six-pack). The witness should view all persons in the lineup. If there is more than one witness, each witness will be shown the line-up separately. Witnesses will not be permitted to communicate with each other until after the line-up procedure has been completed.

604.7 DOCUMENTATION

A thorough description of the eyewitness process and the results 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 shall be included in the case report. In addition, the order in which the photographs were presented to the witness shall be documented in the case report. If an identification is made, tell the witness to circle the photograph on a copy of the photographic line-up, and write the date and time and initial next to the photo. The deputy shall document the fact that an identification was or was not made. Any and all lineups and field identification show-ups created, viewed, identified or not identified must be kept and secured with the original report.

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604.8 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups (cold shows) or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impractical to conduct a photo or live lineup identifications. A deputy may arrange a show-up between a witness and a suspect when a potential suspect is located and detained within a reasonable length of time, in proximity to the location of the crime, and fits the specific description of the suspect given by the witness. 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 deputy 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.
 - 8. Does the witness believe they will be able to recognize the suspect.
- (c) If safe and practical, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle. If the suspect is handcuffed, take measures to conceal this fact from the witness when possible.
- (d) When feasible, deputies 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. Once at the location, deputies shall read or have the witness read the department Field Identification Show-up form. The witness and the deputy shall sign and date the form.
- (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, deputies should not conduct any further field identifications with other witnesses for that

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suspect. In such instances, deputies should document the contact information for any additional witnesses for follow up, if necessary.

604.8.1 RELEASE AFTER SHOW-UPS

A suspect cannot be detained for longer than a reasonable period of time to confirm or refute whether the suspect is the perpetrator.

If the detained suspect is not identified by a witness, and deputies lack probable cause for an arrest, the suspect should be released after obtaining basic information. The suspect shall be issued a Certificate of Release form and an Investigative Detention Report shall be completed by the deputy.

604.9 ATTACHMENTS

[See attachment: Field Identification Show-Up Form.pdf](#)

[See attachment: Certificate of Release - 849B FORM.pdf](#)

Property and Evidence

605.1 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.

605.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping at booking, 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.

Booked Property - Personal property of an arrestee not taken as evidence.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- 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.

The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

605.3 PROPERTY AND EVIDENCE HANDLING

Employees who come into possession of any property or evidence shall retain such property/evidence in their possession until it is properly tagged and placed in a designated, secure property locker or storage room along with the property form. All property shall be labeled with the deputy/IP Officer's initials and badge number, description of property/evidence and the incident case number (if one exists) or Incident Report number.

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 and clearly noted in the deputy/IP Officer's report. A property form should be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items.

Care shall be taken to maintain the chain of custody for all evidence by completing the appropriate evidence continuity or storage location pages in the booking deputy/IP Officer's report. Based on the crime or circumstances, it may be improper to directly handle evidence prior to the arrival of investigators. Sheriff's employees shall turn over property and/or evidence to the CIU and/or IAU when so directed.

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When handling evidence, deputies and IP Officers shall observe the following safety precautions as directed by the evidence room and Sheriff safety bulletins and training:

- (a) Unload any firearm in a safe area. A revolver cylinder should be left open. For a semi-automatic pistol, remove the magazine and lock the slide back in an open position. The cartridges and/or magazine will be packaged separately and booked with the firearm.
- (b) Sheath a knife or other stabbing instrument in its holster (if any) or attach stiff cardboard with tape to completely cover the blade. Clearly mark the evidence container "Sharp Object" to ensure proper handling and prevent exposure.
- (c) Place needles into a hard plastic container that cannot be punctured by the needle.
- (d) For a suspected alcoholic beverage (jail made alcohol aka pruno), deputies shall place a sample of the liquid in a plastic container that can be sealed. The remainder of the liquid will be treated as a biohazard and carefully disposed.

Each Sheriff's Facility, Section and Unit shall have a designated, secure property/evidence locker, safe, container or storage room available to secure seized evidence. Facilities, Sections and Units shall have an adequate supply of evidence envelopes, puncture-resistant containers and disposable gloves available to staff handling evidence.

All property and evidence shall be booked or secured prior to the employee going off duty unless otherwise approved by a supervisor or investigator.

[Administration and Field Operations Procedure Manual: 605.1 PROPERTY/EVIDENCE BOOKING PROCEDURE](#)

605.3.1 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately using a separate property form and marked as Property for Identification or Destruction. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately and as Property for Identification.

605.3.2 EXPLOSIVES

Employees who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander.

Explosive evidence and other unstable flammable items will not be retained in any Sheriff's facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. The SFPD Arson Bureau should be contacted for guidance on the storage of any explosive or flammable object. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. Contact the Fire Department for direction on disposing for any flammable materials, fireworks or signaling devices that are not retained as evidence.

605.3.3 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be logged onto a Property/Evidence Log Sheet and processed in the described manner:

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- (a) Bodily fluids, such as blood or semen stains, shall be air-dried prior to placement in a paper bag or envelope and prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be returned to the Department of Motor Vehicles. No formal property booking process is required, however, the officer shall submit a found property report.
- (c) All bicycles and bicycle frames require a property report documenting the make, model and serial number of the bicycle or frame. Property tags will be securely attached to each bicycle or bicycle frame and placed in the bicycle storage area controlled by the San Francisco Police Department (SFPD).
- (d) All currency shall be counted and the envelope initialed by the booking deputy and the supervisor. The Watch Commander shall be contacted for cash in excess of \$1,000 for special handling procedures. Money shall be secured in a Money for Identification envelope and separated from other evidence. Deputies shall document the denominations of currency and the total amount.

City and County of San Francisco (CCSF) property, unless connected to a known criminal case, should be released directly to the appropriate CCSF 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.

When processing items of patients at Zuckerberg San Francisco General Hospital (ZSFGH), Deputies and IP Officers shall complete a property receipt and shall give a copy to hospital staff, the patient, or placed directly into the patient's property that remains at the hospital.

605.3.4 RELINQUISHED FIREARMS

Individuals who relinquish firearms 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).

The deputy shall ensure the CRW Unit Commander 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 Firearms Policy and Central Records and Warrants Unit Policy).

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.

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605.3.5 EVIDENCE REMOVED IN SURGERY

Deputies/IP Officers shall retrieve evidence removed from a patient in surgery at ZSFGH and shall sign for the evidence and process it like any other piece of evidence. The deputy/IP Officer shall notify the investigating agency who will retrieve the evidence and shall document their name, title, badge number and date and time of collection.

605.4 RECORDING OF PROPERTY

The San Francisco Sheriff's Department books in evidence at the property room controlled by the SFPD.

Deputies and IP Officers receiving custody of property/evidence, or property/evidence held by the San Francisco Sheriff's Department shall be noted on the Property/Evidence Log Sheet and in an Incident Report, recording the date and time the property/evidence was received.

605.4.1 REPORTING

Deputies and IP Officers shall include the following information in their written Incident Report:

- (a) Victim/Suspect name (include jail number/SF number if applicable)
- (b) Incident Report number, case number and lab number, as applicable
- (c) Criminal charges
- (d) Location, date and time of found evidence/property
- (e) Serial numbers and identifying markings
- (f) If the evidence seized was to be:
 - 1. Destroyed
 - 2. Placed into evidence for further follow-up/investigation
 - 3. Held pending a criminal complaint

605.5 PROPERTY CONTROL

Any changes in the location or possession of property/evidence held by the Sheriffs shall be noted on the Property/Evidence Log Sheet and in an Incident Report, prior to removal from the designated property locker, storage room or other secured location.

Deputies desiring property for court shall contact the SFPD property and evidence room officer at least one day prior to the court day.

605.5.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package, Incident Report and Property/Evidence Log Sheet 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 the investigator managing the case.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the SFPD property/evidence room officer or the Sheriff's Watch

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Commander (if property/evidence is in Sheriff's custody). This request may be filled out any time after booking of the property or evidence.

605.5.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting deputy will check the evidence out of the designated Sheriff's property location, recording the date and time on the Incident Report and Department Property/Evidence Log Sheet.

All evidence, citations and Incident Reports requiring booking shall be transferred to the proper authority (i.e., SFPD, District Attorney's Office, etc.).

Deputies in possession of narcotics for evidence shall secure it in an Analyzed Evidence Envelope. Deputies shall write on the envelope "Analyze the narcotics evidence. Not to be destroyed". Deputies shall transport the Envelope to the SFPD property room. The SFPD property and evidence room officer will record the receipt time and indicate where the item was placed or to whom it was delivered. The original copy of the form will remain with the evidence and the copy will be given to the deputy upon request to file with the case.

605.5.3 STATUS OF PROPERTY

Each deputy receiving property will make the appropriate entry to property/evidence form to document the chain of evidence. Temporary release of property to deputies for investigative purposes, or for court, shall be noted on the SFPD property control record and/or on the Sheriff's Incident Report and Property/Evidence Log Sheet, stating the date, time and to whom released.

The SFPD property and evidence room officer and/or Sheriff's Watch Commander (if property/evidence is in Sheriff's custody), shall obtain the signature of the person to whom property is released and the reason for release. Deputies receiving property shall be responsible for such property until it is properly returned to the SFPD property and evidence room officer or Sheriff's designated location or properly released to another authorized person or entity.

The return of the property should be recorded on the Sheriff's Incident Report and Property/Evidence Log Sheet, indicating date, time and the person who returned the property.

605.5.4 RELEASE OR DISPOSITION OF EVIDENCE

Facility/Section/Unit Commanders shall review evidence kept at their Facility/Section/Unit on a monthly basis. Evidence older than 30 calendar days may be released or disposed of at the discretion of the Facility/Section/Unit Commander. Facility/Section/Unit Commanders may check with the Criminal Investigations Unit for guidance, but as a general rule, CIU picks up all items of evidentiary value within seven days of receiving the criminal report.

605.5.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of unclaimed property, 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 investigator and must conform to the items listed on

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the property form or must specify the specific item(s) to be released. Release of all property shall be documented on the Property/Evidence Log Sheet and Incident Report.

The Department's Financial Services Section will be notified of all cash not needed as evidence or funds that are left unclaimed by an incarcerated person. A record of the transfer shall be kept. The property room supervisor or the designee shall submit a report of presumed abandoned property or funds once a year to the Sheriff and the Financial Services Section, or more frequently as directed. The property supervisor may dispose of property in compliance with existing laws upon receipt of proper authorization from the Sheriff or designee.

With the exception of firearms 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, the property officer 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 to the highest bidder 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 an Incident Report.

Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

605.5.6 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 a civil matter 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)).

605.5.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The SFPD will be responsible for the proper storage, control and destruction of all narcotics and dangerous drugs, including paraphernalia as described in Health and Safety Code § 11364.

605.5.8 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, staff shall return the weapon to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met unless the firearm

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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).

605.5.9 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) (see Gun Violence Restraining Orders Policy and Firearms Policy).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, they are 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 Department determines them 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.

605.5.10 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 the weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the weapon shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33865.
- (b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the weapon is not retained as evidence, the Department shall make the weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ which 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.

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605.5.11 RESTORATION OF FIREARM SERIAL NUMBERS

Any firearm coming into the possession of the San Francisco Sheriff's Department as evidence or found property, etc., where the serial numbers have been removed or obliterated should be processed.

[Administration and Field Operations Procedure Manual: 605.2 RESTORATION OF FIREARM SERIAL NUMBERS PROCEDURE](#)

605.6 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.

- Property belonging to an incarcerated person released from secure custody will be held for one calendar year past the incarcerated person's release date. After the time period expires, the property will be disposed of.

605.6.1 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)

605.6.2 UNCLAIMED MONEY AND PROPERTY

If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department's Financial Services Section makes notice of the funds in conformance with the appropriate laws (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 Department on a designated date not less than 45 days and not more than 60 days after the first publication of the notice (Government Code § 50051).

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Any individual item with a value of less than \$15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this Department to fund official law enforcement or custody facility operations. Money representing restitution collected on behalf of victims shall either be deposited into the restitution fund or used for purposes of victim services.

When a deputy/IP Officer is unable to return property not needed for evidence, the property shall be booked at the Sheriff's facility for a period of 72 hours. During such period, the Watch Commander shall be responsible for contacting the rightful owner by telephone and/or mail, when sufficient identifying information is available. Property not claimed within 72 hours after speaking directly with the owner, shall be booked for safekeeping at the SFPD Property Room.

605.7 INSPECTIONS OF THE EVIDENCE STORAGE AREAS

- (a) On a monthly basis, the Facility/Section/Unit manager or designee shall inspect the evidence and property storage locations at each Facility/Section/Unit to ensure adherence to appropriate policies and procedures.
- (b) Unannounced inspections of evidence storage areas shall be conducted as directed by the Division Chief.
- (c) An annual audit of evidence held by the Department shall be directed by a Division Chief (as appointed by the Sheriff) not routinely or directly connected with evidence control.

605.8 ATTACHMENTS

[See attachment: San Francisco Property Inventory Record.pdf](#)

[See attachment: Property Receipt Form.pdf](#)

Death Investigation

606.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural causes to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially.

The term “deputies” throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

606.2 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). Deputies are prohibited from pronouncing death. Deputies shall notify a supervisor, without delay, in any death and supervisors shall send notification to the Sheriff through the chain of command.

606.2.1 MEDICAL EXAMINER 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. Immediately upon notification or learning of a presumed death, deputies shall notify the Coroner/Medical Examiner of all deaths outside of a medical facility.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner. Deputies shall secure the scene, notify DEM dispatch, commence with a Crime Scene Log, notify the Watch Commander or supervisor, and shall remain at the scene until the arrival of MEO staff.

606.2.2 SEARCHING DEAD BODIES

The Coroner or MEO is 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 a deputy 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 deputy shall promptly notify the MEO.

Deputies should not disturb evidence surrounding the scene of a death and shall not remove any item from the deceased or from the premises prior to the arrival of the MEO. The MEO shall take possession of evidence and property. Should exigent circumstances indicate to a deputy that any search of a known dead body is warranted prior to the arrival of the MEO; the investigating deputy shall first obtain verbal consent from the MEO (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 deputy pending the arrival of the Coroner. The name and address of this person shall be included in the narrative of the death report. When personal effects are removed from the body of the deceased by the Coroner, the deputy shall obtain a receipt and shall attach the receipt to their Incident Report.

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Deputies discovering notes, letters or documents pertaining to or written by the deceased, subsequent to the removal of the body, shall give them to the Criminal Investigations Unit who will forward them to the MEO and obtain a receipt.

606.2.3 DEATH NOTIFICATION

The Medical Examiner's Office shall notify the next-of-kin of the deceased person. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction may be requested to make the personal notification. If the relatives live outside this county, the MEO may be requested to make the notification. The MEO may request the assistance of the Sheriff's Department to make the notification.

606.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the MEO arrives, the MEO will issue a "John Doe" or "Jane Doe" number for the Incident Report.

606.2.5 DEATH INVESTIGATION REPORTING

Deputies shall document all incidents involving a death in an Incident Report. The Incident Report shall include any dying declarations. Deputies shall attach receipts and copies of documents provided by the coroner to their Incident Report.

606.2.6 SUSPECTED HOMICIDE

If the initially assigned deputy suspects that the death involves a homicide or other suspicious circumstances and the location is within the Sheriff's control or jurisdiction, the Criminal Investigations Unit shall be notified to determine the need for an investigator to respond to the scene for further immediate investigation.

If the location is not within the Sheriff's control or jurisdiction, the appropriate local agency will be contacted (see the Investigation and Prosecution Policy).

606.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES

Any employee of this Department who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)). (see Occupational Disease and Work Related Injury Reporting Policy).

606.3 ATTACHMENTS

See attachment: [Crime Scene Log.pdf](#)

Officer-Involved Shootings and Deaths

607.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a deputy or IP Officer discharges their firearm at a person or animal regardless if a person or animal is injured or dies as the result of an officer-involved shooting or dies as a result of another action of a deputy.

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

607.2 POLICY

The policy of the San Francisco Sheriff's Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

607.3 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 deputies.

607.4 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 investigators 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.

607.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the San Francisco Sheriff's Department may control the investigation if the suspect's crime occurred in San Francisco.

607.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved deputy's conduct during the incident will be determined by the employing agency's protocol. When a deputy from this Department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

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Requests made of this Department to investigate a shooting or death involving an outside agency's officer shall be referred to the Sheriff or the Undersheriff for approval.

607.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

607.4.4 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. A CIU investigator should promptly notify the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian.

If there is a question as to whether or not the deceased person meets the definition of "unarmed civilian" the Department's investigator should err on the side of reporting to the California DOJ.

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

607.5 INVESTIGATION PROCESS

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

607.5.1 UNINVOLVED DEPUTY RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting, the first uninvolved Sheriff's deputy will be the deputy-in-charge and will assume the responsibilities of a supervisor until properly relieved. This deputy shall, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

607.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved Sheriff's 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 that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a public safety statement from another involved officer, if available.

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- (b) If necessary, the supervisor may administratively order any Department deputy to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 - (a) 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.
 - (b) The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information. Supervisors shall not ask any questions regarding the involved officer(s) "state of mind".
- (c) Provide all available information to the Watch Commander and Department of Emergency Management (DEM) dispatch. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional Department members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - (a) Each involved Department deputy should be given an administrative order not to discuss the incident with other involved officers or Department 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 that they are provided with a comparable replacement weapon.
 - (c) When an involved deputy is ordered to surrender their firearm used in an officer-involved shooting, the investigating agency shall take possession of the weapon.
 - (a) The Sheriff or designee will decide, on a case-by-case basis, if the employee is allowed to carry a firearm on-duty and/or off-duty.

607.5.3 WATCH COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Watch Commander shall be responsible for coordinating all aspects of the incident until they are relieved by a higher-ranking Sheriff's supervisor or Department investigator from the CIU or IAU.

All outside inquiries about the incident shall be directed to the Sheriff's Communications Staff or Public Information Officer.

607.5.4 NOTIFICATIONS

The following person(s) shall be notified as soon as practicable:

- Sheriff, Undersheriff, and Assitant Sheriff
- Criminal Investigations (CIU) Commander and/or on-call staff

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- Internal Affairs Commander and/or on-call staff
- Peer Support Team
- Chaplain
- Coroner/San Francisco Medical Examiner's Office (if necessary)
- Involved officer's collective bargaining unit president or agency representative
- Communications Staff or Public Information Officer
- Outside agency (when appropriate)

607.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 - (a) Involved Department deputies 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. Involved Sheriff's deputies shall not meet collectively or in a group and should remain separated prior to providing a formal interview or report, except that upon a request from an attorney or representative, the involved employees may gather for the sole purpose of listening to a statement made by the attorney or representative.
 - (b) Requests from involved non-Department officers should be referred to their employing agency.
- (b) The laws regarding attorney client privilege apply to discussions between the employee and an attorney representing the employee. When speaking with a City attorney, employees should inquire whether the attorney is representing the City and County or the employee.
- (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 Department deputy. A licensed psychotherapist may also be provided to any other affected Department members, upon request.
 - 1. Interviews with a licensed psychotherapist will be considered privileged.
 - 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 - 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved deputy and a peer support member are addressed in the Wellness Program Policy.

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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 Department deputy 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.

607.5.6 REPORTS BY INVOLVED SHERIFF'S DEPUTIES

In the event that suspects remain outstanding or subject to prosecution for related offenses, this Department shall retain the authority to require involved Sheriff's deputies to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

Investigators 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 deputy 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.

607.6 CRIMINAL INVESTIGATION

The CIU and District Attorney's Office are responsible for the criminal investigation into the circumstances of any officer-involved shooting or death. CIU investigators may be assigned to partner with investigators from outside agencies or the District Attorney's Office. Other agencies or oversight committees may also conduct their own investigations in conjunction with or separate from those of the Sheriff's Department.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) Department supervisors and Internal Affairs personnel should not participate directly in any voluntary interview of Department deputies. 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 deputies shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

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- (c) If any involved officer is physically, emotionally, or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

607.6.1 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the Criminal Investigations Unit Commander to assign investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from other agencies or be assigned to separately handle the investigation of any related crimes not being investigated by other agencies.

All related department reports, except administrative and/or privileged reports, will be forwarded to the Criminal Investigations Unit Commander. Privileged reports shall be maintained exclusively by employees who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

607.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take 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, deputies should attempt to identify the witness prior to their 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 deputy of the Department.
 - 1. A written, verbal or recorded statement of consent shall 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.

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- (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.

607.7 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 deputies to determine conformance with Department policy. The investigation will be conducted under the supervision of the Internal Affairs Unit (IAU).

Interviews of employees shall be subject to Department policies and applicable laws (see the Personnel Complaints Policy).

- (a) Any deputy 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 deputy, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any deputy has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved deputy.
 - 1. If a further interview of the deputy 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 deputy shall be provided with a copy of their prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved deputy has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the deputy's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the deputy shall have the opportunity to select an uninvolved representative to be present during the interview (Government Code § 3303(i)).
 - (a) However, in order to maintain the integrity of each individual deputy's statement, involved deputies shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - 3. Administrative interviews should be recorded by the investigator. The deputy may also record the interview (Government Code § 3303(g)).
 - 4. The deputy shall be informed of the nature of the investigation. If a deputy refuses to answer questions and IAU determines that the continuation of the questioning is appropriate or required, the deputy should be given their *Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions.

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The deputy shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Internal Affairs 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.

607.8 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

Any MAV, body-worn and other known video or audio recordings of an incident shall not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney's Office, as appropriate.

Involved staff will be noticed prior to the release of any video to the public.

607.9 DEBRIEFING

Following an officer-involved shooting or death, the San Francisco Sheriff's 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.

607.9.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practical. The Administration and Programs Division Chief Deputy 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 City and County employees directly involved in the incident. The debriefing shall be closed to the public and should be closed to all other

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employees of the Department, including supervisory and Internal Affairs Unit personnel unless directed otherwise by the Sheriff or designee.

607.9.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Sheriff should identify the appropriate participants. This debriefing should not be conducted until all involved employees have provided recorded or formal statements to criminal and/or administrative investigators.

607.10 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the Sheriff and Department investigators. When it is determined that video footage and/or audio recordings will be released to the public, those releases will be available to the Sheriff CIU and IAU Commanders and the Sheriff's Communication Staff or Public Information Officer in the event of inquiries from the media.

The Department shall not subject any involved deputy to visits by the media (Government Code § 3303(e)).

607.11 REPORTING

If the death of an individual occurs in the San Francisco Sheriff's Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, supervisors and investigators shall ensure that the CIU Commander is provided with information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).

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608.1 PURPOSE AND SCOPE

To provide guidance to employees of the San Francisco Sheriff's Department in the event of an employee death or serious injury occurring in the line of duty or off duty, and to direct the Department in providing support for the employee's family.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn employee during the course of performing law enforcement-related functions while on- or off-duty, or a civilian employee during the course of performing their assigned duties.

Family - Immediate family members of the deceased employee, which include a spouse, children, parents, other next of kin or significant others. The determination of who should be considered family for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the employee and whether the individual was previously designated by the deceased employee.

Serious injury - Life-threatening injuries.

608.2 POLICY

It is the policy of the San Francisco Sheriff's Department to notify and provide assistance and support to the employee's family and coworkers who die or have sustained a serious injury in the line of duty or off duty.

It is also the policy of this Department to respect the requests of the family when they conflict with these guidelines.

608.3 INTERNAL NOTIFICATIONS

- (a) An employee receiving information of an employee death, or serious injury or death of a retired employee, during regular business hours, shall immediately notify the Personnel Unit who will notify the Sheriff, Undersheriff, or Assistant Sheriff. After business hours, the employee receiving notice shall notify the Central Records and Warrants Unit (CRW).
 1. Communication of information concerning the employee and the incident should be restricted to secure networks to avoid interception by the media or others.
 2. The Watch Commander or supervisor shall forward information to the Undersheriff immediately. Information should include the date, location, cause, extent of injuries and property damage.
- (b) The Watch Commander shall notify CRW who will ensure notifications are made in accordance with the Critical Incident Notification Policy as applicable.

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- (c) If the employee has been transported to the hospital, a supervisor or designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Sheriff or their designee, without undue delay should assign employees to handle family notifications and assign employees to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practical.
- (e) An employee receiving information of the death or serious injury of a retired Sheriff's employee during regular business hours, shall immediately notify the Personnel Unit who will notify the Sheriff, Undersheriff, or Assistant Sheriff. After business hours, the employee receiving notice shall notify the Central Records and Warrants Unit (CRW).

608.4 NOTIFYING FAMILY

The family of an employee seriously injured or killed on-duty shall be notified without undue delay by the Sheriff or their designee. Surviving family should be notified as soon as possible in order to avoid the family hearing about the incident in other ways.

The Sheriff or the Personnel Unit should review the deceased employee's emergency contact information and make accommodations to respect the employee's wishes and instructions specific to notifying family.

The Sheriff or designee should select at least two employees to conduct family notifications, one of which should be command staff (Captain or higher) and the other may be a Peer Support Team (PST) member and/or Department Chaplain.

Notifying employees 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 employee. 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 family 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 the family or language barriers.
- (d) Offer to transport the family to the hospital, if appropriate. The family should be transported in department vehicles. Employees shall inform the Hospital Liaison over a secure network that the family are on their way to the hospital and should remain at the hospital while the family are present.
- (e) When family 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 in order to accomplish notification in as timely a fashion as possible. Notifying employees shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a family's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the family member. Employees shall not inform

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the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

- (g) Offer to call other family, friends or clergy to support the surviving family members and to avoid leaving them alone after notification.
- (h) Assist the family with meeting childcare or other immediate needs.
- (i) Provide other assistance to the family and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to the family that cannot be met.
- (j) Inform the family of the name and phone number of the Peer Support Team (PST), and the Administration and Programs Division (APD) Chief Deputy and provide the PST contact information to the family before departing.
- (k) Document the family's names and contact information, as well as the time and location of notification. This information should be forwarded to the APD Chief Deputy.
- (l) Inform the Sheriff or the authorized designee once family notifications have been made so that other San Francisco Sheriff's Department employees may be apprised that family notifications are complete.

608.4.1 OUT-OF-AREA NOTIFICATIONS

The Administration and Programs Division (APD) Chief Deputy should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to families who are out of the area.

- (a) The APD Chief Deputy should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the PST Coordinator that the family can call for more information following the notification by the assisting agency.
- (b) The APD Chief may assist in making transportation arrangements for the employee's family, but will not obligate the Department to pay travel expenses without the authorization of the Sheriff.

608.5 NOTIFYING DEPARTMENT EMPLOYEES

Supervisors or employees designated by the Sheriff are responsible for notifying department employees of the line-of-duty death as soon as possible after the family notification is made.

Notifications and related information should be communicated in person and as promptly as possible to all employees on-duty at the time of the incident, using secure networks, and should not be transmitted over the radio. Employees reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Those employees who are working later shifts or are on days off should be notified by phone as soon as practical.

Employees having a close bond with the deceased employee should be notified of the incident in person. Supervisors should consider assistance (e.g., PST, Employee Assistance Program (EAP), modifying work schedules, approving sick leave) for employees who are especially affected by the incident.

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Supervisors should direct employees not to disclose any information outside the Department regarding the deceased employee or the incident.

608.6 LIAISONS AND COORDINATORS

The Sheriff or the authorized designee should select employees to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Administration and Programs Division Chief Deputy
- (b) Hospital Liaison
- (c) Family Support Liaison
- (d) Peer Support Team Coordinator
- (e) Funeral Liaison
- (f) Personnel Unit
- (g) Chief Financial Officer

Liaisons and coordinators will be directed by the Administration and Programs Division (APD) Chief Deputy and should be given sufficient duty time to complete their assignments.

Employees may be assigned responsibilities of more than one liaison or coordinator position depending on available Department resources. The APD Chief may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

Procedural links:

[Administration and Field Operations Procedure Manual: 608.1 ADMINISTRATION AND PROGRAMS CHIEF DEPUTY RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 608.2 HOSPITAL LIAISON PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 608.3 FAMILY SUPPORT LIAISON PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 608.4 PEER SUPPORT TEAM COORDINATOR PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 608.5 FUNERAL LIAISON PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 608.6 PERSONNEL UNIT PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 608.7 CHIEF FINANCIAL OFFICER PROCEDURES](#)

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608.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the Department's Communication Staff and/or Public Information Officer (PIO) should be the Department's contact point for the media. As such, the Communication Staff or PIO shall coordinate with the APD Chief Deputy to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure Department employees are instructed to direct any media inquiries to the Communications Staff and/or PIO.
- (c) Prepare necessary press releases.
 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased employee's family.
- (d) Arrange for community and media briefings by the Sheriff or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the family with media inquiries.
 1. Brief the family 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 employees, other agencies and the media as appropriate.
- (h) If desired by the family, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased employees should be withheld until the employee's family has been notified. If the media has obtained identifying information for the deceased employee prior to the family notification, the Communications Staff or PIO should request the media to withhold the information from the release until proper notification can be made to the family. The Communications Staff or PIO should ensure media are notified when family notifications have been made.

608.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. Their duties may include, but are not limited to:

- Assisting with family notifications and assisting the family with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting Department employees with counseling or emotional support, as requested and appropriate.

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Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

608.9 INVESTIGATION OF THE INCIDENT

The Sheriff shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased employee should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department employees should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

At the conclusion of the investigation the Department's investigation Unit, who conducted the investigation, should notify the Federal Bureau of Investigations for the Law Enforcement Officer's Killed or Assaulted (LEOKA) Program. The LEOKA Program provides valuable statistical data from a tragic incident to determine prevention, relevant critique, safety awareness, and lifesaving information.

608.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Sheriff may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

608.11 NON-LINE-OF-DUTY DEATH

The Sheriff may authorize certain support services for the death of an employee or retiree not occurring in the line of duty.

Brady Material Disclosure

609.1 PURPOSE AND SCOPE

To establish guidelines for identifying and releasing potentially exculpatory evidence required by *Brady v Maryland* (1963) 373 U.S. 83 or impeachment evidence defined by Evidence Code § 780 to the City and County of San Francisco District Attorney's Office (DA) and/or to a prosecuting attorney.

609.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information - Brady requires prosecutors to provide criminal defendants with exculpatory evidence that is material to guilt or punishment, including substantial evidence bearing on the credibility of key prosecution witnesses.

609.2 POLICY

The San Francisco Sheriff's Department will conduct fair and impartial criminal and administrative 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 San Francisco Sheriff's 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.

609.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Deputies 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 a deputy learns of potentially incriminating or exculpatory information any time after submission of a case, the deputy 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, attorney-client information, attorney work product), the deputy should discuss the matter with Sheriff's Legal Counsel 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 a deputy is unsure whether evidence or facts are material, the deputy should address the issue with the Sheriff's Legal Counsel.

Brady requires prosecutors to provide criminal defendants with exculpatory evidence that is material to guilt or punishment, including substantial evidence bearing on the credibility of key prosecution witnesses. The scope of the prosecution's obligation may exceed the information

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available to the defense under Pitchess, e.g., there is no five-year limit in retroactive material from personnel files. Generally, relevant documentary evidence which must be disclosed as impeachment evidence defined by Evidence Code § 780 which tend to show:

- (a) The character of the witness for honesty
- (b) Personal, religious 1 Cal. 3d 531, and Brady motions, and/or racial bias
- (c) Inconsistent statements from percipient witnesses
- (d) Felony convictions
- (e) Criminal conduct involving moral turpitude regardless of prosecution or criminal conviction
- (f) False reports

609.4 DISCLOSURE OF PERSONNEL INFORMATION

Notification of a deputy's probable testimony and, accordingly, request for Brady material will be communicated to the Sheriff's Legal Counsel by the DA. Upon receipt, a search shall be directed by the Sheriff's Legal Counsel. The search process shall include:

- (a) The deputy's personnel file, background file, and any investigative files in which the peace officer is an active subject or a complaint was sustained. If there is potentially exculpatory information, the prosecutor is informed that there may be potential Brady information on the deputy. The prosecutor or defense counsel can file a Brady/Pitchess motion for the Court to conduct an in-camera review of any potential Brady material regarding exculpatory information as it relates to credibility, and to make a decision to disclose, if appropriate, under Brady.

Whenever it is determined that potential Brady information is located in the personnel file of a deputy who is a material witness in a criminal case, pursuant to a request from the prosecuting attorney, the following procedure shall apply:

- (a) The prosecuting attorney shall be notified that there is potential Brady information in the deputy's personnel file.
- (b) Upon receipt of a Brady motion for discovery of personnel files of any deputy, the deputy named in the motion will be notified of the motion by the Sheriff's Legal Counsel. The notification will inform the deputy of the date and time of the in-camera hearing and that Sheriff's Legal Counsel will appear for the department. The letter will inform the deputy that the legal representative for their collective bargaining association has also been informed of the proceeding.
- (c) The Sheriff's Legal Counsel shall accompany the custodian of records and 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.
- (d) 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 party filing the motion. The disclosed records are produced to the party filing the motion subject to the following.

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1. The Judge conducting the in-camera review issues a protective order, ordering the records be kept confidential and used solely in connection with the preparation and trial of criminal prosecution.
2. The protective order must be signed by the moving party and any other party receiving the records prior to disclosure.

609.5 TRAINING

Department members should receive periodic training on the requirements of this policy.

Background Investigations Unit

610.1 PURPOSE

The San Francisco Sheriff's Department Background Investigations Unit (BIU) conducts background investigations on new applicants applying for entry level sworn and civilian positions, persons seeking entry into Sheriff's facilities, and persons applying for a license to carry a concealed weapon.

610.2 BACKGROUND INVESTIGATION OFFICER

A Background Investigation Unit deputy is a deputy selected and trained to conduct background investigations. It is the responsibility of each investigator to conduct thorough and complete investigations and reports and each applicant.

610.3 BACKGROUND FILE DISCLOSURE

Sheriff's employee background files are confidential property of the Department and their contents are only accessible by the following Sheriff's employees or individuals with a legitimate business purpose, as specified in this policy.

- (a) Sheriff, Undersheriff, Assistant Sheriff, and Sheriff's Legal Counsel
- (b) Administration and Programs Division Chief Deputy and Captain
- (c) Background Investigations Unit supervisors and deputies
- (d) Department employees, as determined by the Sheriff, who are directly involved in the background file review, approval and rejection process.
- (e) Civil Service Commission and their staff to the extent permissible by local ordinance and state law.
- (f) Background officers from other law enforcement agencies who have a signed, written release from the affected employee.
- (g) Individuals authorized by court order

610.4 LOCAL AGENCY CHECKS

The BIU receives automated notifications of all arrests that result in fingerprinting of anyone that is or has been employed by the Sheriff's Department.

The Background Investigations Unit furnishes local summary criminal history information to government agencies provided the information is needed to assist in employment, certification or licensing duties. Sheriff's employees who release local summary criminal history information shall determine the requestor's right-to-know and need-to-know. No information shall be released unless there is a legal basis in which to do so.

Procedural link:

[Administration and Field Operations Procedure Manual: 601.1 LOCAL AGENCY CHECKS PROCEDURE](#)

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Background Investigations Unit

610.5 RECORD RETENTION

The Sheriff's Background Investigations Unit shall retain all files containing records of application, including background information, for a minimum of two years after the records and files were initially created or received; and records of terminated employees shall be retained for a minimum of two years from the date the employment action was taken. The BIU Commander shall create a process, in collaboration with Sheriff's Legal Counsel, to review files for Brady information prior to destruction. If pertinent Brady information is discovered, Sheriff's Legal Counsel may direct that files be retained indefinitely.

Upon notice that a verified claim has been filed against the Department, all records and files shall be preserved until the claim is fully and finally disposed of and all appeals or related proceedings terminated (California Government Code 12946). Active employee files shall be retained for the duration of employment in the Sheriff's Department.

The BIU Commander shall serve as the custodian of records for requested confidential information in the applicant's file.

Criminal Investigation Unit

611.1 PURPOSE

The San Francisco Sheriff's Department Criminal Investigations Unit (CIU) conducts timely and thorough criminal investigations without prejudice.

611.2 CRIMINAL INVESTIGATION OFFICERS

A Criminal Investigations Unit deputy is a deputy selected and trained to conduct criminal investigations. Criminal investigators impartially search out, collect, and analyze all available evidence either to exonerate the innocent or substantiate the culpability of those suspected of guilt. As neutral fact finders the CIU works with criminal justice partners to conduct systematic, methodical, and unbiased investigations. CIU investigators recognize their responsibilities to the San Francisco community to investigate all criminal allegations with sensitivity toward the needs of victims and witnesses.

CIU investigators perform their duties with the highest level of rectitude and base their course of investigation on objective criteria and evidence. CIU will utilize all inculpatory and exculpatory evidence throughout their investigation. All criminal cases will be provided with the same level of attentiveness and all available resources will be utilized to perform a thorough investigation.

611.3 SAN BRUNO JAIL JURISDICTION

The Criminal Investigations Unit will investigate crimes at the San Bruno Complex on property located in San Bruno, in San Mateo County. The San Bruno Jail property includes inside the jail and all other buildings in the surrounding area contained within the outer gates that border the jail property that are defined as City and County Property.

Venue and jurisdiction over criminal investigations and criminal prosecutions are governed by the following:

- (a) A person is liable to punishment by the laws of the State, for a public offense committed by them, within the jurisdictional territory of which it is committed (Penal Code 777).
- (b) When an incarcerated person confined in a jail established and maintained by the Sheriff in another county, is tried for any offense committed in such a jail or for escaping or attempting to escape therefrom, the venue shall be in the county establishing and maintaining such jail and the costs shall be charged against that county (Penal Code 4702).
- (c) The Sheriff of any county which maintains a jail in another county has the same control and supervision of the property, personnel, and incarcerated persons that they would have if the jail were located within the boundaries of the county which maintains it (Government Code Section 26610).
 1. Alleged crimes involving incarcerated persons housed in the San Bruno Jail shall be investigated by the San Francisco Sheriff's Department and presented to the San Francisco District Attorney's Office for prosecution.

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2. Alleged crimes involving non-incarcerated persons on the San Bruno Jail property shall be investigated by the San Francisco Sheriff's Department and presented to the San Mateo County District Attorney's Office for prosecution.
3. Deaths occurring in the San Bruno Jail shall be investigated by the San Francisco Sheriff's Department in conjunction with the San Mateo County Coroner's Office and other San Mateo County law enforcement agencies as appropriate.

Procedural link:

[Administration and Field Operations Procedure Manual: 602.1 COUNTY JAIL TELEPHONE SYSTEM](#)

[Administration and Field Operations Procedure Manual: 602.2 PROCESSING A REQUEST](#)

611.4 ATTACHMENTS

[See attachment: Inmate Phone Records Request Form.pdf](#)

Contacting Investigation Units

612.1 PURPOSE

San Francisco Sheriff's Department supervisors and Watch Commanders shall immediately notify the Criminal Investigations Unit (CIU) when the Department requires the services of trained investigators. Under certain conditions, the Internal Affairs Unit (IAU) will also be contacted.

612.2 IMMEDIATE NOTIFICATION

Supervisors will attempt to notify the CIU as soon as they become aware of an event requiring investigators involving Sheriff's employees while on duty or within the primary jurisdiction of the Sheriff, incarcerated persons in Sheriff's custody, and as they deem necessary, to include but not limited to:

- (a) Criminal acts, violation of, or potential violation of federal, state, or local laws (i.e. mass demonstration)
- (b) Death
- (c) Assault
- (d) Sexual assaults (Prison Rape Elimination Policy)
- (e) Discharge of a firearm by an employee (other than authorized training or as allowed for private citizens by law)
- (f) Major event or disaster, whether human or nature caused

Supervisors and Watch Commanders will immediately notify their Captain as soon as they become aware of an event that may require IAU investigators involving Sheriff's employees, incarcerated persons in Sheriff's custody, and as they deem necessary, to include but not limited to:

- (a) Death
- (b) Complaints against an employee (Personnel Complaints Policy)
- (c) An employee under the influence while on duty
- (d) Discharge of a firearm by an employee (other than authorized training or as allowed for private citizens by law)
- (e) An employee arrest or detention by any law enforcement agency

Supervisors will prepare and submit written documentation of the incident or complaint and subsequent notification to the Undersheriff within 24 hours.

612.2.1 TYPES OF INVESTIGATIONS

Department employee investigations are conducted by the Internal Affairs Unit (IAU). The IAU is the only Departmental investigative unit who will investigate employee off-duty misconduct. Any IAU investigation of employee misconduct must be approved by the Sheriff, Undersheriff, or Assistant Sheriff.

Employees are prohibited from investigating other employees for on-duty misconduct, except:

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- (a) Supervisors may conduct a preliminary investigation of subordinates in their chain of command for on-duty misconduct pursuant to Department policy and procedures.
 - 1. If the investigation is not completed, written notification must be submitted to the Undersheriff within 24 hours. The supervisor must obtain authorization from the Undersheriff to continue the investigation. The Undersheriff may:
 - (a) Authorize the supervisor to continue the investigation independently.
 - (b) Authorize the supervisor to continue the investigation under the direction of the IAU Commander.
 - (c) Assign the investigation to the IAU for completion.
 - (d) End all investigations.
- (b) Department personnel conducting an investigation under the direction of the IAU Commander.
 - 1. The Undersheriff has primary authority over investigations of employees and may assign any personnel to assist in such investigations, under the direction of the IAU Commander.

Department-initiated criminal investigations are conducted by the Criminal Investigations Unit (CIU). Refer to the Criminal Investigations Unit Policy and the Investigation and Prosecution Policy for the handling of criminal investigations.

612.3 GUIDELINES FOR NOTIFICATION

- (a) Sheriff's employees attempting to notify either the Internal Affairs Unit and/or Criminal Investigations Unit shall telephone those Units during regular business hours Monday through Friday. If an employee cannot reach an investigator from either Unit, the employee shall leave a message stating who called, the date and time of the call, and the type of call and assistance needed.
 - 1. The investigator retrieving the message shall determine if the employee has contacted the correct investigations Unit, and if not shall contact an investigator at the appropriate Unit, relaying the pertinent information.
- (b) For an urgent call for an investigator, the employee making the notification to the CIU shall attempt to contact the Unit and speak directly to an investigator. If an investigator does not answer the phone, the employee shall leave a detailed message, and shall contact the Sheriff's Emergency Phone Line located at Central Records and Warrants Unit (CRW) and ask to speak to a deputy. The CRW deputy shall provide the employee with the on-call investigator's phone number and shall record the information in the logbook.
 - 1. When calling the on-call investigator, leave a detailed message if the investigator does not answer the phone. If the employee cannot reach an investigator from the requested investigations Unit within one hour, the employee will attempt to contact an investigator from the other Unit. The employee shall leave a detailed message for all investigators being contacted.

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2. An investigator who receives an urgent call for the other investigations Unit will be responsible for contacting an investigator from the appropriate Unit.
3. CIU investigators shall work collaboratively to assist each other in contacting the appropriate investigations Unit or may go to the incident location and perform the preliminary investigation.

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. Employees will be required to surrender department property based on certain conditions.

700.2 CARE OF DEPARTMENT PROPERTY

The Sheriff has sole authority to order a badge or issue an identification card for any member of the Department and may delegate that authority to the Undersheriff. In addition, employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property and equipment assigned or entrusted to them. An employee's intentional or negligent abuse or misuse, or damage or loss of department property may subject the responsible individual to reimbursement charges for the cost of repair or replacement.

- (a) Employees shall immediately report to their supervisor and/or Watch Commander any loss of or damage to, or any defects or hazardous 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 the proper department approval.
- (e) In the event department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.
- (f) Employees shall not mark, alter or deface any surface of any Department building. No material shall be affixed in any way to any wall in Department buildings without specific authorization from the appropriate supervisor.
- (g) Employees shall not mark, alter or deface any posted notice of the Department. Notices or announcements shall not be posted on official Department muster/bulletin boards without permission of a Sheriff supervisor. Notices of a derogatory nature will not be posted at any time.
- (h) Deputies will be assigned a gun and clothing locker at their work site. ESU deputies may be assigned sufficient locker space, which may be an additional clothing locker, to the extent possible, in order to have necessary equipment readily available.

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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.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Sheriff who will then forward the claim to the Finance Department.

The Department will not replace or repair luxurious or overly expensive items (jewelry, specialized/custom 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. Written documentation 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

Any employee who damages or causes to be damaged any real or personal property of another while performing any department function, regardless of jurisdiction, intentional or unintentional, 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 Incident 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 agency or jurisdiction cause damage to real or personal property belonging to the City and County of San Francisco, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to their immediate supervisor as soon as circumstances permit. The employee shall submit written documentation before going off duty or as otherwise directed by the supervisor.

The documentation, accompanied by the supervisor's documentation, if any, shall promptly be forwarded to the appropriate Division Commander.

700.5 SURRENDER OF DEPARTMENT PROPERTY

Employees are required to surrender all Department property in their possession upon separation from service. Failure to return non-expendable items may cause the person to reimburse the Department for the fair market value of the articles. This amount may be deducted from any monies owed to the individual by the Department.

When an employee resigns or is dismissed, their badge and/or identification card and all issued equipment shall be turned into the Department's Administrative Office without delay.

When an employee is under suspension, their badge and/or identification card and service firearm (if sworn) shall be turned into the Department's Administrative Office without delay.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

To establish guidelines for the use of mobile telephones, communication devices, and electronic devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones and communication devices, wireless-capable devices, portable Internet access devices, and all electronic devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing music/games and accessing sites or services on the Internet.

701.2 POLICY

The San Francisco Sheriff's Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may create an unsafe working condition. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued by the Department. Members should be aware that the location of the device can be tracked and that the member shall have no expectation of privacy in their location when in possession of a PCD.

701.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, reassigned, accessed or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD constitutes specific consent for access for department purposes. The use of a personal PCD for work-related business may constitute consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

701.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue a PCD. Department-issued PCDs are provided as a convenience to

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facilitate Department business only. Such devices and the associated telephone numbers, email addresses, and/or device ISP addresses shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

701.5 PERSONALLY OWNED PCD

Personnel may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Members or other persons entering a jail, including City employees, government employees, attorneys, contractors, and/or volunteers shall not have a PCD on their person without the permission of the Sheriff or Facility Commander. A Watch Commander may allow laptops and other electronic equipment into the jail when such equipment is necessary for an investigation.
 1. Sheriff's personnel and City employees may use their PCD outside of an incarcerated person housing area, safety cell, or in a control room. Staff must use sound judgment when using a PCD to ensure that they are not distracted from their duties. At no time shall employees use their PCD to record audio, video, or still images of non-public work-related events without permission.
- (b) Sheriff's personnel, regardless of assignment, shall not use a PCD at a post assignment unless in response to an emergency being responded to or happening in a work location.
- (c) The Department accepts no responsibility for loss of or damage to a personally owned PCDs.
- (d) The personally owned PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (e) The personally owned PCD shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Sheriff.
- (f) When necessary to fulfill the City's legal obligations to respond to subpoenas, public records requests, and other legal requirements, the Office may request an employee to provide a personal device that may have been used for work related purposes.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD shall be transferred or forwarded to the San Francisco Sheriff's Department so that they are stored on department equipment or servers no later than the end of the member's shift. Once transferred to the Department the information shall be immediately deleted from the member's PCD.

Members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is on-call that allows for appropriate compensation consistent with policy or existing memorandum of understanding or collective bargaining agreements, or if the member has prior express authorization from

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their supervisor, the member may engage in business-related communications (i.e., ESU etc.). Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty:

- (a) Members should not take pictures, audio or video recordings or making copies of any such picture or recording media with their personal PCD. Disclosure of any such information to any third party through any means, without the express authorization of the Sheriff may result in discipline.
- (b) Members will not access personal social networking sites while on duty.
- (c) Using Department issued PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with a third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. Improper conduct should be promptly addressed or corrected.
 - 2. Supervisors shall not perform an administrative search of a member's personally owned device. If a situation arises that a supervisor feels warrants a search, the supervisor shall consult with the Sheriff or the Sheriff's Legal Counsel.

701.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted.

701.9 USE WHILE DRIVING

Members who are operating department vehicles should not use a PCD while driving unless the device is being used in a hands-free mode. In an emergency, a wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5).

This section does not apply to an emergency services professional using a wireless telephone while operating an authorized emergency vehicle, as defined in Vehicle Code 165, in the course and scope of their duties (Vehicle Code § 23123(d)).

Personal Protective Equipment

702.1 PURPOSE AND SCOPE

This policy identifies the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

702.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

702.2 POLICY

The San Francisco Sheriff's Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

702.3 DEPUTY RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training. Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

702.4 HEARING PROTECTION

Hearing protection shall be used by members during firearms training or qualification. Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

702.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training and qualifying. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses) or be of a design that can fit over the wearer's corrective lenses. Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Range Master shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

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702.6 HEAD AND BODY PROTECTION

Members who are assigned to crowd control shall be provided a helmet with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection for the Emergency Services Unit (ESU) and for Cell Extraction Teams should be provided.

702.7 RESPIRATORY PROTECTION

The Department Safety Analyst is responsible for ensuring a respiratory protection plan is developed and maintained. The plan shall include procedures for (8 CCR 5144):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

702.7.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (i.e. ESU). Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (8 CCR 5144):

- (a) It is necessary for the member to wash their face and the respirator face piece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the face piece.
- (c) The member needs to replace the respirator, filter, cartridge or canister.

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- (d) The member appears to be physically unable to continue.

702.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE. Members using respiratory PPE shall (8 CCR 5144):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

702.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (8 CCR 5144).

A scene commander may order the use of gas masks in situations where the use of an SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning or the effects of a fire are present. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

- (a) They smell, taste or are irritated by a contaminant.
- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.
- (e) The sealed package has been opened.

702.7.4 SELF-CONTAINED BREATHING APPARATUS

Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair

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an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

- (a) Entering the hot zone of a hazardous materials incident.
- (b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- (c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until the member, clears the area, appears to be physically unable to continue or approved by a scene commander.

702.7.5 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (8 CCR 5144). After initial testing, fit testing for respiratory PPE shall be repeated (8 CCR 5144):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or face piece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the face piece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

702.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (8 CCR 5144):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

702.8 RECORDS

The Training Unit Commander, ESU Coordinator or designee is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

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These records shall be maintained in a separate confidential medical file that is under the control and maintained by the Chief Physician for CCSF Employees.

The records shall be maintained in accordance with the department records retention schedule and 8 CCR 5144.

702.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (8 CCR 3380).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (8 CCR 5144).

Vehicle Use, Safety and Maintenance

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 and County of San Francisco to provide assigned take-home vehicles.

703.2 POLICY

The San Francisco Sheriff's Department provides vehicles for department-related business. Employees are responsible for maintaining Department vehicles, ensuring they are properly equipped, refueled and presented with a clean appearance. Employees are required to drive department-owned or leased vehicles in compliance with all California Vehicle Codes and Basic Speed Laws and shall maintain and have in their possession a valid California Driver's License endorsed for the type of vehicle operated. Loss of the right to drive or suspension of the license shall be reported to their immediate supervisor at once, followed by written documentation submitted through the chain-of-command.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

If used, Watch Commanders shall ensure employee and vehicle assignments are completed for each shift and records are retained in accordance with the established records retention schedule. If an employee exchanges a vehicle during their shift, the new vehicle number shall be documented on the Vehicle Log sheet.

703.3.2 USE OF VEHICLES

Employees using a department vehicle for any purpose other than their normal vehicle assignment (e.g., community event, incarcerated transport, etc.) shall notify a supervisor to obtain a set of vehicle keys. Vehicle keys shall be stored in a manner that prevents easy access to those not authorized to use the vehicles. Facility/Section/Unit commanders may mandate that employees document the use of a vehicle by using a Vehicle Log indicating the date, employee's name and badge number, vehicle number, time the vehicle went into service, destination, and when the vehicle was returned.

703.3.3 INSPECTIONS

Employees authorized to drive department vehicles are responsible for inspecting the vehicle before placing the vehicle into service and again at the end of their shift or use of that vehicle. In addition, deputies are responsible for testing all safety equipment and ensuring safety items are in the vehicle and available for use. Any damage, mechanical problems, missing safety equipment, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as soon as possible. A copy of the documentation shall be sent to the Fleet Unit by the supervisor.

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When transporting a suspect, incarcerated person or arrestee, the transporting deputy shall search all areas of the vehicle that are accessible by the person before and after that person is transported and the rear doors shall be locked so that they cannot be opened from the inside or the outside.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause.

Patrol vehicles should have the following safety equipment in the vehicle:

- Emergency road flares and fire extinguisher
- Roll of crime scene barricade tape
- First aid kit and protective gloves
- Traffic safety vest

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles shall be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Vehicles left running with keys in the ignition may create a situation in which the vehicle is not locked and the long gun is not secured. Deputies who exit a vehicle rapidly in an emergency situation or engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Deputies shall ensure all weapons are secured on their person or in department and DOJ approved security devices while the vehicle is unattended. Staff will make every effort to ensure vehicles are parked in a secure or designated location.

703.3.5 KEYS

Members who are assigned a specific vehicle should be issued a copy of the key for that vehicle. Members shall not duplicate keys. The loss of a key shall be promptly reported in writing to the on-duty supervisor.

Under no circumstances will incarcerated persons or unauthorized persons be allowed to operate a department vehicle or have possession of any vehicle keys.

703.3.6 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City and County personnel or persons required to be conveyed in the performance of duty or as otherwise authorized, to ride as passengers in the vehicle.

703.3.7 ALCOHOL

Members are prohibited from operating any department vehicle under the influence of any substance that impairs their ability to operate a motor vehicle safely.

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703.3.8 PARKING

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas. Handicap parking will only be permitted for individuals (employees and visitors) with an approved Handicap placard or license plate.

Procedural Link:

[Administration and Field Operations Procedure Manual: 700.1 PARKING LOT PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 700.1.1 PARKING SPACE ALLOCATION AND AUTHORIZATION](#)

[Administration and Field Operations Procedure Manual: 700.1.2 SBBS DIRECTOR AND FLEET UNIT MANAGER RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 700.1.3 FACILITY/SECTION/UNIT RESPONSIBILITIES](#)

703.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories to vehicles.

703.3.10 CIVILIAN MEMBER USE

Civilian members shall not use any marked emergency vehicles unless approved by a supervisor and displaying "OUT OF SERVICE" placards over the Sheriff's logo on the side doors. Civilian members shall not operate the emergency lights or siren of any vehicle.

703.4 INDIVIDUAL EMPLOYEE ASSIGNMENT TO VEHICLES

Employees shall not use any department or City vehicle without the permission of the supervisor, unless the vehicle is assigned to that employee. Department vehicles may be assigned to individual members for on-duty and/or take-home use at the discretion of the Sheriff. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time. If a vehicle is assigned to a member for the duration of their time in a unit, the vehicle assigned to that member shall be recorded by the Fleet Manager. This record shall be updated as needed.

The assignment of vehicles may be suspended when the member is unable to perform their 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 or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Sheriff or the authorized designee.

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703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of the Division Commander or Assistant Division Commander and shall meet the following criteria:

- (a) The circumstances were created by the needs of the department.
- (b) Vehicles will be locked when not attended.
- (c) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the nature of the member's duties and/or rank.

Criteria for use of unmarked 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 or the Sheriff or a Division Commander gives 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:
 - 1. In circumstances when a member has been placed on call by the Sheriff or Division Commanders and there is a high probability that the member will be called to duty.
 - 2. When the member is performing a work-related function during what normally would be an off-duty period, including traveling to or from a work-related activity or function.
 - 3. When the member has received permission from the Sheriff or Division Commander.
 - 4. When the vehicle is being used by the Sheriff, Division Commanders or members who are in on-call administrative positions.
 - 5. When the vehicle is being used by on-call investigators.
- (d) Deputies driving marked take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Deputies should also ensure department radio communication capabilities are maintained to the extent feasible.
- (e) The two-way communications radio, MDT and global positioning satellite device, if equipped, must be on and the communications radio must be set to an audible/undrestandable volume when the vehicle is in operation.
- (f) 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.

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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.
- (g) The member is responsible for the care of the vehicle and for notifying the Fleet Unit of any maintenance needs.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the San Francisco Sheriff's Department or while off-duty, a deputy shall 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).

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) of their assigned vehicles. Car wash accessibility will be provided by the Department. Employees shall perform the following as outlined below:

- (a) Make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) Ensure the assigned vehicle is maintained according to the established service and maintenance schedule, as coordinated through the Fleet Unit.
- (c) All scheduled vehicle maintenance and car washes shall be performed when directed by Fleet.
- (d) Notify the Department of problems with the vehicle for approval of any major repairs before they are performed.
- (e) When leaving the vehicle at a maintenance facility, ensure that information regarding what repairs and/or maintenance is needed is available.
- (f) Ensure electrical equipment is turned off and all firearms, weapons and control devices shall be removed from any vehicle and properly secured prior to the vehicle being released for maintenance, service or repair and at the end of each use.
- (g) Take the vehicle to an approved city location (if possible) and fill the gas tank when the vehicle is at or below $\frac{1}{2}$ tank.
- (h) Supervisors shall ensure, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure that vehicles are properly maintained.
- (i) When a department vehicle is inoperative or in need of a vehicle safety repair, that vehicle shall be removed from service. 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

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employee's supervisor, with a copy sent to the Fleet Manager. Note the vehicle issue in a Facility/Section/Unit logbook.

703.5 DAMAGE, ABUSE AND MISUSE

When a department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. The agency having jurisdiction will complete the traffic collision report with the department member completing an Incident Report as soon as possible. (see Traffic Collision Reporting Policy). If there is no collision report generated, the reason shall be mentioned in the Incident Report.

Employees shall immediately report to their supervisor and/or Watch Commander damage or loss of any department vehicle assigned or used by them during the shift in which the loss or damage was discovered. The damage or loss shall be documented in an Incident Report and forwarded to the supervisor. The supervisor will be notified of any defects or hazardous conditions existing in the Department vehicle, equipment or property. An investigation may be initiated to determine if there was any vehicle abuse or misuse.

703.6 TOLL ROAD USAGE, PARKING VIOLATIONS AND CITATIONS

Law enforcement vehicles are not routinely exempted from incurring toll road charges, parking violations and citations. Employees using department-owned vehicles are subject to the toll charge, parking violations and citations and are responsible for paying fees when incurred.

Employees may request reimbursement of fees incurred during the course of their duties.

Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads while on-duty are exempt from paying the toll. Commuting or returning to the Department after an emergency does not qualify for this exemption.

Members operating department vehicles for any reason other than in response to an emergency shall utilize the appropriate tollway transponder, either personal or department issued. Members may submit a request for reimbursement from the City and County for any toll fees incurred in the course of official business.

703.7 EMPLOYEE VEHICLE ACCIDENTS

Employees involved in a vehicle accident shall:

- (a) Advise DEM Dispatch or the SOC and/or request assistance from the local law enforcement agency
- (b) Notify the On-Duty Watch Commander.
- (c) If needed, render first aid as soon as it can be safely done.
- (d) Request an ambulance if needed.
- (e) Ensure individuals/arrestees are secure and moved to a safe place.
- (f) Request a copy of the vehicle accident report from the agency of primary jurisdiction.
- (g) Complete an Incident Report.

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703.8 VEHICLE MONITORING SYSTEM

Department vehicles may be equipped with a system designed to monitor the vehicle's location, performance and driver's decisions. While the system may provide vehicle location, acceleration, direction, seat belt use 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, they should exchange the vehicle for one with a working system, if available.

The review and monitoring of data will require a Division Commander's approval.

703.9 ATTACHMENTS

See attachment: [Vehicle Log.pdf](#)

Military Equipment

704.1 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).

704.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that 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 firearms.
- 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.

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704.2 POLICY

It is the policy of the San Francisco Sheriff's Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

704.3 MILITARY EQUIPMENT COORDINATOR

The Sheriff has designated the Field Operations Division Captain in charge of the Special Operations unit 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 San Francisco Sheriff's 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 Sheriff and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

704.4 APPROVAL

The Sheriff or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Sheriff or the authorized designee shall ensure the proposed military equipment 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 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.

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- (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.

704.5 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

704.6 ANNUAL REPORT

Upon approval of a military equipment policy, the Sheriff or the authorized designee should submit a military equipment 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 Sheriff 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 all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

704.7 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.

704.8 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

Each deployment/use shall be logged with all deployment details and reported to the Division Chief for review and to fulfill annual reporting requirements.

See attachment: [San Francisco Sheriff Annual Military Equipment List.pdf](#)

Chapter 8 - Support Services

Radios and Communication

800.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of dispatch and radio communication. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

800.2 POLICY

It is the policy of the San Francisco Sheriff's Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Sheriff's Department provides two-way radio capability providing continuous communication between the Sheriff's Operations Center (SOC) and/or the Department of Emergency Management (DEM) Division of Emergency Communications (DEC), and department employees.

800.3 DISPATCH SECURITY

The communications function in the City and County of San Francisco is vital and central to all emergency service operations. The safety and security of DEM, its employees and its equipment must be a high priority. Special security procedures have been established and are retained at DEM.

Access to DEC shall be limited to DEM employees and those department members with a specific business-related purpose, as determined by DEC.

800.4 SOC DISPATCH RESPONSIBILITIES

The responsibilities of employees assigned to the SOC include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
 1. Emergency lines.
 2. Business telephone lines.
 3. Telecommunications Device for the Deaf (TDD).
 4. Radio communications with department employees in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
 5. Other electronic sources of information based on technological abilities present.
- (b) Documenting the field activities of department employees and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through Computer-Aided Dispatch (CAD), department and other law enforcement database systems (CLETS, DMV, NCIC).
- (d) Maintaining the current status of employees on duty at SPU, their locations and the nature of calls for service and response.
- (e) Notifying the Watch Commander or field supervisor of emergency activity, including, but not limited to:

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1. Vehicle pursuits.
2. Foot pursuits.
3. Assignment of emergency response.

800.5 CALL HANDLING

The City and County of San Francisco 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, they shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available, 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 (see Limited English Proficiency Services Policy).

Dispatchers should be courteous, patient and respectful when dealing with the public.

The SOC dispatcher or employee assigned to dispatching duties shall use the following when determining call assignments:

- (a) Deputy/IP Officer assigned to the area
- (b) Deputy/IP Officer available
- (c) Supervisor
- (d) Site Commander

A supervisor shall be notified when multiple calls are holding or for a mutual aid call. Calls for service are assigned to the shift currently in service. A Watch Commander may assign an

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employee, irrespective of shift, to respond to a call for service to ensure calls are responded to in a timely manner.

800.5.1 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 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 shall be dispatched immediately. The Watch Commander shall be notified of pending emergency calls for service when employees are unavailable for dispatch.

800.5.2 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 shall 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. If the call cannot be responded to in the time given, the reporting person will be contacted by the SOC and informed of the additional delay.

800.6 RADIO COMMUNICATIONS

The Sheriff's radio system is for official use only, to be used by staff assigned a radio and to communicate with each other and other affected agencies and departments. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Employees shall use the attached radio codes and law enforcement phonetic alphabet when communicating, unless in an exigent circumstance, and plain language is acceptable. Such transmissions shall include, but are not limited to:

- (a) Employees must acknowledge and keep the dispatcher and those transmitting/receiving calls advised of their radio identification call sign, status and current location.
- (b) Employees shall acknowledge and respond promptly to all radio transmissions. The SOC shall notify a supervisor when an employee does not respond after several attempts.
- (c) Employee acknowledgments shall be concise and without further comment unless additional information is needed.
- (d) Employees on an assignment requiring DEM dispatch services shall notify dispatch and request to be placed on an active run for documentation purposes when appropriate.
- (e) Deputies request through DEM for a case number, CAD number and/or Lab number (for tracking suspected narcotics that are sent to the laboratory for testing).
- (f) Deputies (only) are allowed to request a case, CAD or lab number.

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Deputies transporting an arrestee/incarcerated person, may need to change the radio channel to a field channel prior to leaving with the individual. Deputies that are identified male gender that are transporting a gender identified female must give their vehicle mileage and time of departure/arrival to DEM Dispatch or the SOC. Deputies should change their radio channel to the Facility/Section/Unit of destination upon arrival.

Employees shall not transmit social security numbers or Criminal Offender Record Information (CORI) over the radio, except in cases where circumstances indicate an immediate safety risk to the deputy and/or the public. Nothing in this policy is intended to prohibit broadcasting warrant information concerning wanted persons.

Employees who routinely use the SOC for dispatch services shall inform the SOC prior to switching to a DEM dispatch channel, informing the SOC of the channel to be used and reason.

Supervisors 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.

800.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

San Francisco Sheriff's Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

800.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to specific department employees based on an identification number. Unit identifiers may be assigned to department employees based on duty assignment, rank, deployment to events/incidents, etc. Dispatchers shall identify themselves on the radio with the appropriate station name or number and identify the department employee by their unit identifier/call sign. Employees should use their unit identifier/call sign when initiating communication with the dispatcher and with each other. The use of the call sign/unit identifier allows for a brief pause so that the responder can acknowledge the appropriate department employee. Employees initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department name and call sign/unit identifier.

An employee's call sign is a four or five-digit R# (R + four or five numbers). In addition, employees must memorize their assigned radio number located on the radio (six-digit number). DEM will broadcast by radio number when receiving emergency button activations, in order to determine the employee's status.

Watch Commanders or designees using DEM dispatch shall submit daily rosters to DEM.

800.6.3 TACTICAL CHANNEL

DEM dispatch or the SOC has the authority to request units to switch to a tactical channel. Deputies initiating the use of a Tactical Channel (see Radio Channels chart) must announce their intent to use the channel prior to switching channels. The announcement must be made two to three times prior to use to ensure the channel is open and available.

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Radio traffic that requires extended airtime for a non-emergency event or incident shall be transferred to a tactical channel for the duration of the event (i.e. planned demonstration, exercises or drills, etc.).

800.7 DOCUMENTATION

It shall be the responsibility of SOC assigned staff 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 employee and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident case number generated by DEM (used in lieu of Department case 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 employees assigned as primary and backup.
- Time of dispatch.
- Time of the responding employee's arrival.
- Time of employee's return to service.
- Disposition or status of reported incident.

800.8 CONFIDENTIALITY

Information that becomes available through dispatch or the SOC may be confidential or sensitive in nature. All employees 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 sheriff's files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

800.9 TRAINING AND CERTIFICATION

Dispatchers shall receive training consistent with minimum standards established by POST (Penal Code § 13510).

800.10 RADIO EQUIPMENT

Employees will ensure proper use and maintenance of radio equipment. Employees shall report any damaged, inoperable and/or missing radio equipment to their supervisor followed by an Incident Report to the supervisor with a copy to the Communications/Fleet Unit.

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800.11 ATTACHMENTS

[See attachment: Radio and 10 Codes.pdf](#)

[See attachment: Radio Channels.pdf](#)

[See attachment: Law Enforcement Phonetic Alphabet.pdf](#)

Color Guard/Honor Guard

801.1 PURPOSE AND SCOPE

The San Francisco Sheriff's Department Color Guard/Honor Guard is created to provide a select squad of deputies to render appropriate honors at official department or designated functions.

801.2 POLICY

It shall be the policy of the San Francisco Sheriff's Department to train, maintain, and support the Color Guard and Honor Guard to represent the department at funerals, official ceremonies, and other events and occasions.

801.3 ORGANIZATION

The primary purpose for the Honor Guard is to provide funeral honors for fallen officers. The primary purpose of the Color Guard is to display and escort the United States flag, California flag, City and County of San Francisco flag, the Sheriff's Department flag and/or the official flag of the organization for which the Color Guard is providing services in ceremonial occasions at official functions. The Color Guard/Honor Guard shall be comprised of a team of deputies who will be selected for each event by the Guard Unit Commander. The Color Guard/Honor Guard team exemplifies discipline, precision and skill, performing movements flawlessly with or without verbal commands. The team will be led by the most competent and experienced deputy within the specific event regardless of rank.

801.4 SELECTION

- (a) The Unit is open for application to all non-entry probationary deputies to volunteer to participate in the Color Guard/Honor Guard Program. The Color Guard/Honor Guard Unit Commander shall have the responsibility for coordination of Color Guard/Honor Guard activities and shall select sworn members based on submitted letters of interest. All applicants will have an opportunity to participate in a candidate selection process.
- (b) Once selected, Color Guard/Honor Guard deputies shall attend training and activations when required. Members are expected to be available on short notice for training, funerals, or other approved details as representatives of the San Francisco Sheriff's Department.

801.5 TRAINING

A minimum of four hours per quarter shall be utilized for the purpose of drill practice for Color Guard/Honor Guard members unless duly excused by the Color Guard/Honor Guard Unit Commander.

801.6 ACTIVATION

Activation of the Color Guard/Honor Guard shall come from the Sheriff or designee. Once activated, members shall fall under the authority of the Guard Unit Commander.

- (a) All Color Guard/Honor Guard members shall report for duty when and where assigned unless otherwise excused by the Guard Unit Commander. On duty personnel shall

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be utilized if possible. Overtime is authorized, when applicable. The Guard Unit Commander shall notify the necessary supervisors of the Unit's activation. Members shall ensure their immediate supervisor is aware of the activation.

- (b) The Color Guard/Honor Guard shall be proficient in military manners, customs, and drill procedures, and shall participate on the following occasions:
 - 1. Funerals of current, retired, or honorably separated law enforcement officers of this department
 - 2. Upon specific request, and with department approval, funerals for other law enforcement officers
 - 3. Official Department or City ceremonies
 - 4. Other occasions as directed by the Sheriff
- (c) Uniforms and equipment shall always be readily available and maintained in a superior condition due to the high visibility typical of Color Guard/Honor Guard units. The Color Guard/Honor Guard uniform shall comply with Department uniform specifications as outlined in the Uniform Regulations Policy. In addition, brass must be shined, leather and shoes polished, and the uniform shall be altered to fit the body contour of individual deputies as needed, but always in good taste.
 - 1. Aiguillettes and gloves shall be worn as directed.
 - 2. Sunglasses may be worn under limited circumstances with the approval of the designated supervisor.
- (d) In addition to the requirements in the Personal Appearance Policy, Color Guard/Honor Guard deputies shall not wear earrings or beards during official ceremonies or occasions.
- (e) The Guard Commander or designated supervisor will conduct a uniform and personal appearance inspection of the participating members prior to every ceremony or event. Deputies who do not pass the inspection will correct the situation prior to the ceremony or will not be allowed to participate.

801.7 COLOR GUARD/HONOR GUARD UNIT COMMANDER RESPONSIBILITIES

The Color Guard/Honor Guard Unit Commander or supervisor designee assigned to a detail shall prepare for a planned or unplanned detail to include:

- (a) Contacting deputies by phone and/or email to confirm their availability for assignment.
 - 1. Members are required to check and respond to their email daily when on-duty. When an event that falls within a 72-hour window requires staffing, the Guard Commander shall contact members who are off-duty by phone.
 - 2. Members shall respond within 24 hours of notification by phone and/or email to the designated supervisor with their availability.
 - 3. Members who are available shall inform the supervisor if they will require to be detailed to the activation or will be on overtime.

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- (b) Contacting the member's Facility/Section/Unit supervisor to release them from their regular duty assignment.
 - 1. Members who are on-duty and scheduled to work or are at their work assignment on the day and time of an event are available for Color Guard/Honor Guard assignments, regardless of Facility/Section/Unit staffing levels.
- (c) Arranging transportation to the event location.
- (d) Conducting an inspection of the unit prior to departure (this may be deferred to the highest ranking deputy when necessary).
- (e) Contacting the person/family member in charge of the event.
- (f) Ensuring members are accurately compensated.

801.8 RESIGNATION

HG/CG members who resign from the Unit will notify the Coordinator in writing and will schedule a date and time to return their HG/CG issued equipment. The Coordinator will notify the Payroll Unit in writing to remove the deputy from receiving HG/CG premium pay.

- (a) An employee who resigns from the HG/CG may request reinstatement within six months of the resignation by sending a memorandum to the Coordinator.
- (b) An employee who resigns from the HG/CG for more than six months may re-apply after one year from the separation date. The employee must follow the steps noted in the Selection section of this policy.

801.9 REMOVAL FROM THE COLOR GUARD/HONOR GUARD

Deputies may be removed from the Color Guard/Honor Guard Unit upon the recommendation of the Color Guard/Honor Guard Unit Commander for documented cause, including but not limited to:

- (a) Lack of professional demeanor and/or violations of the Standards of Conduct Policy.
- (b) Chronic tardiness or absences from mandatory meetings, training, and/or activation locations. Failure to attend or tardy for three functions within a year, without a valid reason.
- (c) Lack of professional appearance outlined in this policy.
- (d) Inability to perform Color Guard/Honor Guard duties required during training or activation, to include but not limited to, drill maneuvers, walking any length of distance, and prolonged standing.

The Sheriff may also remove someone from the HG/CG if the Sheriff sustains disciplinary action against the person.

Removal from the HG/CG unit is subject to the grievance procedure as outlined in the employee's CBA.

REMOVAL PROCEDURE

Peer Support Team

802.1 PURPOSE AND SCOPE

To provide confidential, non-clinical support and peer counseling to employees of the Department and their families who are facing adverse situations in their personal and/or professional lives.

802.2 POLICY

The San Francisco Sheriff's Department will establish and maintain a Peer Support Team as a proactive and confidential resource for all employees and their families.

802.3 PEER SUPPORT MEMBERS

- (a) The Peer Support Team (PST) is comprised of Department employees approved by the Steering Committee who volunteer to be on the Team and who provide voluntary assistance to all Department employees and retirees. PST members have been trained in active listening skills and offer non-judgmental support and referrals where appropriate.
 - 1. The Peer Support Team Chair is a command staff level employee appointed by the Sheriff or designee.
 - 2. The Peer Support Team Coordinator and Assistant Coordinator shall be chosen by Executive Command.
 - 3. A Steering Committee should be comprised of 5-7 Sheriff employees, both sworn and professional, and include at least one member that is of the rank of Sergeant or Lieutenant. The members will be chosen by the Coordinator and Assistant Coordinator with the Chair having final approval of members. The Peer Support Steering Committee meets on an as-needed basis and approves training for its members with final approval from the Sheriff or designee. The Steering Committee may approve a chaplain as a member of the Team.
- (b) Prospective Peer Support members must agree to attend Basic Peer Support Training.
 - 1. Peer Support update and refresher training will be offered quarterly. When assigned, Peer Support members must attend training.
- (c) Peer Team members have a right to refuse to disclose, and to prevent another from disclosing a confidential communication between law enforcement personnel and a peer support team member made while the peer support team member was providing peer support services. (California Government Code Section 8669).
- (d) Peer Support members must sign a confidentiality agreement and shall maintain the confidentiality of a conversation unless otherwise required by law.
 - 1. "Confidential communication" does not include a conversation in which law enforcement personnel discloses the commission of a crime or the law enforcement personnel's intent is to defraud or deceive an investigation into a critical incident is revealed (California Government Code Section 8669).

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2. Confidential communication may be disclosed when disclosure is reasonably believed to be necessary to prevent death, substantial bodily harm, or is consented to in writing.
- (e) If queried by Sheriff's Executive Command or a bargaining unit, general trends or areas of concern may be communicated by the Steering Committee.
 - (f) No one may identify themselves as a member of the Peer Support Team without the express approval of the Peer Support Steering Committee.
 - (g) Regardless of job classification, when performing Peer Support functions, Peer Support Team members shall have access to all locations where Sheriff employees work.
 - (h) Peer Support members may be required to submit reports regarding the number of peer support contacts made in a given month.

Employees interested in volunteering as a Peer Support Team member must submit a written request to the Personnel Unit.

Nominations of employees to be Peer Support Team members will also be accepted. When a nomination is received, the nominated employee will be contacted to find their level of interest in being on the PST. The name(s) of those that submitted the nomination will be kept confidential.

802.4 CRITICAL INCIDENT RESPONSE TEAM

A critical incident is an emergent event inducing stress that may exceed an individual's capacity to cope, resulting in experiences of post-traumatic stress. The incident may impact the individual's professional performance or personal life or have other long term cognitive, emotional or behavioral consequences. Symptoms of work-related post-traumatic stress can manifest in personal and/or professional settings. A critical incident may include, but is not limited to, an officer-involved shooting, a death in custody, sudden death of a family member or suicide.

- (a) PST members may apply to become members of the Critical Incident Response Team (CIRT). The CIRT provides support and assistance during critical incidents and membership is voluntary.
 1. CIRT members are selected by the Peer Support Steering Committee.
 2. The Peer Support Steering Committee approves CIRT training, and CIRT members must attend certified Critical Incident Training and required updates.
 - (a) The Steering Committee shall coordinate department training, as needed, for staff and supervisors regarding the administrative use of the intervention process.
 3. Members selected to a CIRT must agree to be on call as needed.
 4. CIRT members shall maintain the confidentiality of a conversation unless otherwise required by law.
- (b) The Peer Support Coordinator is responsible for the oversight of the CIRTs.

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1. Each team has a team leader who reports directly to the Peer Support Steering Committee through the Peer Support Coordinator.
- (c) The Peer Support Steering Committee shall meet monthly and review critical incidents involving Department employees. The Committee shall identify and coordinate training needs, select team members, coordinate with chaplains, and review critical incidents to ensure they were handled appropriately.
- (d) The Peer Support Coordinator shall report critical incidents, either verbally or in writing, to the Chief of Administration and Programs Division.

802.4.1 NOTIFICATION AND RESPONSE

- (a) When a death occurs as the result of a critical incident, or as directed by a CIRT Leader, the Peer Support Coordinator shall be notified and initiate an intervention. All persons involved in such an incident must attend a debriefing.
 1. Generally, the debriefing will be held within 72 hours after the incident.
 2. The debriefing is a specially structured meeting, usually in a group setting, that allows employees who have been involved directly or indirectly in a critical incident to discuss their behaviors during the incident and the thoughts and feelings the incident caused.
 3. Debriefings are led by CIRT members trained to conduct debriefings.
 4. Debriefings may last from one to eight hours.
- (b) During any other critical incident, an employee shall notify the Peer Support Coordinator. The Peer Support Coordinator will determine whether to activate the Critical Incident protocol and if so, shall notify the CIRT Leader.

802.4.2 SUPPORT

The CIRT Leader will coordinate an initial response and follow-up support for involved employees, (i.e., notification to family, equipment replacement, etc.) and the involvement of the CIRT, Chaplains, counseling services and logistics.

802.4.3 DEFUSING AND DEBRIEFING

A defusing meeting may be held immediately following a critical incident with employees who have been affected directly or indirectly by the incident. Defusing provides information about possible stress reactions, emphasizes that most reactions are normal, identifies resources for further help, and assesses the need for a debriefing. The CIRT Leader will schedule and ensure employees receive a defusing session as soon after the incident as possible.

Barring an extended incident investigation, the CIRT Leader will schedule a formal debriefing by a qualified person within 72 hours after an incident.

Procedural link:

[Administration and Field Operations Procedure Manual: 801.1 CRITICAL INCIDENT RESPONSE PROCEDURES](#)

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802.5 PEER SUPPORT TEAM REMOVAL

A recommendation for removal of a member from the Peer Support Team may be made by any member of the Peer Support Steering Committee.

- (a) A Peer Support member may be removed from the Team when the member, for example:
- Violated the confidentiality of a person with whom they had contact with as a Peer Support Team member.
 - Has experienced a work or life event that may adversely affect their perceived integrity as a Peer Support Team member.
 - Failed to attend required training when assigned.

The Coordinator or Assistant Coordinator will investigate the incident, talk to parties as appropriate and make a determination on what action, if any, to take. If the incident involves a breach in confidentiality, efforts shall be made to only divulge as much as is needed to describe the events. If the decision is made to remove the employee from the team, information regarding the decision to remove will be provided to the Chair.

An employee wishing to appeal their removal from the Team may do so in writing within 30 calendars day to the Undersheriff.

- If the Coordinator and Assistant Coordinator do not agree on the decision to remove, they will consult with the Chair.

A Peer Support Team member may request to be removed from the Team at any time.

If an employee is removed from or leaves the Team, they will be instructed to not identify themselves as a Peer Support Team member.

A chaplain may be removed by a vote of the Steering Committee.

Chaplains

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for San Francisco Sheriff's Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

803.2 POLICY

The San Francisco Sheriff's Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation, and are available to all SFSD employees and their families.

803.3 REQUESTING CHAPLAIN SERVICES

- (a) Contact information for chaplains can be found through the Department internal website.
- (b) A chaplain response to an incident may be requested through the Peer Support Unit (PSU) Coordinator or a PSU member who shall contact a chaplain and provide that information to the employee or the responding units requesting the chaplain. A chaplain will not respond to an incident unless requested.
- (c) Department members may contact a chaplain directly regarding personal matters.

803.4 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) Successful completion of an appropriate-level background investigation.
- (d) A minimum of five years of successful counseling experience.
- (e) Able and willing to complete training with the International Conference of Police Chaplains.
- (f) Possession of a valid driver license.

The Sheriff may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

803.5 RECRUITMENT, SELECTION AND APPOINTMENT

The Sheriff's Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

803.5.1 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain. However, the Sheriff has the final decision.

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- (a) Submit a letter of recommendation from a recognized church and religious denomination and a denominational leader of the same faith. The letter of recommendation must verify the chaplain is ordained and in good standing.
- (b) Submit a resume with references and biography.
- (c) Successfully complete a background investigation.
- (d) Interview with Peer Support Steering members.
- (e) Interview with the Sheriff.

Chaplains are volunteers, who are credentialed clergy of all faiths and/or denominations, and who serve at the discretion of the Sheriff. 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 their name through a limited single appearance before the Sheriff or designee.

803.6 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall conform to all uniform regulations and appearance standards of this department as described in the Uniform Policy. Uniforms and any necessary safety equipment will be provided to each chaplain.

- (a) When representing the Department at a formal event, chaplains shall wear the Class "A" Uniform with badge.
- (b) When representing the Department at an informal event, chaplains have the option to wear the Class "A" Uniform with badge or the Basic Duty Uniform consisting of a black polo shirt and black trousers,
 - 1. When not wearing department-issued uniform clothing and performing the role of a department chaplain, pants or trousers shall not mimic in the color (except black) or operational style department-issued clothing.
 - 2. Deviations from polo shirts will be reviewed on a case by case basis to ensure overall uniformity.
- (c) The Personnel Unit shall issue, record and track uniforms and department badges issued to chaplains.

Chaplains will be issued San Francisco Sheriff's Department identification cards and badge, which must be carried at all times while performing as a department chaplain. The identification cards will be the standard San Francisco Sheriff's Department identification card, with the exception that "Chaplain" will be indicated on the card. Chaplains shall be required to return any issued uniforms and/or department property at the termination of service.

- (a) A chaplain shall not willfully wear, exhibit, present or use their department-issued badge, identification card, and/or uniform with the intent of fraudulently inducing the belief that they are a peace officer or be given special consideration.
- (b) Violation of this policy may lead to removal as a chaplain from the Department.

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803.7 PEER SUPPORT UNIT COORDINATION

The Peer Support Unit (PSU) Coordinator shall be responsible for the department chaplains. Chaplains shall report directly to the Administration and Programs Division, Peer Support Unit Coordinator.

The PSU coordinator shall serve as the liaison between the chaplains and the Sheriff. 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.

The PSU coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the PSU coordinator or 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.
- (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 PSU coordinator.

803.8 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, 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 PSU coordinator or designee.

Chaplains are available for informal consultation regarding any personal circumstance or crisis. They do not advocate for their personal faith tradition as they are available to all employees and their families. An employee or family member may request the assistance of a specific chaplain.

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.

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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 San Francisco Sheriff's Department.

803.8.1 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assist 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) Visit sick or injured members in the hospital or at home.
- (c) Attend and participate, when requested, in funerals of active or retired members.
- (d) Serve 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) Provide counseling and support for members and their families regarding grief and loss, critical incident and stress management, substance abuse and recovery.
- (f) Be alert to the needs of members and their families.

803.8.2 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assist members in the diffusion of a conflict or incident, when requested.
- (b) If able, respond 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) Respond to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Be 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) Attend department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participate in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

803.8.3 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Foster familiarity with the role of law enforcement in the community.
- (b) Provide an additional link between the community, other chaplain coordinators and the Department.
- (c) Provide liaison with various civic, business and religious organizations.
- (d) Promptly facilitate requests for representatives or leaders of various denominations.

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- (e) Assist the community in any other function as needed or requested.
- (f) Make referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

803.9 PRIVILEGED COMMUNICATION

No person who provides chaplain services to Department employees may work or volunteer for the San Francisco Sheriff's Department in any other capacity.

Private consultations and/or discussions with a chaplain are confidential, except when there is a child, elder or dependent adult abuse, or if the person is a danger to themselves or another person. These matters must be reported to the appropriate authorities as mandated by California law.

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 San Francisco Sheriff's Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

803.10 OPERATIONAL GUIDELINES

- (a) Chaplains may be scheduled to be on-call for a period of seven consecutive days during a month, beginning on Monday and ending on the following Sunday.
- (b) Generally, each chaplain should serve with San Francisco Sheriff's Department personnel a minimum of eight hours per month.
- (c) Chaplains shall submit a review of services rendered to employees and/or their family members. Documentation shall be forwarded to the Peer Support Coordinator by the 5th of each month. Documentation shall not include specific details (dates, places, names, etc.) that could identify person(s) receiving services.
- (d) Chaplains shall be permitted to ride with deputies during any shift and observe San Francisco Sheriff's Department operations, provided the Watch Commander has been notified and has approved the activity.
- (e) Chaplains shall not be evaluators of members of the Department.
- (f) In responding to incidents, a chaplain shall never function as a deputy.
- (g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (h) Chaplains may not be armed while performing their functions for the Department. Any weapon carried by a chaplain must be secured in a personally owned container and in a manner that meets all federal, state and local laws.

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803.11 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.

803.12 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Peer Support Coordinator, 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
- Deputy injury or death
- Sensitivity and diversity

Records Maintenance and Release

804.1 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.

804.2 POLICY

The San Francisco Sheriff's 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.).

804.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Sheriff shall designate Custodians 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) Reviewing and updating 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 that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.
- (i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 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.
- (j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 7922.700) is publicly available upon request and posted in

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a prominent location on the Department's website (Government Code § 7922.710; Government Code § 7922.720).

Custodian of Records shall attend training annually.

804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any person may make a Public Records request. Any department member who receives a request for any record shall instruct the person making the request on the ways to make the request.

Requests can be made by:

- Submitting a request through the GovQA Portal on the Sheriff's Office website.
- Sending an email request to: SFSO.FOIA@SFGOV.ORG
- Submitting a request in person at the San Francisco Sheriff's Office Central Records and Warrants Unit located at 850 Bryant Street, Room 460, San Francisco, CA 94103
- Sending the request via US Mail to the Central Records and Warrants Unit, addressed to San Francisco Sheriff's Office Records and Warrants Unit. (ATTN: Custodian of Records), 850 Bryant Street, RM 460, San Francisco, CA 94103

804.4.1 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) A response to the request will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If the records are deemed allowable to release the anticipated date of the response will be given.
 1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 7922.600).

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2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.
- (d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 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.
 1. 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).

804.5 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 deputy subject to any criminal or administrative investigation shall not be released without the consent of the involved deputy, prior approval of the Sheriff, or as required by law.

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- (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, or both, pursuant to the requirements and time frames of Family Code § 6228.
 - 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 deputies (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 Attorney, the City Attorney, or the courts pursuant to Penal Code § 1054.5.
- (h) Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).
- (i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).
- (j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 7923.800).

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- (k) 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.
- (l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 7927.200).
- (m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 7927.205).
- (n) Records relating to the security of the department's electronic technology systems (Government Code § 7929.210).
- (o) 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)).
- (p) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 7927.705).
- (q) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 827.95; Welfare and Institutions Code § 831).

804.6 SUBPOENAS AND DISCOVERY REQUESTS

CRWU is the central repository for all record requests and subpoenas. Any employee who receives a subpoena duces tecum or discovery request for records should promptly contact the CRWU for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to the CRWU so that a timely response can be prepared.

804.7 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.

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804.8 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the CRWU. The CRWU and Information and Technology Support Services (ITSS) 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, employees 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 CRWU shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

804.8.1 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 Unit Commander 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).

804.9 SECURITY BREACHES

The Unit Commander 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

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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

804.9.1 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 San Francisco Sheriff's 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 San Francisco Sheriff's 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 their 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 San Francisco Sheriff's 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.

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804.9.2 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.

804.10 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 a deputy, or depicts an incident in which the use of force by a deputy 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 Sheriff or the Internal Affairs 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.

804.10.1 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.

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- (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).

804.10.2 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 Sheriff 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.

804.10.3 REDACTION

If the Custodian of Records, in consultation with the Sheriff 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).

804.10.4 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):

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- (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).

804.11 SUNSHINE ORDINANCE

The Sunshine Ordinance requires the City Administrator to compile an index of records ("index") that identifies the types of information and documents the City's departments and elected officials are required to maintain. The Sheriff's Department shall assist the City Administrator to continuously and accurately update and maintain the index, to identify the types of records it maintains, including those documents the Department itself creates, and those documents it receives in the ordinary course of business. This Department shall report any changes in practices or procedures affecting the accuracy of the index (Admin. Code Section 67.29).

804.12 RECORD RETENTION SCHEDULE, STORAGE AND DESTRUCTION

Under City and state law, departments must retain any record for the period of its immediate or current utility and thereafter may destroy the record unless City or state law or contractual obligations require the City to retain the record for a specific period. For record retention and destruction purposes, the term "record" is defined as set forth in Section 8.1 of the San Francisco Administrative Code. Email and other electronic materials are "records" for purposes of this document retention policy to the extent they otherwise meet the definition of "records" in Section 8.1. The department may destroy documents and other materials that do not qualify as "records" under Section 8.1, including those described below in Category 4, when no longer needed.

Facility/Section/Unit Commanders will ensure records are retained, stored and destroyed according to this policy and the Department's Records Retention Schedule. The Department classifies all records as follows:

804.12.1 CATEGORY 1 PERMANENT RETENTION

The Department shall permanently retain records that the law classifies as permanent or essential records.

- (a) **Permanent records** - The Department should store all permanent records by placing them on an optical imaging storage system, placing the original film or tape in a State-

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approved storage vault, and delivering a copy as required in Admin. Code Section 8.4. The Department may destroy original paper copies of permanent records only once the optical imaging and storage process has been followed. The Department may destroy duplicate copies of permanent records when duplicate copies are no longer necessary for the efficient operation of the Department. Examples of permanent records include official records of a Department action.

- (b) **Essential records** - Essential records are records necessary for the continuity of government and the protection of the rights and interests of individuals (Admin. Code Section 8.9). Essential records should be stored in the same manner as permanent records. Examples of essential records include advice letters and opinions, policy memoranda, building permits, business licenses, and interpretive materials such as manuals.

Category 2 Current Records

The Department classifies current records as records it retains in a Facility/Section/Unit for employees convenience, ready reference, or other reasons. The Department shall retain current records as follows:

- (a) In accordance with time periods specified in federal, state, or local law.
- (b) If the law does not specify a particular time period for retention, the Department shall retain records for the time periods specified in the Record Retention Schedule.
- (c) The Department may retain current records on-site for a minimum of two years (current and previous calendar year), although such records may be treated as “storage records” and stored off-site during the applicable retention period. Examples of current records include invoices for purchases of supplies, department memorandum, and budget documents.

Category 3 Storage Records

The Department classifies records as storage records and retains them off-site through a record storage vendor. These records are subject to the same retention requirements as current records. Facility/Section/Unit Commanders or designee shall send records to storage based on the Record Retention Schedule and as follows:

- (a) Store records in a standard storage file box (12" x10" x 15") with lids.
- (b) Label both ends of the box with:
 - 1. Facility/Section/Unit name and box number (if used)
 - 2. Month and/or year
 - 3. Contents of the box (i.e. Safety Check Records – 2019)
 - 4. Destruction date
 - 5. Storage label provided by the vendor
- (c) Create and maintain a Facility/Section/Unit Record Storage List (form) detailing the information recorded on the label and the contents contained inside the box.

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- (d) Inspect the contents of each box to ensure the records identified match the label and on the Record Storage List.
- (e) Records sent to storage within the same box shall all have the same destruction date. The destruction date should be set for the end of a fiscal year.

Category 4 No Retention Required

The Department classifies documents and other materials that do not meet the definition of a “record” pursuant to Administrative Code Section 8.1 as Category 4 documents. Unless applicable law or the Record Retention Schedule states otherwise, the department may destroy such documents and materials (including originals and duplicates) that it no longer needs in order to function or continue operating. Examples include materials and documents generated for the convenience of the person generating them, draft documents (other than drafts subject to disclosure under Administrative Code section 67.24(a)) that are superseded by subsequent versions or rendered moot by Department action, duplicate copies that are no longer needed, telephone message slips, miscellaneous correspondence that do not require follow-up or Department action, notepads, and emails that do not contain information that the Department is required to retain under this policy. Documents with legal significance may not be classified as Category 4 documents.

804.12.2 CATEGORIES OF RECORDS

- (a) **Records Not Addressed in the Records Retention Schedule:** The Department may destroy records and other documents or materials that are not required to be retained by law and are not expressly addressed in the attached Record Retention Schedule, provided that the Department has retained the documents for the periods prescribed for substantially similar documents.
- (b) **Historical Records:** Historical records are records that the Department no longer uses but may be of historical interest or significance because of their age or research value. The Department may not destroy historical records except in accordance with the procedures set forth in Administrative Code Section 8.7.
- (c) **Records Relating to Pending Claims and Litigation:** The retention periods set forth in the Record Retention Schedule do not apply to materials that are relevant to a pending claim or litigation against the City, even if the records are otherwise eligible for destruction. Once the Department becomes aware of the existence of a claim or litigation against the City, it must notify the City Attorney's Office. Notwithstanding the Records Retention Schedule, the Department shall retain all documents and other materials related to the claim or litigation until the City Attorney's office reports that the claim or litigation has been finally resolved.
- (d) **Backup Tapes and Similar Archival Systems:** The Department may use backup tapes or similar archival systems that serve the limited purpose of providing a means of recovery in cases of disaster, department system failure, or unauthorized deletion. The Department may not access the backup tapes or similar archival systems except in these limited situations. Electronic records such as emails that an employee has properly deleted under the Department's Schedule but that remain on backup tapes

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or a similar archival system are analogous to paper records that the Department has lawfully discarded but may be found in a City-owned dumpster. Neither the Public Records Act nor the Sunshine Ordinance requires the City to search the trash for such records, whether paper or electronic.

- (e) **Records Relating to Emergencies/Disasters and Cost Recovery:** The Department must retain all records relating to emergencies/disasters and cost recovery for the Federal Emergency Management Agency (FEMA) and California Governor's Office of Emergency Services (CAL OES) programs and activities that are governed by 44 CFR §13.42. Title 44 Section 13.42 of the Code of Federal Regulations requires the Department to retain any and all records relating to cost recovery documentation incurred during an emergency or disaster for three years after the State has closed the claim by the City. The California Code of Regulations requires the Department to retain all financial and program records related to cost or expenditures eligible for state financial assistance for three years (19 CCR § 2980(e)). The Department shall retain all records relating to emergency/disaster recovery costs for three years from the date of the final Financial Status Report (FSR) (FEMA Form 112-0-1) (unless any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period). The records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later. Final closeout (receipt of FSR) is when all Project Worksheets associated with a disaster/emergency are closed. All records related to any and all Project Worksheets associated with an event must be retained for 3 years after the close of the final associated Project Worksheet. As State and Federal regulations change from time-to-time, the Department will issue specific rules for file retention on any given disaster, should there be a change.
- (f) **Records Relating to Financial Matters:** The Controller's Office must approve the destruction of all records pertaining to financial matters before the Department destroys them (Admin. Code Section 8.3). The Controller's Office reviews and approves each Department's Records Retention Schedule. The Department must obtain approval from the Controller's Office to destroy documents pertaining to financial matters that do not fall within the Schedule.
- (g) **Records Relating to Payroll:** The Retirement Board must approve the destruction of all records pertaining to payroll checks, timecards, and related documents proposed for destruction before the Department destroys them (Admin. Code Section 8.3). The Retirement Board reviews and approves each department's Records Retention Schedule. The Department may destroy documents consistent with the Records Retention Schedule unless the Retirement Board requests the documents be sent to them. The department must obtain approval from the Retirement Board to destroy documents pertaining to payroll checks, timecards, and related documents that do not fall within the Records Retention Schedule.
- (h) **Records with Legal Significance:** The City Attorney's Office must approve the destruction of all records having legal significance proposed for destruction before the Department destroys them (Admin. Code Section 8.3). The City Attorney's Office reviews and approves each department's Records Retention Schedule. The Department may destroy documents consistent with the Records Retention Schedule.

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The Department must obtain approval from the City Attorney's Office to destroy documents that contain legal significance that do not fall within the Records Retention Schedule.

804.13 ATTACHMENTS

See attachment: [Record Storage Form.pdf](#)

See attachment: [Identification of Sheriffs Custodians of Records.pdf](#)

See attachment: [Records Retention Schedule.pdf](#)

Protected and CJIS Derived Information

805.1 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 San Francisco Sheriff's 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.

805.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the San Francisco Sheriff's 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. A record becomes criminal history information upon the person's release from incarceration, and the record is no longer subject to disclosure, absent a court order.

805.2 POLICY

Members of the San Francisco Sheriff's Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

805.3 RESPONSIBILITIES

The Sheriff shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this CLETS Coordinator position includes, but is 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 and the requirements of any state or local criminal history records system.
- (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.

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- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.
- (g) A biannual audit to determine compliance with Department of Justice standards.

805.3.1 CLETS AND NCIC

- (a) Data entered into CLETS and NCIC can result in the detention and/or restraint of individuals by law enforcement officers. It is imperative that all entries into CLETS/NCIC be accurate, updated and based on valid and official supporting documentation.
- (b) CLETS entries shall be made only by authorized employees at the Central Records and Warrants Unit (CRWU) and by the Agency CLETS Coordinator as needed.
- (c) Every Facility/Section/Unit tasked with entering CLETS data shall have in place detailed written orders for entering data into each CLETS system, including but not limited to:
 - 1. Wanted Persons System (WPS)
 - 2. Stolen Vehicle System (SVS)
 - 3. Missing and Unidentified Persons System (MUPS)
 - 4. Automated Firearms System (AFS)
 - 5. Restraining Order System (ROS / DVROS)
- (d) Data entry must be validated by a second party before being entered into the system and that validation shall be documented. The second party must be a full access user available at the time the entry is made.
 - 1. Ensure the verification of a record as follows:
 - (a) All available cross-checks (i.e. DMV, Automated Criminal History System, etc) were made.
 - (b) Verify that data in the CJIS/NCIC record matches the data in the Master Case Record (MCR) and record the data on the MCR.
- (e) The entry must be subject to a documented periodic review to determine if the item or person is still outstanding or wanted. The Master Case File (MCF) or report, that necessitated the entry, must be kept accessible and on file by the Facility/Section/Unit responsible for inquiries (hit responses).
- (f) Validation obliges the Department to confirm that the record is complete, accurate and still outstanding or active. Validation is accomplished by:
 - 1. Reviewing the entry and current supporting documents
 - 2. Recent consultation with any appropriate complainant, victim, prosecutor, court, non-terminal agency or other appropriate source or individual.
- (g) Deputies who receive records in response to a CJIS/NCIC inquiry must confirm the hit on records that appear to have been entered for the person or property inquired upon.
 - 1. Confirmation ensures the validity of the hit before an arrest or seizure is made, thereby minimizing the potential for a false arrest and/or agency liability.

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2. Contact CRWU for the purpose of validating a hit confirmation.
3. Confirmation must take place prior to taking the following actions based upon a CJIS/NCIC record hit:
 - (a) Arresting the wanted person
 - (b) Detaining the missing person
 - (c) Seizing the stolen property
 - (d) Charging the subject with violating a protection order

Procedural Link:

[Administration and Field Operations Procedure Manual: 800.1 CJIS AND NCIC DATA ENTRY PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 800.1.1 MISSING PERSONS-ENTRY/ LOCATION/CANCEL](#)

[Administration and Field Operations Procedure Manual: 800.1.2 CALIFORNIA RESTRAINING AND PROTECTIVE ORDER SYSTEM \(CARPOS\)](#)

[Administration and Field Operations Procedure Manual: 800.1.3 STOLEN VEHICLE](#)

[Administration and Field Operations Procedure Manual: 800.1.4 CHECK DATA](#)

805.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, San Francisco Sheriff's Department policy or training. Only those members who have completed applicable training and met 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 and/or criminal prosecution.

805.4.1 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).

- (a) Department employees (and persons who are contracted to access CORI through SFSD terminals) may have access to confidential criminal record information. Misuse of such information may adversely affect the civil rights of the individual concerned. Such misuse may subject an employee to criminal and/or civil proceedings and/or disciplinary action.

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- (b) Department or contract employees who release CORI shall determine the requestor's right-to-know and need-to-know. No information shall be released unless there is a legal basis on which to do so.
- (c) Department and contract employees who are in possession of criminal history records shall be responsible for the physical security of the documents.
 - 1. CORI paper documents shall be destroyed by shredding.
- (d) A record shall be maintained on each release of state summary criminal record information. These records shall be maintained at the Facility/Section/Unit which disseminated the criminal record information. These records shall be stored as outlined in the Records Maintenance and Release Policy. Such records shall contain:
 - 1. Date of dissemination
 - 2. Name of the agency and the person to whom the information was given
 - 3. Extent of the information (i.e. range of or specific dates and/or arrests)
 - 4. How the information was transmitted
- (e) If juvenile records come into the Department jurisdiction, they will not be released except to the Juvenile Court, Probation Department or other law enforcement agencies, except under an order from Juvenile Court.
- (f) Department or contract employees may be authorized to have access to the California Law Enforcement Telecommunication System (CLETS) terminal only after:
 - 1. Completion of a record check
 - (a) Access will be granted or denied based on Department of Justice (DOJ) Policy, Practice, and Procedures (PPP) standards.
 - 2. Meeting the DOJ PPP standards for training and testing
 - 3. Reading and signing the DOJ Employee/Volunteer Statement Form.
- (g) Only authorized employees shall have access to CLETS enabled terminals (computer work stations), or be in an area where there may be such access.

805.5 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 or to a person that they are not authorized to release the information to should refer the requesting person to the CRWU 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 Unit conducting the investigation (Backgrounds Investigation Unit, Criminal Investigations Unit, or Internal Affairs Unit

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to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

805.5.1 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), and then only for local criminal offender history.

805.5.2 ACCESS TO CRIMINAL RECORDS

Official files, documents, records, electronic data, video and audio recordings and information held by the San Francisco Sheriff's Department or in the custody or control of department employees, volunteers or contractors are regarded as non-public and/or confidential.

Access to confidential paper or electronically generated records in each facility is restricted at various locations according to job function, the legal requirements for accessing data and the need to know. Employees working in assigned areas will only have access to the information that is necessary for the performance of their duties. Granting access to other employees or anyone outside of the work area must meet with supervisory approval. All requests for information received from outside the Department shall be forwarded to the CRWU.

Deputies, volunteers and contractors shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, video or audio recordings or other confidential information except as required in the performance of their official duties and in accordance with department policies, statutes, ordinances and regulations related to data practices.

Deputies, volunteers and contractors who are uncertain of the confidentiality status of any document should consult with the CRWU to determine the status of the documents in question.

805.5.3 TRANSMISSION GUIDELINES

Protected information, such as restricted Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should not be transmitted via unencrypted radio. When circumstances reasonably indicate that the immediate safety of deputies, other department members, or the public is at risk, only summary information may be transmitted.

In cases where the transmission of protected information, such as Personally Identifiable Information, is necessary to accomplish a legitimate law enforcement purpose, and utilization of an encrypted radio channel is infeasible, a MDT or department-issued cellular telephone should be utilized when practicable. If neither are available, unencrypted radio transmissions shall be subject to the following:

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Protected and CJIS Derived Information

- Elements of protected information should be broken up into multiple transmissions, to minimally separate an individual's combined last name and any identifying number associated with the individual, from either first name or first initial.
- Additional information regarding the individual, including date of birth, home address, or physical descriptors, should be relayed in separate transmissions.

Nothing in this policy is intended to prohibit broadcasting warrant information.

805.6 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).

805.7 SECURITY OF PROTECTED INFORMATION

The Sheriff will select a member of the Department, identified as the Chief Information Officer (CIO), 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) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (c) Tracking, documenting and reporting all breach of security incidents to the Sheriff and appropriate authorities.

805.7.1 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).

805.8 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.

805.9 ATTACHMENTS

See attachment: [SFSD CORI Form.pdf](#)

Computers and Digital Evidence

806.1 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, including pursuant to a warrant or an exception to the warrant requirement.

806.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Deputies should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources.

[Administration and Field Operations Procedure Manual: 807.1 SEIZING COMPUTERS AND RELATED EVIDENCE](#)

806.2.1 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. Deputies 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 be done only by someone specifically trained in processing computers for evidence.

806.2.2 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 reports 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, email, documents).
- (d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

806.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media including drives, CDs, DVDs, 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.

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- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation 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.

806.4 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) Deputies 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 solid metal container such as a metal can or in a Faraday bag to prevent the device from sending or receiving information from its host network.
- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

806.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Deputies 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.

806.5.1 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.

806.5.2 SUBMISSION OF DIGITAL MEDIA

The following are required guidelines for the submission of removable digital media used by cameras or other recorders:

- (a) The recording media (smart card, compact flash card or any other media) shall be secured in a designated, secured storage area as soon as possible for submission into evidence.

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- (b) Deputies 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) Deputies or persons designated by the Sheriff 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) Deputies requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

806.5.3 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 guidelines 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.

806.5.4 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only deputies or persons designated by the Sheriff 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.

Animal Control

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

807.2 POLICY

It is the policy of the San Francisco Sheriff's Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

807.3 SFACC RESPONSIBILITIES

Animal control services are the primary responsibility of the San Francisco Department of Animal Care and Control (SFACC). SFACC enforces all state and local Animal Control and Welfare laws and is the first responder for animals in natural disasters and citizen emergencies. SFACC investigates animal cruelty, abuse or neglect, rescues wildlife, and aids domestic animals.

- (a) In animal-related matters contact DEM Dispatch or the Sheriff's Operation Center (SOC) to notify SFACC ((415) 554-9400). If SFACC is unavailable, the San Francisco Police Department, Vicious and Dangerous Dog Unit may be contacted.
- (b) For animal-related matters at the San Bruno Jail complex, contact the Peninsula Humane Society (650) 340-7200) during normal business hours. If they are not available, contact the San Mateo Communications Center (650) 363-4000) and ask for Animal Control.

807.4 SHERIFF RESPONSIBILITIES

Deputies who respond to or assist with animal-related calls for service should evaluate the situation to determine the appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding deputies generally should not attempt to capture or pick up any animal but should keep the animal under observation until the arrival of SFACC.

Deputies may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Deputies should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the deputy should find appropriate placement for the animal.

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1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow them to properly care for the animal.
2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, contact SFACC to take control of the animal.

807.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to Penal Code § 597 et seq. (cruelty to animals, failure to care for animals).

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

807.6 ANIMAL BITE REPORTS

Deputies investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Deputies should attempt to identify and notify the owner of the final disposition of the animal. Deputies shall:

- (a) Attempt to ascertain if the person or animal bitten was not either provoking or teasing the animal.
- (b) Contact dispatch for medical follow-up. The responding ambulance unit shall complete an Animal Bite Report form and forward it to the Department of Public Health (DPH). If the victim refuses treatment, the deputy shall complete the form.
- (c) If the investigation determines the bite was unprovoked, cite the owner under SF Health Code 41.5.1 (a)(i).
 1. Advise the owner that the animal must be quarantined for a minimum of 10 days. If the animal becomes sick, dies or gets lost the owner must contact DPH, Bureau of Epidemiology and Disease Control.
- (d) Photograph injuries and book clothing as evidence. Obtain a statement when possible.
- (e) Write an Incident Report. The Watch Commander will forward a copy to DPH, Bureau of Epidemiology and Disease Control.

807.7 STRAY DOGS

If a stray dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate animal care facility.

Deputies shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

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807.8 DANGEROUS ANIMALS

In the event responding deputies cannot fulfill a request for service because an animal is difficult or dangerous to handle, contact the SFACC. If the SFACC is unavailable, the Watch Commander will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

807.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Deputies should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality-of-life issues.

- (a) Contact the owner and advise them of the complaint and ask for their voluntary compliance. If the owner refuses to comply, obtain the signatures of two unrelated persons living at different locations within 300 feet of the dog. The persons must sign the back of the citation, making it a private person's arrest. Issue the citation to the owner for a violation of 41 (i) of the SF Health Code.
- (b) If unable to locate the owner, write an Incident Report detailing the circumstances of the incident and include the fact that the owner could not be contacted.

807.10 DECEASED ANIMALS

When a deputy becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag, and properly disposed of by SFACC. Deputies should not climb onto or under any privately-owned structure for the purpose of removing a deceased animal. When handling deceased animals, deputies or SFACC should attempt to identify and notify the owner of the final disposition of the animal.

807.11 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

807.11 INJURED ANIMALS

When a deputy becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a veterinarian and notice shall be given to the owner pursuant to the requirements of Penal Code § 597.1.

807.11.1 VETERINARY CARE

The injured animal should be taken to a veterinarian as follows:

- (a) During normal business hours, the animal should be taken to an authorized veterinary care clinic.
- (b) If after normal business hours, the animal should be taken to the authorized Veterinary Emergency and Critical Care Services Clinic.

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- (c) An exception to the above exists when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.

Each incident shall be documented and, at minimum, include the name of the reporting party and veterinary hospital and/or person to whom the animal is released.

If SFACC is not available, the information will be forwarded for follow-up.

807.11.2 INJURED WILDLIFE

Injured wildlife should be referred to the Department of Fish and Wildlife or the Marine Mammal Center as applicable.

807.11.3 RESCUE OF ANIMALS IN VEHICLES

If an animal left unattended in a vehicle appears to be in distress, deputies may enter the vehicle for the purpose of rescuing the animal. Deputies should (Penal Code § 597.7(d)):

- (a) Make a reasonable effort to locate the owner before entering the vehicle.
- (b) Take steps to minimize damage to the vehicle.
- (c) Refrain from searching the vehicle or seizing items except as otherwise permitted by law.
- (d) Leave notice on or in the vehicle identifying the location where the animal has been taken and the name and Department of the member involved in the rescue.
- (e) Make reasonable efforts to contact the owner or secure the vehicle before leaving the scene.
- (f) Take the animal to an animal care facility, a place of safekeeping or, if necessary, a veterinary hospital for treatment.

Chapter 9 - Incident Response

Operations Planning

900.1 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.

900.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - The particular circumstances surrounding the service of specific search and arrest warrant, eviction, enforcement of court order and electronic monitoring, transport, and sting operation may present higher risks than are commonly faced by deputies on a daily basis.

900.2 POLICY

It is the policy of the San Francisco Sheriff's 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 ensuring the safest resolution to the situation.

900.3 OPERATIONAL ORDERS

The involved staff of the operation will utilize a Threat Assessment Form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The Facility/Section/Unit Commander or designee will review the Threat Assessment Form with involved staff to determine whether a particular incident qualifies as a high-risk operation and will also have the responsibility for coordinating operations that are categorized as high risk.

900.3.1 OPERATIONS PLANNING

Operations orders should be considered for operations that would benefit from having a formal plan structured in the standard 5-part S.M.E.A.C. format that includes:

- (a) Situation
- (b) Mission
- (c) Execution (PACE Plan - Primary, Alternate, Contingency, Exigency)
- (d) Administration
- (e) Command

A supervisor shall ensure a written operations order is developed for all high-risk operations.

Operations orders should, where appropriate, include the following:

- (a) Operation goals, objectives, and strategies.
- (b) Operation location and people:

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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, 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 Threat Assessment Form by attaching a copy of same or a synopsis of the information to ensure clarity and highlighting of critical information.
1. 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 ESU.
- (d) Participants and their roles.
1. An adequate number of uniformed deputies should be included in the operation team to provide the amount of staff needed to conduct a safe law enforcement operation.
 2. How all participants will be identified as law enforcement, if non-uniformed.
- (e) Whether deconfliction submissions are current and all involved individuals, groups, and locations have been deconflicted to the extent reasonably practical.
1. The appropriate role for a trained negotiator if needed.
- (f) Identification of all communications channels and call-signs.
- (g) Standardization of equipment deployed.
- (h) Use of force issues.
- (i) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (j) Plans for detaining people who are not under arrest.
- (k) Plans for evidence management.
- (l) Contingencies for handling children, dependent adults, animals, and other people who might be at the location in accordance with the department policies.
- (m) Protocols for a sustained operation should be developed which may include relief, rotation of personnel, and augmentation of resources.

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- (n) Responsibilities for writing, collecting, reviewing, and approving reports. Post-incident scene management including:
 - (a) Documentation of the incident.
 - (b) Transition to investigations and/or other units.
 - (c) Debriefing after deployment.
 - (a) After-action team debriefing provides evaluation and analysis of critical incidents, 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 deputies have had the opportunity to individually complete necessary reports or provide formal statements as directed by a supervisor.
 - (c) In order to maintain candor and a meaningful exchange, debriefing will generally not be recorded.
 - (d) When appropriate, debriefings should include specialized units and resources.

All staff should have an understanding of the operational plan. When possible, briefings should include any specialized or support personnel.

Ensure the Facility/Section/Unit Commander, Division Chief or designee, and ESU supervisor (if the ESU is involved) receive the final operations order.

900.3.2 OPERATIONS ORDER RETENTION

Since the operations order contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations order shall be stored separately and retained in accordance with the established records retention schedule.

900.4 THREAT ASSESSMENT

900.4.1 THREAT ASSESSMENT PREPARATION

Staff assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a Threat Assessment Form.

When preparing the Threat Assessment Form, the deputy 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, commercial databases and property records. Where appropriate, the deputy should also submit information to these resources.

Staff should gather available information that includes, but is not limited to:

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.

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- (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, social media).
- (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 deputies and others (e.g., making an off-site arrest or detention of the subject of investigation).

900.4.2 THREAT ASSESSMENT REVIEW

Staff will present the Threat Assessment Form and other relevant documents (such as copies of search warrants, FBI/DOJ information, court orders, etc.) to their supervisor who will ensure review and proper dissemination. All involved parties shall confer to 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.

900.4.3 HIGH-RISK OPERATIONS

After determining risk level and safety factors, assigned staff shall:

- (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. ESU (Special Response Team (SRT), Crises Negotiation Team, etc.)
 - 2. Additional personnel (i.e., radio/telephone operators, communications, medical, DOC, etc.)
 - 3. Outside agency assistance
 - 4. Special equipment
 - 5. Additional surveillance
 - 6. Canines
 - 7. Specialized mapping for larger or complex locations
- (b) Contact the department members or other agencies as warranted to begin preparation.
- (c) Ensure all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.

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- (d) Ensure an operations order is completed by the supervisor in charge of the operation.
- (e) Coordinate the actual operation.

900.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The 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 deputy 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.

900.6 OPERATIONS BRIEFING

A briefing shall be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations order.
- (b) All participants should be provided a copy of the operations order and search warrant, if applicable. Participating personnel shall be directed to read the search warrant and initial a copy that is retained with the operations order. Any items to be seized should be identified at the briefing.
- (c) The lead for the operation (Incident Commander) shall ensure all participants are visually identifiable as law enforcement officers.
 - 1. Exceptions may be made for deputies who are conducting surveillance or working undercover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - 1. It is the responsibility of the Incident Commander to ensure that DEM Dispatch and/or Sheriff's Operations Center (SOC) Dispatch is notified of the time and location of the operation, and to provide a copy of the operations order prior to deputies arriving at the location.
 - 2. If the radio channel needs to be monitored by DEM Dispatch or the SOC Dispatch, the dispatcher assigned to monitor the operation should attend the

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briefing, if practical, but at a minimum shall receive a copy of the operations order.

3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

900.7 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Sheriff. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy. The Incident Commander may inform the Sheriff's Communication staff prior to or at the conclusion of the operation, as needed.

900.8 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practical. The debriefing should include as many participants as possible.

900.9 TRAINING

The Department should ensure deputies receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts, execution of high-risk operations, and reporting requirements.

900.10 ATTACHMENTS

[See attachment: Threat Assessment Form.xlsx](#)

Warrant Service

901.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants. It is understood this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning Policy, which has additional guidance on planning and serving high-risk warrants.

901.2 POLICY

It is the policy of the San Francisco Sheriff's Department to balance the safety of Department employees, the public, privacy interests, and other relevant factors when making decisions related to the service of search and arrest warrants, Emergency Protective Orders, and DUI blood draw search warrants.

901.3 OPERATIONAL REVIEW

The operational review shall include the involved deputies and supervisors to determine the risk level of the warrant service.

The deputy or supervisor responsible for the operation will coordinate service of warrants that are categorized as high risk with the ESU supervisor if needed. The threat assessment, operational planning, operations order, briefing, and debriefing should follow guidelines in the Operations Planning Policy.

901.4 SEARCH WARRANTS

Deputies must be able to establish specific facts or evidence to show probable cause in order to obtain a search warrant. Deputies must have specific facts or evidence (i.e. contraband, fruits of a crime) to believe that the subject or object of the crime may be found in an identified location. Deputies shall not rely solely upon personal opinion or unconfirmed third-party information or hearsay.

Deputies should receive authorization from a supervisor before preparing a search warrant application and packet. Once authorization is received, the deputy will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. They will also complete the Threat Assessment Form and submit it, along with the warrant affidavit, to their supervisor for review, approval, and classification of risk (see Operations Planning Policy).

901.5 ARREST WARRANTS

If a deputy or supervisor reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis they should submit a completed Threat Assessment Form to the Facility/Section/Unit Commander or designee for review. If determined to be a significant

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threat or risk, deputies from the Emergency Services Unit (ESU) or the Special Response Team (SRT) may be used.

If the warrant is classified as high risk, service will be coordinated by the deputy or supervisor in charge of the operation who will review the Threat Assessment Form and classification of risk (see Operations Planning Policy).

Procedural Link:

[Administration and Field Operations Procedure Manual: 900.1 CONTACTING THE DUTY JUDGE PROCEDURE](#)

901.6 WARRANT PREPARATION

A deputy who prepares a warrant should ensure the documentation in support of the warrant contains the following, as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime warrant execution.
- (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).

901.7 HIGH-RISK WARRANT SERVICE

The lead supervisor of the Warrant Services Unit along with the ESU/SRT Commander shall coordinate the service of warrants that are categorized as high risk and shall have authority in determining the manner in which the warrant will be served, including the number of deputies deployed.

The Warrant Services Unit supervisor responsible for directing the service should ensure the following as applicable:

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- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded.
- (c) Evidence is handled and collected only by those deputies who are designated to do so. All other deputies involved in the service of the warrant should alert one of the designated deputies to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) 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 or posted in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

Procedural Link:

[Administration and Field Operations Procedure Manual: 900.2 SEARCH AND ARREST WARRANT SERVICE PROCEDURE](#)

901.8 DETENTIONS DURING WARRANT SERVICE

Deputies 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.

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 and removed from property until the search has been completed for their safety.

Deputies should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

901.9 ACTIONS AFTER WARRANT SERVICE

Deputies 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

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in any event no later than any date specified on the warrant. Supervisors will ensure all Department documentation is completed in a timely fashion.

Records shall be maintained of all warrants issued and actions taken in response to each. Records and documents related to warrant service, of any type, shall be retained per the Department Record Retention Schedule or as needed for investigations.

901.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The supervisor handling the warrant operations will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement

Any outside agency requesting assistance in the service of a search warrant within this jurisdiction should be referred to a Field Operations Division (FOD). A FOD supervisor should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. Any concerns regarding the requested use of San Francisco Sheriff's Department deputies should be brought to the attention of the Chief Deputy or designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If deputies intend to serve a warrant outside San Francisco Sheriff's Department jurisdiction, the lead operations supervisor 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.

Deputies will remain subject to the policies of the San Francisco Sheriff's Department when assisting outside agencies or serving a warrant outside San Francisco Sheriff's Department jurisdiction.

901.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Sheriff. Any media inquiries or press release after the fact shall be handled by the Sheriff's Communications Staff in accordance with the News Media Relations Policy. The supervisor handling the warrant service operation may inform the Sheriff's Communication Staff prior to or at the conclusion of the operation, as needed.

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901.12 TRAINING

The Training Unit Commander should ensure deputies receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service, and reporting requirements.

Post Order Link:

[Administration and Field Operations Procedure Manual: 901.1 POST 1 DEPUTY](#)

[Administration and Field Operations Procedure Manual: 901.2 POST 2 DEPUTY](#)

901.13 ATTACHMENTS

[See attachment: Example Threat Assessment.pdf](#)

[See attachment: Threat Assessment Form.xlsx](#)

[See attachment: Arrest Warrant Procedure and Packet.pdf](#)

[See attachment: Search Warrant Procedure and Packet \(Warrant and Affidavit\).pdf](#)

Emergency Services Unit

902.1 PURPOSE AND SCOPE

The Emergency Services Unit (ESU) has been established to provide specialized support in handling critical operations where negotiations and/or special tactical deployment methods beyond the capacity of deputies assigned to those areas appear to be necessary, as well as in response to local and regional mutual aid.

902.2 POLICY

It shall be the policy of this department to maintain an Emergency Services Unit and to provide the equipment, personnel, and training necessary to maintain an ESU team. The ESU 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 supervisors 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 term "deputies" throughout department policies and procedures refers to all sworn employees of every rank.

902.3 ESU TEAM COMPOSITION

The Emergency Services Unit (ESU) is a unit of San Francisco Sheriff's Department deputies that are specifically trained and equipped to work as a coordinated team to resolve critical incidents that may exceed the capabilities of first responders including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. Teams 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.

The ESU may respond as a Mobile Field Force (MFF) unit responding to a major incident involving Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) devices and to large scale demonstrations.

The ESU includes teams of deputies trained as a:

- Special Response Team (SRT)
- Crisis Negotiation Team (CNT)
- Radio Telephone Operator (RTO)
- EOC/Agency Liaisons
- Tactical Medics (TM)

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- The CNT, RTO, and TM staff are classified as non-force element/support staff.

902.3.1 MANAGEMENT/SUPERVISION OF EMERGENCY SERVICES UNIT

The Field Operations Division (FOD) Chief Deputy is designated as the Commander of the Emergency Services Unit and the FOD Captain is the Assistant Commander.

902.3.2 ESU COORDINATION

Under the direction of the Sheriff, through the FOD Chief, the ESU shall be managed by an ESU Coordinator responsible for the general operations of the ESU and the ESU deputies.

902.4 EMERGENCY SERVICES UNIT SELECTION

902.4.1 SELECTION OF PERSONNEL

Prior to the start of a selection process, interested deputies shall submit a letter of interest to the Personnel Manager. Qualified applicants will be invited to participate in the testing process by the Personnel Unit.

The testing process will consist of a written test, oral board interview, and practical exercise. ESU force element applicants must also pass a physical agility test and firearms qualification.

Applicants must successfully complete and pass all phases of the testing process to be considered for a position in the ESU. A minimum qualifying score shall be attained in each phase of the testing process for an applicant to be considered for the position.

- (a) The written test is designed to determine the applicant's knowledge of department policies and procedures, and laws of detention and arrest as it relates to the performance of ESU related duties.
- (b) The oral board interview will consist of personnel selected by the ESU Commander. Applicants will be evaluated based on their responses to questions asked during the interview and by the following criteria:
 - 1. Recognized competence and ability as evidenced by performance
 - 2. Demonstrated good judgment and understanding of the critical role of an ESU member
 - 3. Special skills, training, or appropriate education as it pertains to this assignment
 - 4. Commitment to the Unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.
- (c) The practical exercise will evaluate each applicant on their field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.
- (d) The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of ESU force element related duties.
- (e) Force element applicants will shoot the ESU firearms qualification course, established by the department Rangemaster. A minimum passing score of 85% must be attained

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to qualify. In addition, the applicant must obtain a passing score of any firearms related training (i.e., low light shooting, long gun, tactical firearms course, etc.).

1. Applicants must pass training in the use of Conducted Electrical Weapons (CEW), Arwen, force option simulator and marking cartridge training.

902.4.2 FORCE ELEMENT TEAM PERSONNEL

- The order of the tests and scoring procedures will be established by the ESU Commander and ESU Coordinator.
- The oral board interview will consist of personnel selected by the ESU Commander.
- A list of successful applicants shall be submitted to the ESU Coordinator and Personnel, by the ESU Commander, for final selection by the Coordinator.

902.4.3 CRISIS NEGOTIATIONS TEAM PERSONNEL

- The order of the tests and scoring procedures will be established by the FOD Chief, CNT Team Leader, and ESU Coordinator.
- The oral board interview will consist of personnel selected from other law enforcement agencies.
- A list of successful applicants shall be prepared and submitted to the FOD Chief, CNT Team Leader, and Personnel.
- Final selection will be by position on the list in ascending order.

In addition, deputies assigned to the Crisis Negotiation Team (CNT) shall 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 deputies may be used in a support or training capacity. A minimum of one training day per every six months 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, in collaboration with the ESU Coordinator.

902.4.4 RADIO TELEPHONE OPERATORS

- The order of the tests and scoring procedures will be established by the FOD Chief, Fleet Radio Deputy, and ESU Coordinator.
- The oral board interview will consist of personnel selected by the ESU Commander.
- A list of successful applicants shall be prepared and submitted to the FOD Chief, Fleet Radio Manager, and Personnel.
- Final selection will be by position on the list in ascending order.

In addition, deputies assigned as Radio Telephone Operators (RTO) must continually and successfully pass specialized training in emergency radio operations and tactical communications as required.

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902.4.5 EOC AND OTHER AGENCY DOC LIAISON POSITIONS

The Office has several EOC and Other Agency Liaison Positions that are attached to the Unit as support staff. They are utilized as liaisons to the City and County Department of Emergency Management and other law enforcement agencies to ensure there is a proper flow of information during catastrophic events, citywide emergencies or Department mobilizations in support of city, state or federal operations.

Staff selected and assigned as liaisons will be of the rank of Sergeant, Lieutenant or Captain. When assigned to other agencies they will report directly to the Incident or DOC Commander.

- The order of the tests and scoring procedures will be established by the FOD Chief, Homeland Security Lieutenant, and ESU Coordinator.
- A list of successful applicants shall be prepared and submitted to the FOD Chief, Homeland Security Lieutenant, and Personnel.
- Final selection will be by position on the list in ascending order.

All selected candidates must complete the requirements of the FEMA credentialing program developed by the City Department of Emergency Management within one calendar year of selection as a Liaison.

902.4.6 ESU AND SPECIALIZED SUPPORT EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the Unit shall be conducted. The performance and efficiency level, as established by the Unit Commander, will be met and maintained by Unit members.

ESU deputies shall maintain the below mandatory requirements for continued retention in the ESU, including, but not limited to:

- (a) Completion of all assigned unit training.
- (b) Firearm qualifications with a minimum passing score of 85%.
- (c) Performance of duties and functions in a unit assignment.
- (d) Maintain a current Critical Information Sheet with the ESU Coordinator.
- (e) Respond to all ESU electronic and telephone messages, call-out tests and deployments.
- (f) Pass the physical agility test when required.
- (g) Comply with the respiratory protection program.
- (h) Successfully perform ESU training, duties, tasks and functions in an Air Purifying Respirator (APR) and Personal Protective Equipment (PPE).

In addition to the above list of ESU requirements, ESU deputies assigned to the SRT must successfully pass and shall continue to maintain the following requirements for continued retention in the SRT:

- (a) Firearm qualifications with a minimum passing score of 90%

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- (b) Long gun qualifications, every six months, with a minimum passing score of 90%, as directed and scheduled by the Rangemaster
- (c) Department-sponsored POST Certified S.W.A.T. Course

In addition to the above list of ESU requirements, ESU deputies assigned as Tactical Medics (TM) must continually renew their medical certification.

ESU and SRT deputies who do not achieve a passing score during the firearms qualifications shall be re-scheduled on department time for another qualification test as directed by the Rangemaster. Deputies who fail to achieve a passing score on the second attempt may be removed from the ESU.

- (a) SRT deputies who fail to achieve a 90% on the second attempt but pass the firearms qualification with a minimum score of 85%, may be removed from the SRT and shall remain in the ESU.

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 ESU Commander, ESU Coordinator, and team supervisors. Performance and efficiency levels, established by the team supervisors, will be met and maintained by all team members. Any member of the ESU who performs or functions at a level less than satisfactory, or who do not pass the required training as outlined above, shall be subject to dismissal from the specialized team within the ESU and/or from the ESU.

902.4.7 CNT, RTO, AND EOC/DOC ELEMENT STAFF

CNT, RTO, and EOC/DOC staff shall maintain the below mandatory requirements for continued retention in their Support Platoon positions:

- Perform all duties in their assigned positions.
- Maintain a current Critical Information Sheet with the ESU Coordinator.
- Respond to all ESU electronic and telephone messages.
- Complete all required initial and update training as required.

902.5 TRAINING

The ESU Commander shall conduct an annual ESU 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). Deputies assigned to the ESU will receive training commensurate with the complexity of their specialty and must be able to demonstrate proficiency in the specific skills related to their specialized functions.

902.5.1 INITIAL TRAINING

Deputies must complete entry-level Unit training and successfully pass all subsequent training, including training with an Air Purifying Respirator (APR) and functioning in Personal Protective Equipment (PPE) designated by the ESU.

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902.5.2 UPDATED TRAINING

Appropriate team training for the specialized ESU functions (i.e., SRT, CNT, RTO, TM, etc.) and other supporting resources shall be completed prior to full deployment of the team. ESU members assigned to specialized functions/teams shall maintain training standards that meet the requirements of their specialty.

ESU deputies should complete update or refresher training as certified by POST, or a competent government or standards-setting organization, every 24 months. All training should include testing to identify and document the ESU member's knowledge in the subject matter presented.

902.5.3 SUPERVISION AND MANAGEMENT TRAINING

Unit supervisors should attend training for managing the Unit function at the organizational level to ensure supervisors who provide active oversight at scene operations understand the purpose and capabilities of the teams.

SRT supervisors should attend a POST-certified SWAT commander or tactical commander course, or its equivalent.

902.5.4 ESU ONGOING TRAINING

Training shall be coordinated by the ESU Commander or designee. The ESU 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 ESU member shall perform a physical fitness test as scheduled by the ESU Commander. A minimum qualifying score must be attained by each team member.
- (b) Any ESU team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. 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 modified or restricted duty status with a doctor's note of approval on the test date, shall be responsible for reporting to ESU Coordinator and taking the test as scheduled by the ESU Commander. Any member who fails to arrange for and perform the physical fitness test shall be considered as having failed to attain a qualifying score for that test period.
- (d) Annually, each ESU team member shall perform the mandatory ESU firearms qualification course, as directed by the Rangemaster. Failure to qualify will require the deputy to seek remedial training from the Rangemaster. Team members who fail to qualify must retest as directed by the ESU Commander. Failure to qualify with or without remedial training may result in dismissal from the team.
- (e) Each ESU team member shall complete the annual ESU qualification course for any specialty weapon issued to, or used by, the team member during ESU operations. Failure to qualify will require the team member to seek remedial training from the Rangemaster. Team members who fail to qualify on their specialty weapon may not

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utilize the specialty weapon on ESU operations until qualified. Team members who fail to qualify must retest. Failure to qualify with specialty weapons within the scheduled time assigned by the ESU Commander may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

1. SRT members must successfully complete all POST specialized tactical training and any subsequent training as required.

902.5.5 TRAINING SAFETY

Use of a designated safety officer shall be assigned and present for all tactical training.

902.5.6 SCENARIO BASED TRAINING

Teams should participate in scenario-based training that simulates the operational environment. Such training is an established method of improving performance during an actual deployment.

902.5.7 TRAINING DOCUMENTATION

Individual and team training shall be documented, and records maintained by the Training Unit. Such documentation shall be maintained in each member's individual training file. Deputies will be responsible for providing the Training Unit Commander and ESU Coordinator with evidence of completed training and education in a timely manner.

902.6 EQUIPMENT AND INSPECTIONS

902.6.1 EQUIPMENT

ESU members are issued additional specialized equipment and shall ensure their equipment is maintained in excellent working condition at all times. Lost or broken ESU-issued equipment must be immediately reported to the ESU Coordinator or designee. ESU-issued equipment shall be returned to the ESU Coordinator or designee within 5 business days upon separation from the Unit.

902.6.2 OPERATIONAL READINESS INSPECTIONS

The ESU Commander shall appoint an ESU supervisor to perform operational readiness inspections of all personal equipment issued to members of the Unit, and all general equipment used by the Unit, at least annually. The result of the inspection will be forwarded to the ESU Commander in writing.

902.7 DEPLOYMENT OF THE EMERGENCY SERVICES UNIT

902.7.1 APPROPRIATE SITUATIONS FOR USE OF EMERGENCY SERVICES

UNIT Appropriate situations for the use of the ESU include but are not limited to:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages are taken.
- (c) Cases of suicide threats.
- (d) Arrests or court proceedings of dangerous persons.

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- (e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.

902.7.2 OUTSIDE AGENCY REQUESTS

Requests from a law enforcement agency for the Sheriff's ESU team including relevant specialized units and supporting resources must be approved by the ESU Commander. Deployment of the San Francisco Sheriff's Department Emergency Services Unit in response to requests by other agencies must be authorized by the Sheriff or designee.

Members of the San Francisco Sheriff's Department ESU shall operate under the policies, procedures and command of the San Francisco Sheriff's Department when working in a multi-agency situation.

902.7.3 ON-SCENE DETERMINATION

The supervisor in charge on the scene of a particular event will assess whether the ESU is needed on scene. Upon final determination by the supervisor in charge, they will contact the ESU Commander and/or ESU Coordinator to request ESU deployment.

902.7.4 MOBILIZATION OF EMERGENCY SERVICES UNIT

The on-scene supervisor shall make a request to the ESU Commander or ESU Coordinator for any part of the Emergency Services Unit. If unavailable, the FOD Administration shall be notified. A current mobilization list shall be maintained by the ESU Commander or designee and distributed to each division Chief Deputy.

The on-scene supervisor should advise the ESU Commander or designee of the situation, providing as much of the following information as is available at the time:

- (a) Type of incident
- (b) The incident location
- (c) The activity requiring the use of the ESU (i.e. type of crime involved, hostages, etc.)
- (d) Number of suspects, victims, hostages
- (e) Description of suspects (has the suspect threatened or attempted suicide, etc.)
- (f) Dangers if known (weapons, suspect barricaded, etc.)
- (g) The location of the command post and safe avenue of approach
- (h) The extent of any perimeter and the number of deputies involved
- (i) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.

The ESU Commander shall notify the ESU Coordinator or supervisor to call ESU deputies to respond to a deployment.

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902.7.5 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the ESU at the scene, the Incident Commander shall brief the ESU supervisor about the situation. Upon review, it will be the Incident Commander's decision, with input from the ESU supervisor, whether to deploy the ESU. Once the Incident Commander authorizes deployment of the ESU, the ESU supervisor will be responsible for the tactical portion of the operation.

902.7.6 COMMUNICATION WITH CRISIS NEGOTIATION TEAM PERSONNEL

Individuals who are non-CNT personnel should refrain from any non-emergency contact or interference with a member of the CNT unit during active negotiations. CNT operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with CNT directly. All non-emergency communications shall be channeled through the CNT leader or their designee.

902.8 COUNSELING

ESU members may be counseled for, including but not limited to, the following:

- (a) Failure to reply to electronic and telephone messages, call-out tests and deployments without reasonable cause.
- (b) Unexcused absences from scheduled trainings or deployments.
- (c) Failure to meet training standards and requirements as outlined in this policy.

902.9 ESU STATUS

902.9.1 ACTIVE DUTY STATUS

ESU deputies on full duty with no restrictions are on active duty status. Active duty status deputies are fully capable of maintaining the mandatory requirements for continued retention in the ESU, performing assigned functions as required in an ESU assignment, training, and deployment.

- (a) Pregnant ESU deputies will retain active duty status, but may be given a limited ESU assignment and/or duties.

902.9.2 INACTIVE DUTY STATUS

ESU deputies may be placed on inactive duty status for one or more of the following:

- (a) The ESU deputy is unable to meet the minimum qualifications pertaining to the Air Purifying Respirator (APR), Personal Protective Equipment (PPE) and/or Respiratory Protection Program (RPP).
 - 1. The ESU deputy must obtain medical clearance by the next scheduled training qualification, or the deputy will be placed on inactive duty status.
 - 2. Failure to complete ESU training and/or maintain minimum ESU qualifications.
- (b) An ESU deputy on inactive duty status may have their assignment limited or restricted by the ESU Commander or ESU Coordinator.
- (c) An ESU deputy sustaining an on-duty injury shall remain on inactive duty status until they are returned to full duty without restrictions if less than six months.

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- (d) Voluntarily requested to be placed on inactive duty status. The request is for a maximum of six months and is only permitted once in a five-year period, with permission of the ESU Commander.

ESU members on inactive duty status will receive ESU premium pay in accordance with the Collective Bargaining Agreement. The ESU Coordinator shall notify the Payroll Unit if ESU members are ineligible to receive ESU premium pay during an inactive duty status and upon their return to active duty status.

902.9.3 LEAVE STATUS

ESU members on Department approved leave (i.e. Military, FMLA, etc.) shall retain their active duty status and are excused from all ESU activities and duties during leave.

902.9.4 RESIGNATION

ESU members who resign from the ESU will notify the ESU Coordinator in writing and will schedule a date and time to return their ESU-issued equipment. The ESU Coordinator will notify the Payroll Unit in writing to remove the deputy from receiving ESU premium pay.

- (a) An employee who resigns from the ESU may request reinstatement within six months of the resignation by sending a memorandum to the ESU Coordinator.
- (b) An employee who resigns from the ESU for more than six months, may re-apply after one year from the separation date. The employee must follow the steps noted in the Selection section of this policy.

902.9.5 REMOVAL

ESU members may be removed from the ESU for a violation of this policy, violation of Department policies and procedures.

ESU REMOVAL PROCEDURE

902.9.6 APPEAL PROCESS

Removal from ESU is subject to the grievance procedure as outlined in the employee's CBA.

ESU REMOVAL APPEAL PROCESS

Critical Incident Notification

903.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom the notification of critical incidents should be made.

903.2 POLICY

The San Francisco Sheriff's Department recognizes that certain incidents should be brought to the attention of Executive Command staff, Facility/Section/Unit Commanders or other specified personnel of this department to facilitate the coordination of activities, expedite resources and ensure inquiries from the media and the public may be properly addressed.

903.3 MINIMUM CRITERIA FOR NOTIFICATION

Critical incidents require a verbal notification to the Sheriff, Undersheriff, Assistant Sheriff and Division Commanders as soon as essential facts are known and without undue delay. The following list of critical incidents is not intended to be all-inclusive:

- Traffic accidents involving Department employees with serious injuries or fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Death or arrest of a prominent San Francisco official or a person that could have a high level of public and/or media interest
- Death, significant injury or arrest of a department employee on-duty or off-duty
- High profile eviction or warrant service
- In-custody death, escape, riot, major disturbance or fire
- Evacuation or any incident that adversely affects the operation of a Sheriff's facility or building where Sheriff's provide contracted services
- Situations where the media shows or potentially could show a strong interest

903.3.1 COMMAND STAFF NOTIFICATION

The Watch Commander or Incident Commander shall ensure the Incident Notification Protocol is implemented as soon as possible. As much information about the incident should be relayed.

- (a) While direct contact is preferred, notification may be done electronically. Staff receiving electronic notification should acknowledge receipt.

When employees in the chain of command are not responding to their office phone, cell phone, and/or radio, the notification shall be made to the next level in the chain of command. The employee making the notification shall keep a record of the person being contacted, phone numbers called and the time of each call. Records shall be retained by the incident Facility/Section/Unit.

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903.3.2 INVESTIGATOR NOTIFICATION

If the incident requires that an investigator respond from home, the on-call IAU and/or CIU investigator shall be contacted. The on-call investigator's information shall be attained by calling the Sheriff's Emergency Line.

903.3.3 TRAFFIC NOTIFICATION

In the event of a traffic fatality or major injury, the Multidisciplinary Accident Investigation Team (MAIT) team will be notified through DEM dispatch, who will contact the SFPD Traffic Company on-duty supervisor to coordinate a response.

903.4 PROCEDURAL LINK

[Administration and Field Operations Procedure Manual: 902.1 CRITICAL INCIDENT NOTIFICATION PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 902.1.1 NOTIFICATION LIST](#)

[Administration and Field Operations Procedure Manual: 902.1.2 KEY DEPARTMENT CONTACT NUMBERS](#)

Rapid Response and Deployment

904.1 PURPOSE AND SCOPE

Violence committed by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding deputies in situations that call for rapid response and deployment.

904.2 POLICY

The San Francisco Sheriff's Department will plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of objectively reasonable force, deadly or otherwise, by deputies of the Department in protecting themselves or others from death or serious injury.

904.3 CONSIDERATIONS

When dealing with a crisis situation, deputies should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

904.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding deputies should consider reasonable options to reduce, prevent or eliminate the threat. Deputies must decide, under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, deputies should, while requesting additional assistance, take immediate action.

Deputies 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 deputies should consider:

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- (a) Whether to advance on or engage a suspect who is still a perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual deputy from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the deputies have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, deputies should consider summoning and waiting for additional assistance (Emergency Services Unit (ESU) and/or Crisis Negotiation Team (CNT) response).

904.4.1 RESPONSE TO SCHOOL THREATS

Upon receiving a threat or perceived threat from a school official that involves grades 6 to 12, deputies 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).

904.5 PLANNING

Facility/Section/Unit Commanders should have plans and conduct training specific to their location.

The Field Operations (FOD) Division Commander and ESU Commander should coordinate critical incident planning for building and venues where the Department provides law enforcement services. 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.

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- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

904.6 TRAINING

The FOD and ESU Unit Commander, in collaboration with the Training Unit Commander, should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
 - 1. This should include the POST terrorism incident training required for deputies assigned to field duties (Penal Code § 13519.12).
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Response to Bomb Calls

905.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist employees of the San Francisco Sheriff's 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.

905.2 POLICY

It is the policy of the San Francisco Sheriff's Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

905.3 RECEIPT OF BOMB THREAT

When an employee of this department receives a bomb threat or notification of a bomb threat, the employee receiving the notification should obtain as much information as reasonably possible including:

- (a) The facility location and placement of the device.
- (b) The nature of the threat.
- (c) The type and detonation time of the device.

If the notification of a bomb threat is from a person who received the initial call or threat, in addition to the above, ascertain:

- (a) Whether the facility is occupied and if so, the number of occupants currently on-scene.
- (b) Whether the individual is requesting Sheriff's assistance at the affected location.
- (c) Whether there are internal facility procedures regarding bomb threats.

The employee receiving the bomb threat shall ensure that the Watch Commander or sworn supervisor is immediately advised and informed of the initial assessment details. The Watch Commander or supervisor shall communicate with the person in charge at the threatened location. This will enable the Watch Commander to coordinate with the overall scene commander and ensure that appropriate personnel are dispatched until deputies are no longer required or are relieved.

The Watch Commander shall assess the level of bomb threat and affect it will have on the facility/building, courtroom, hospital or Sheriff's operations. If the threat is deemed valid the Watch Commander shall initiate response actions.

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.

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905.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

905.4.1 SAN FRANCISCO SHERIFF'S DEPARTMENT FACILITY

If the bomb threat is against a San Francisco Sheriff's Department facility, the Watch Commander will notify the Division Commander and will direct and assign deputies as required for coordinating a general building search and/or evacuation as they deem appropriate (see Evacuation Plan Policy).

905.4.2 CITY AND COUNTY (CCSF) FACILITY

If the bomb threat is against a City and County (CCSF) facility/building where the San Francisco Sheriff's Department provides contracted services and is not the property of this Department, the Building Manager of that agency will be promptly informed of the threat. The Building Manager and/or agency lead (the Administrator on Duty at Zuckerberg San Francisco General Hospital (ZSFGH)) will make the decisions for that building/facility's response (i.e. shelter in place, evacuate, search, etc.). Deputies will assist in a search of the location for unusual objects, packages, containers and request to have building occupants identify anything out of the ordinary. Deputies will assist with an evacuation and assist the lead agency as requested and as the Incident Commander and/or Watch Commander deems appropriate.

905.4.3 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 shall be notified.

Bomb threats against a military installation shall be reported to the military police or other military security responsible for the installation.

905.5 RESPONSE

Upon notification and initial assessment from the reporting person, the Watch Commander shall determine if the information and circumstances indicate a reasonably apparent, imminent threat to the safety of either the facility or the public. Should the Watch Commander determine that the Department will assist or control such an incident, they shall determine and coordinate:

- (a) Whether to evacuate and/or search a portion or the entire facility/building.
- (b) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The safety of all participants is the paramount concern.
- (c) The need for additional resources, including:

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1. Notification and response of Sheriff's deputies and canine, DEM dispatch, and Police Department's EOD, or standby notice for fire and emergency medical services.
2. The request for additional Sheriff's employees shall first be made to the closest Facility/Section/Units to the affected location.

Even though a facility may not request Sheriff's assistance to clear the interior of a building, based upon the circumstances and known threat, deputies 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.

905.6 FOUND DEVICE

When handling an incident involving a suspected explosive device and/or unattended package, the following guidelines, while not all inclusive, shall be followed by all Department employees:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) Notify the Watch Commander/supervisor to respond to the scene.
- (c) Upon the Watch Commander or supervisor's approval, notify DEM dispatch and request the San Francisco Police Department EOD team to respond to the scene. The device shall not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
 1. SFPD EOD is responsible for confirming the threat, the perimeter distance, ordering an evacuation of the affected area, declaring the incident is clear/ended, and disposal of any device.
- (d) Deputies 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
- (e) The Watch Commander shall determine if the Sheriff's canine team should be notified.
- (f) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (g) A safe access route should be provided for support personnel and equipment.
- (h) Search the area for secondary devices as appropriate and based upon available resources.
- (i) The Watch Commander shall order an evacuation of the building and personnel near the device or inside the danger zone and determine the safest exit route, if needed, except in facilities/buildings where Sheriff's perform contracted services and then the decision to evacuate is by order from the building manager or Administrator on Duty at ZSFGH (see Evacuation Plan Policy).

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1. A supervisor may order the evacuation of Sheriff's staff.
 2. In the event that ZSFGH orders an evacuation or patients have to be relocated, the hospital will open their Command Post and a Sheriff's deputy will be assigned as a liaison.
- (j) Promptly relay available information to the Division 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.
 6. Request the Division Commander to notify Executive Command staff, the appropriate investigations unit, and acquire additional personnel, if needed.

905.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding deputies. 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.

905.7.1 CONSIDERATIONS

Deputies responding to explosions, whether accidental or a criminal act, should conduct a rapid assessment, relay information to dispatch, and should consider the following actions:

- (a) The exact location of the explosion and 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.

905.7.2 NOTIFICATIONS

When an explosion has occurred, the following people shall be notified as appropriate:

- DEM Dispatch if the incident is in San Francisco

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- Local fire department
- San Francisco Police Department EOD team and medical personnel
- Additional department personnel, such as investigators and forensic services
- Watch Commander or supervisor
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

905.7.3 CROWD CONTROL

Only authorized employees with a legitimate need shall be permitted access to the scene. Spectators and other unauthorized individuals shall be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

905.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps shall immediately be taken to preserve the scene. The Watch Commander should assign deputies 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.

905.8 INCIDENT CONCLUSION

At the conclusion of any bomb threat incident and when facility/building operations have safely resumed normal operations, the Watch Commander or designee shall:

- (a) Update the Division Chief, if previously notified and ensure Executive Command staff is notified.
- (b) Notify affected agencies.
- (c) Return and make ready all equipment at its original location.
- (d) Ensure an Incident Report and all other documentation has been completed covering the entire incident, and the report is approved and routed per policy.
- (e) Debrief employees, building manager, and those response partners at an appropriate time.

905.9 ATTACHMENTS

See attachment: [Bomb Threat.pdf](#)

Hostage and Barricade Incidents

906.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where deputies have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the deputies 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 deputies 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.

906.1.1 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 their will under threat or actual use of force.

906.2 POLICY

It is the policy of the San Francisco Sheriff's 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.

906.3 COMMUNICATION

When circumstances permit, initial responding deputies should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Deputies should attempt to identify 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 (Crisis Negotiation Team (CNT)) 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. Negotiators shall never grant a request for:

- (a) An escape from the location of a hostage or barricaded incident
- (b) Trade or addition of hostages

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- (c) Additional weapons or ammunition

906.3.1 EMERGENCY COMMUNICATIONS

Only a deputy 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, 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 deputy 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 deputy 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.

906.4 FIRST RESPONDER CONSIDERATIONS

First responding deputies 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 deputy should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding deputy shall assume the duties of the Incident Commander (if not established by the law enforcement agency of jurisdiction) until formally relieved by a supervisor, a deputy of higher rank, or a more qualified responder. The deputy shall continually evaluate the situation, including the level of risk to deputies, to the persons involved, to bystanders, and the resources currently available.

The handling deputy 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.

906.4.1 HOSTAGE OR BARRICADE SITUATION

Unless circumstances require otherwise, deputies handling a barricade or hostage 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. However, it is understood that these situations are dynamic and can require that deputies react quickly to developing or changing threats. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

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- (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 they attempt to exit the building, structure or vehicle, attack others, use deadly force, 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 an interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., ESU (Special Response Team and Crisis Negotiation Team (CNT)), canine team, etc.
- (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 safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, victims and their injuries, other involved parties, additional hazards and other relevant intelligence information.
- (j) Establish an inner and outer perimeter as circumstances require and resources 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) Notify the law enforcement agency of jurisdiction and the Department's command staff, Communications staff and the Public Information Officer (PIO), by contacting the Department 24 hour emergency notification number and request their assistance in completing the notification process.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (n) Establish a command post and activate the Incident Command System (ICS) (see the Emergency Management Plan Policy).

906.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting an Emergency Services Unit (ESU) response if appropriate and apprising the ESU Commander of the circumstances. In addition, the following options should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.

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- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit and activate ICS.
- (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.
- (h) Direct non-essential personnel away from the scene unless they have been called by the Incident Commander or DEM Dispatch.
- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated 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.

906.6 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling deputy at the scene is responsible for completion and/or coordination of Incident Reports.

906.7 ATTACHMENTS

See attachment: [Hostage Briefing Sheet.pdf](#)

Crisis Intervention Incidents

907.1 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 a deputy to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

907.1.1 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 their 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.

907.2 POLICY

The San Francisco Sheriff's 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.

907.3 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.

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907.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Sheriff's Department should 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.

Deputies who are notified by medical staff that an individual under their care with one of the below holds is attempting to leave or has left their assigned treatment area should detain and return the individual to the designated treatment area.

- (a) 5150, 5250 and 5276 Welfare and Institutions Code
- (b) Lanterman/Petris/Short (LPS) Temporary Conservatorship
- (c) Medical Probate or "Signed Application/Affidavit"
- (d) Public Guardian Conservatorship or "Signed Application/Affidavit"

907.5 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 deputies; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit a deputy's authority to use reasonable force when interacting with a person in crisis.

Deputies 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.

A deputy 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 deputies 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 their action or inaction, as perceived by the deputy.
- (f) Secure the scene and clear the immediate area as necessary.

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- (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, verbally de-escalate.

907.6 DE-ESCALATION

Deputies 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 deputies 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.

907.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the deputy should request that the dispatcher provide critical information if known or as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take their medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous law enforcement response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

907.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

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- (a) Attempt to secure appropriate and sufficient resources.
- (b) 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.
- (c) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

Evaluate whether a critical incident stress management debriefing for involved deputies is warranted.

907.9 INCIDENT REPORTING

Deputies 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.

Deputies having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to federal and state law, department reporting procedures, or other official mental health or medical proceedings.

907.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Mental Illness Detention Policy, if applicable.

907.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that they are interacting with a person in crisis, they 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 themselves or others, a deputy should be promptly summoned to provide assistance.

907.11 EVALUATION

The Division Commander designated by the Sheriff to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, deputies or incidents and will be submitted to the Sheriff through the chain of command.

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Crisis Intervention Incidents

907.12 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.

Evacuation Plan

908.1 PURPOSE AND SCOPE

The purpose of this policy is to provide evacuation strategies and to establish procedures, responsibilities, and training requirements for the staff of the San Francisco Sheriff's Department in case of an emergency evacuation in a building, jail facility, courthouse, hospital or clinic.

908.2 POLICY

The Sheriff shall ensure facility or buildings where there is a Department presence or under the control of the Department have an evacuation plan that can be implemented in the event a portion of any facility or building requires evacuating due to an emergency (e.g. fire, smoke, flood) (15 CCR 1032(d)). All Sheriff's employees should be knowledgeable about this policy and evacuation strategies and procedures of the facility or building in which they work.

908.3 EVACUATION STRATEGIES

In the event of a fire, natural disaster, human-caused event, or other emergency, an Incident Commander, building manager/engineer, Watch Commander, or other person of appropriate authority may declare an area, a floor, or an entire building be evacuated of all persons. With the exception of Sheriff's employees needed to contain the emergency and/or execute the evacuation of individuals from the area, floor or building, all others will be evacuated. At a minimum, evacuation planning and strategies shall address the following:

- Location of facility/building floor plans
- Removal of building employees, contractors, and the public (a minimum of 500 feet away from a building) to a designated assembly area
- Procedures on removing and moving incarcerated persons from secure locked areas
- Relocation areas to be used for hospital/clinic patients or securing/housing incarcerated persons in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for staff
- Reporting requirements

The Facility/Section/Unit Commanders shall ensure that this Evacuation Plan Policy and Procedures and the policy and procedures of Sheriff's facilities or buildings where Sheriff's work or provide contracted services, are reviewed and updated as needed and at least annually.

908.3.1 EXITS

All facility exits should be marked with signs that clearly indicate the direction of traffic.

Except for temporary reasons, such as maintenance or repairs, all building exits shall remain free from obstacles at all times regardless of the frequency of use. It is the duty of all staff to remove any obstructions that block, either partially or completely, a person's ability to observe or use any exit.

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908.3.2 EVACUATION ROUTES

Public evacuation routes will be posted in all public areas of a facility/building. Deputies will be familiar with their assigned facility/building evacuation routes for building employees, the public, patients, and incarcerated persons.

908.3.3 EMERGENCY HOUSING OF INCARCERATED PERSONS

The Department shall develop a plan on the emergency housing of incarcerated persons in the event of a full or partial evacuation of a jail facility. The plan will address when incarcerated persons should shelter in place, identification of alternate relocation facilities, and the potential capacity of those facilities, incarcerated person transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

Procedural link:

[Administration and Field Operations Procedure Manual: 903.1 EVACUATION PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 903.2 WATCH COMMANDER AND SUPERVISOR RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 903.2.1 RESPOND TO THE SCENE](#)

[Administration and Field Operations Procedure Manual: 903.2.2 IDENTIFY AND NOTIFY](#)

[Administration and Field Operations Procedure Manual: 903.2.3 EVACUATE BUILDING OCCUPANTS](#)

[Administration and Field Operations Procedure Manual: 903.3 DEPUTY RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 903.4 MOVING INCARCERATED PERSONS](#)

[Administration and Field Operations Procedure Manual: 903.5 EVACUATION TO A JAIL FACILITY FOR HOUSING](#)

[Administration and Field Operations Procedure Manual: 903.6 POST EVACUATION](#)

908.4 TRAINING DRILLS

Facility/Section/Unit Commanders should ensure that drills, exercises, and/or tabletop of facility/building evacuation procedures are conducted at least annually, or more often if required by code, on each shift and for all facility/building locations. Sheriff staff assigned to buildings will participate in drills, exercises, and/or tabletop with building employees. The local fire agency may be invited to participate in one or more drills annually. Nonviolent and compliant incarcerated persons may participate upon the approval of the Sheriff or designee. Violent and/or dangerous incarcerated persons or those known to be a flight risk will not be involved in the drills.

Drills should be designed to ensure all staff is proficient in their duties during each type of evacuation. Each drill should be documented as to its scope and participants.

Chapter 10 - Personnel

Recruitment and Selection

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 San Francisco Sheriff's Department and that are promulgated and maintained by the Department of Human Resources.

POLICY

In accordance with applicable federal, state and local law, the San Francisco Sheriff's 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/or any other classification or status protected by law.

RECRUITMENT

The Administration and Programs Division Commander shall 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 Administration and Programs Division Commander shall avoid advertising, recruiting and screening practices that tend to stereotype or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process and should periodically inform each candidate of their status in the recruiting process.

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:

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Recruitment and Selection

- (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) Lie detector test (when legally permissible) (Labor Code § 432.2)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

1000.4.1 VETERAN'S PREFERENCE

All rules and procedures regarding the department's eligibility list and the eligibility of a veteran or veteran's preference will be governed by the City and County of San Francisco.

BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify their 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 San Francisco Sheriff's Department (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953). At the post-conditional offer stage, background investigators must interact with screening psychologists, physicians and others as necessary, to ensure those involved in the hiring process have the information to conduct their respective assessments of the candidate.

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BACKGROUND INVESTIGATION UPDATE

A background investigation update may, at the discretion of the Sheriff, 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 San Francisco Sheriff's Department.

NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

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 (t)).

REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Sheriff's Department shall not require or request candidates to provide passwords, account information or access to password-protected social media accounts (Labor Code § 980).

The Administration and Programs Division Commander should 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.

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 reference the 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 not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file (11 CCR 1953).

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 Administration Division Commander for final review and submission to POST (11 CCR 1953).

RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule but for at least four years (Government Code § 12946; 11 CCR 1953).

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INVESTIGATOR TRAINING

Background investigators shall complete POST-certified background investigation training prior to conducting investigations of persons applying for a peace officer position (11 CCR 1953; 11 CCR 1959).

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.

EMPLOYMENT STANDARDS

Validated, 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 Department of Human Resources should maintain validated standards for all positions.

STANDARDS FOR DEPUTIES

All peace officer 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.

Candidates shall meet the minimum standards established by POST or required by state law including but not limited to (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

- (a) Free of any felony convictions

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- (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 background investigation (11 CCR 1953)
- (f) High school graduate, passed the GED or other high school equivalency test, or obtained a two-year, four-year, or advanced degree from an accredited or approved institution
- (g) Free from any physical, emotional, or mental condition, 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)).

1000.8 APPOINTMENT PROCESSING

The Personnel Unit will complete all appointment processing paperwork for new and promotional employees.

Employee Orientation

PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new employee orientation. The purpose of the orientation is to provide new employees with basic information about the Department, their assigned Facility, Section or Unit, Union and the environment in which they will be working. Orientation is not meant to supplant other basic training required by law, ordinance or regulations.

NEW EMPLOYEE ORIENTATION

Each new employee shall receive an orientation prior to assuming their duties. At a minimum, the orientation shall include:

- Working conditions
- Code of ethics
- Review of employee policies, rules, and regulations
- Employee rights and responsibilities
- Overview of the criminal justice system
- Tour of their assigned facility/building
- Facility/Section/Unit goals and objectives
- Department organization
- Specific assignment overview
- Union representation

EMPLOYEE ACKNOWLEDGEMENTS

Department personnel assigned to provide the new employee orientation will ensure each new employee is given copies of, or provide access to, work rules and regulations, department ethics, and any other department documents, for which the employee will be held accountable.

A staff member will collect a signature page from the employee, acknowledging receipt, review, and understanding of the documents. A copy of the signature page shall be retained in the employee's personnel file in accordance with established records retention schedules.

Evaluation of Employees

PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

At present, this policy does not apply to MSA members. MSA members seeking direction should click on the links below.

[See attachment: SFSD 03-01 Employee Rules and Regulations.pdf](#)

[See attachment: SFSD 03-06 Performance Appraisal.pdf](#)

[See attachment: SFSD 03-49 Work Rules.pdf](#)

POLICY

The San Francisco Sheriff's Department utilizes a performance evaluation report to measure performance and may be used as a factor in making personnel decisions that relate to civil service rules, promotions, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

Such standards, developed by usual work measurement procedure may be used to determine acceptable performance levels, prepare work schedules, and to measure the performance of each employee or group of employees. Employees who work at less than acceptable levels of performance may be subject to retraining, performance improvement plans, or disciplinary measures in accordance with the applicable Charter provisions and rules and regulations of the Civil Service Commission.

PROBATIONARY EMPLOYEES

Every entry-level employee and those promoted to a new rank or new Civil Service Classification are required to successfully complete the probationary period defined in their Collective Bargaining Agreement. Failure to complete probation subjects the employee to probation being extended, employment terminated, or losing their promotional rank.

- (a) Appraised on performance during probation.
- (b) Assessed on the level of performance required to complete probation.
- (c) Have documentation on successful or unsuccessful completion of probation.

All employees serving a probationary period who have taken time off may have the probationary period extended as provided in City and County of San Francisco Civil Service Rules. The Sheriff's Department Personnel Unit will calculate the period of time the probationary period is extended when applicable.

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PROBATIONARY EVALUATIONS FOR SUPERVISORS

In addition to the above (section 1001.4), a probationary employee performance evaluation for supervisory ranks of the Sheriff's Department shall be completed at least six months after permanent appointment to the promotional rank and 30 days prior to the end of probation.

Probationary employee evaluations are required when temporary or non-civil service appointments are made to promotional ranks. The evaluation shall be completed at six months, and again 30 days prior to the one-year anniversary date of appointment, and then annually (from the appointment date) thereafter, while in temporary or non-civil service appointment.

PROBATIONARY EVALUATIONS FOR DEPUTY SHERIFFS

In addition to the above (section 1001.4), Deputy Sheriffs who have not completed the Basic Academy shall:

- (a) Have the final Basic Academy employee performance evaluation serve as the first employee evaluation during probation.
- (b) Complete Core Class training.
- (c) Receive an employee evaluation, written by the Jail, Field or Court Training Coordinator, at the conclusion of the Jail, Field or Court Training Program (JTO, FTO or CTO). Have probationary employee evaluations completed after 10, 14 and 17 months of probation.

Deputy Sheriffs who have completed the Basic Academy prior to their date of hire shall:

- (a) Have an employee evaluation completed at six weeks from their hire date, if hired for more than six weeks prior to the start of Core Class training.
- (b) Complete Core Class training.
- (c) If hired within 6 weeks of the start of the Core Class training, receive an employee evaluation, written by the Jail, Field or Court Training Coordinator, at the conclusion of the Jail, Field or Court Training Program (JTO, FTO or CTO).
- (d) Have probationary employee evaluations completed after 10, 14 and 17 months of probation.

EVALUATION PROCESS

The Sheriff's Administration and Programs Division will notify the Facility/Section/Unit Commanders of employee evaluations that are due 60 days prior to the due date. The Commander shall assign the evaluation report to the appropriate supervisor under their chain of command. Employee evaluations, once written, will be reviewed by the Facility/Section/Unit Commander or above and forwarded to the Personnel Unit.

Employee evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's supervisor within the designated time frame given. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

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Evaluation of Employees

All supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

NON-PROBATIONARY EMPLOYEES

Non-probationary employees are subject to three kinds of performance evaluations:

Regular - An employee performance evaluation shall be completed once each year by the employee's supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an employee evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation shall be completed by the current supervisor with input from the previous supervisor.

PERFORMANCE IMPROVEMENT PLAN (PIP)

A Performance Improvement Plan (PIP) is a document addressing an employee's failure to meet Department performance standards and a plan for the employee to improve performance. A PIP is not a form of discipline.

- (a) The PIP provides training, accountability, responsibility, learning, and development in order to improve an employee's performance deficiencies. A PIP may be written for any employee at any time to assist the employee in meeting performance standards.
- (b) The supervisor and the employee will meet at the beginning of the PIP and will have continual meetings throughout the designated time period established for the PIP, in order to assess the employee's performance. Upon the conclusion of the Performance Improvement Plan designated time period, if the employee successfully achieves a "Meets Standards" performance evaluation rating, the Performance Improvement Plan will be deemed successfully completed and the PIP shall be discontinued,
 - 1. Successful completion of a PIP may be a condition of completing probation.
- (c) An employee who fails to meet established standards in the PIP within the designated time period may have the PIP extended for an additional specific period or may have the PIP terminated.

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- (d) An employee has the right to submit a written rebuttal within 30 days after receiving the Performance Improvement Plan. However, the submittal of the employee's written rebuttal will not delay the immediate implementation of the PIP.

RATINGS

When completing the employee performance evaluation, the rater will place a mark in the box in the row that best describes the employee's performance. The employee's use of sick leave and tardiness shall be used when rating attendance and punctuality. The definition of each rating category is as follows:

Exceptional - Actual performance well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary. Attendance is 0–12 hours of sick leave and punctuality is 2 consecutive years without a late slip, for an annual or promotional evaluation. For a probationary evaluation (entry level employee) attendance is zero sick hours, and punctuality is not applicable to this rating.

Exceeds Standards - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected but is not of such rare nature to warrant exceptional. Attendance is 12.01–48 hours of sick leave and punctuality is zero hours without a late slip, for an annual or promotional evaluation. For a probationary evaluation (entry-level employee), attendance is .01-12 hours of sick leave and punctuality is zero late slips.

Meets Standards - Is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position. Attendance is 48.01–96 hours of sick leave and punctuality is 1-3 late slips (or less than 3 hours), for an annual or promotional evaluation. For a probationary evaluation (entry-level employee) attendance is 12.01-16 hours of sick leave and punctuality is 1 late slip (or less than 3 hours).

Needs Improvement - Is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A needs improvement rating must be thoroughly discussed with the employee. Attendance is 96.01–144 hours of sick leave and punctuality is 4 late slips (or more than 3 hours), for an annual or promotional evaluation. For a probationary evaluation (entry-level employee) attendance is 16.01-24 hours of sick leave and punctuality is 2-3 late slips (or more than 3 hours).

Unacceptable - Performance is inferior to the standards required of the position. It is very inadequate or undesirable performance that cannot be tolerated. Attendance is more than 144 hours of sick leave and punctuality is any late slip following a counseling, for an annual or promotional evaluation. For a probationary evaluation (entry-level employee) attendance is more than 24 hours of sick leave and punctuality is any late slip following a counseling. Unacceptable performance shall be the basis for disciplinary action up to and including termination.

Space for written comments is provided at the end of the evaluation in the rater narrative section. Comments may also be entered in a separate document that is attached to the evaluation. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for

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improvement. Any rating under any job dimension marked unacceptable, needs improvement, exceeds standards or exceptional shall be substantiated in the rater narrative section.

SICK LEAVE AND PUNCTUALITY

- (a) All use of sick leave with or without medical verification shall be counted towards the overall rating, with the exception of the following:
 - 1. Sick leave use pursuant to an authorized leave.
 - 2. Sick leave use due to bereavement leave.
- (b) For a probationary Deputy Sheriff the total use of sick leave is cumulative throughout the eighteen months of probation.

EVALUATION REVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just-completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions, and training opportunities. The supervisor and employee will sign and date the evaluation.

Non-probationary employees, who do not agree with a portion or the entire evaluation report, may submit a written rebuttal within 30 calendar days of the evaluation to the supervisor who wrote the evaluation, who will then submit the rebuttal, with a copy of the rebuttal, to the Division/Facility/Section/Unit Commander.

EVALUATION DISTRIBUTION

After the supervisor finishes the review with the employee, the signed performance evaluation is forwarded to the Facility/Section/Unit Commander. If the evaluation was written by the Facility/Section/Unit Commander, the report shall be forwarded to the Division Commander. Commanders shall review evaluations for fairness, impartiality, uniformity, and consistency. The original performance evaluation shall be maintained in the employee's personnel file in the office of the Sheriff for the tenure of the employee's employment. A copy will be given to the employee.

ATTACHMENTS

See attachment: [Employee Evaluation - Template.xls](#)

Employee Grievance

PURPOSE AND SCOPE

To establish guidelines for receiving and resolving members grievances per current collective bargaining agreements. The Department actively promotes open communication between members, supervisors and the Department.

1003.1.1 GRIEVANCE

Grievances may be brought by an affected employee or by a bargaining unit representative. All grievances will be accepted and handled promptly and fairly and in accordance with the applicable Collective Bargaining Agreement. At no time will punitive or retaliatory action be taken against a member for exercising their rights during, after or in relation to the grievance procedure.

GRIEVANCE AUDITS

The Undersheriff shall coordinate a bi-annual audit, conducted by Division Chiefs, of all filed grievances to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The report shall record these findings in a confidential memorandum to the Undersheriff without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to both policy manuals, the Division Chief Deputy shall promptly notify the Undersheriff.

GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Administration and Programs Division for inclusion into a secure file for all written grievances.

Anti-Retaliation

PURPOSE AND SCOPE

This policy prohibits retaliation against members who formally identify and report 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, City and County of San Francisco ordinance or memorandum of understanding.

POLICY

The San Francisco Sheriff's 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 (see Personnel Complaints Policy).

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, either verbally or written, about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because they have engaged in protected activity.

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COMPLAINTS OF RETALIATION

Any member who feels they have been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Sheriff or the City and County of San Francisco Department of Human Resources.

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.

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, explaining to the member how the complaint will be handled, and forwarding it to the appropriate entity.
- (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) The supervisor designated as the Anti-Harassment Coordinator should periodically 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.

[Administration and Field Operations Procedure Manual: 1004.1 COMPLAINT PROCESSING PROCEDURE](#)

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COMMAND STAFF RESPONSIBILITIES

The Sheriff 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.

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.
- (e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Internal Affairs 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).

RECORDS RETENTION AND RELEASE

Documentation of investigations is maintained in accordance with the established records retention schedules.

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TRAINING

The Department recognizes its responsibility to provide continuing education and training to all members in preventing retaliation (see Discrimination and Harassment Policy).

Mandated Reporting of Convictions and Court Orders

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.

The Administration and Programs Chief Deputy shall submit within 10 days a notice to the Commission on Peace Officer Standards and Training (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).

The Administration and Programs Chief Deputy shall submit within 10 days a notice to POST of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

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.

All allegations of domestic violence by Department employees shall be thoroughly and objectively investigated.

Applicants seeking peace officer employment with the Department, who have been convicted of an offense originating from domestic violence or a domestic violence-related offense, shall not be considered for employment.

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.

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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.

REPORTING GUIDELINES

All members of this department and all retired employees with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Sheriff in the case of retired employees) 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 employees with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Sheriff in the case of retired employees) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing their duties may be disciplined or have other administrative actions taken. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on their own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the member's own resources and on the member's own time.

Pending satisfactory proof of relief from any legal restriction imposed on a member'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.

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Mandated Reporting of Convictions and Court Orders

Procedural link:

[Administration and Field Operations Procedure Manual: 1005.1 EMPLOYEE INVOLVED DOMESTIC VIOLENCE PROCEDURES](#)

Drug- and Alcohol-Free Workplace

1006.1 IN PROCESS

This policy is still in process.

Employees seeking direction should refer to the appropriate sections of the file(s) listed below:

[See attachment: SFSD 03-01 Employee Rules and Regulations.pdf](#)

[See attachment: SFSD 03-04 Substance Abuse.pdf](#)

Sick Leave

1007.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure consistency with the administration of sick leave throughout the Sheriff's Department and is intended to ensure compliance with applicable leave laws, including the Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), Americans with Disabilities Act (ADA), Pregnancy Disability Leave (PDL) Law, California's Labor Code section 233, the Healthy Workplace, Healthy Families Act, any other leave-related laws, and City and County of San Francisco Civil Service Commission Rules (CSCR).

The Department shall permit an employee to use sick leave when necessary to recover from illness or injury, or as required to comply with the laws delineated in the preceding paragraph, or for taking time off for medical, dental, and vision appointments to the extent that such appointments cannot be scheduled outside the workday.

At present, this policy does not apply to MSA members. MSA members seeking direction should click on the link below:

[See attachment: SFSD 03-11 Sick Leave with Pay.PDF](#)

1007.4 ATTACHMENTS

[See attachment: On-duty Illness Report.pdf](#)

GENERAL PROVISIONS

This policy supersedes all previous policies or directives regarding sick leave use with or without pay. Additional rules may be included in Collective Bargaining Agreements.

- (a) An employee who is unable to report to duty shall call into the assigned Facility/Section/Unit supervisor at least one hour prior to their reporting time, each day to report a sick leave absence unless approved for a continuous medical leave.
 1. Unless the onset of illness or injury occurred less than one hour prior to their reporting time at which time notice will occur immediately.
- (b) An employee should provide advance notice when the employee's use of sick leave, including the care of family members, is foreseeable.
- (c) Employee sick leave use is monitored by the Department for each employee and evaluated at regular intervals or in cases of suspected sick leave abuse.
- (d) For any sick leave absence of more than five work consecutive days, an employee shall submit medical verification upon returning to work for the sick leave to be excused. An employee who does not to provide medical verification confirming an appropriate use of sick leave may be subject to discipline.
- (e) Employees accrue and will be compensated for sick leave according to Civil Service rules and contractual agreements.
- (f) A probationary employee using sick leave will have the employee's probation extended by the amount of sick leave used in accordance with Civil Service rules.

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- (g) Use of sick leave shall be calculated by actual time used.
- (h) Medical verification is when an authorized healthcare provider provides a signed (physical or electronically) medical verification form or note. An authorized healthcare provider is defined under the Family and Medical Leave Act (FMLA).
- (i) Sick leave use with medical clearance for return to work does not preclude the Department from pursuing a fitness for duty assessment to ensure an employee is medically and/or psychologically fit to remain in a work assignment. The Department will follow CSCR and applicable state and federal law to ensure that fitness for duty assessments are based on reasonable concerns about an employee's ability to perform essential job functions or concerns about employee and/or public safety.

Procedural link:

[Administration and Field Operations Procedure Manual: 1000.1 SICK LEAVE REPORTING \(5 DAYS OR LESS\)](#)

[Administration and Field Operations Procedure Manual: 1000.2 SICK LEAVE EXTENDING/SHORTENING](#)

[Administration and Field Operations Procedure Manual: 1000.3 SICK LEAVE REQUEST \(OVER 5 DAYS\)](#)

[Administration and Field Operations Procedure Manual: 1000.4 SICK LEAVE REQUEST SUPERVISOR RESPONSIBILITY](#)

SICK LEAVE AND BEREAVEMENT

- (a) Bereavement leave is an absence because of the death of the employee's spouse or domestic partner, parents, step-parents, grandparents, parents-in-law or parents of a domestic partner, sibling, child, step-child, adopted child, a child for whom the employee has parenting responsibilities (to include but not limited to foster parent), aunt or uncle, legal guardian, or any person who is permanently residing in the household of the employee. Such leave shall not exceed three working days and shall be taken within 30 calendar days after the date of death; however, two additional working days shall be granted in conjunction with the bereavement leave if travel outside the State of California is required as a result of the death.
- (b) For absence because of the death of any other person to whom the employee may be reasonably deemed to owe respect, leave shall be for not more than one working day; however, two additional working days shall be granted if travel outside the State of California is required as a result of the person's death.
- (c) Use of bereavement leave will not be considered when reviewing sick leave records for sick leave abuse or other violations of this policy.

HOLIDAY AND SICK LEAVE

An employee eligible to receive holiday pay on a recognized holiday occurring while the employee is on sick leave from regular day off to regular day off shall be counted as a holiday and shall not be charged against accrued sick leave benefits.

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SICK FAMILY CARE (KIN CARE)

An employee may use up to one half of the employee's annual accrual of sick leave to attend to the health needs of the employee's family.

The Department shall not deny an employee the right to use sick leave or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using, or attempting to exercise the right to use, sick leave to attend to an illness or the preventive care of a family member.

APPROVED LEAVE OF ABSENCE (INCLUDING FMLA/CFRA/PDL)

If an employee is on an approved medical, family care, pregnancy disability, or parental leave of absence, the employee can use any of the employee's available sick leave accruals along with other leave accruals.

SICK LEAVE WITHOUT PAY

An employee may use sick leave without pay when the employee does not have any accrued sick leave.

- (a) Subject to the provisions of this section, sick leave without pay may be granted to an employee who is not eligible for sick leave with pay, or, subject to the approval of the Sheriff or designee and consistent with state and federal laws providing medical leave, an employee may choose not to use accrued sick leave.
- (b) Sick leave without pay may be approved for a permanent employee for the period of the illness provided that such leave shall not be extended beyond a period of one continuous year unless there is a reasonable probability that additional leave will enable the employee to return to employment within a reasonable time.
- (c) A temporary employee may be granted sick leave without pay for a period of up to 90 consecutive calendar days.
 - 1. A temporary employee who is on sick leave without pay status must renew the employee's application for sick leave without pay every 30 days.
 - 2. However, if the temporary employee is on sick leave without pay status for parental leave, the total length of time the temporary employee may be on sick leave without pay is regulated by local, state and federal laws providing leave for pregnancy-related disability and family medical leave for child bonding.
- (d) Sick leave without pay, taken in compliance with these procedures, does not constitute a break in service.

SICK LEAVE VIOLATIONS

Prior to placing an employee on sick leave violation status, the Department Personnel Unit shall review all suspected excessive or abusive usage of sick leave on a case-by-case basis to ensure compliance with state and federal leave laws.

- (a) An employee who utilizes sick leave for purposes other than FMLA, CFRA, and Pregnancy Disability Leave (PDL) may be placed on sick leave verification status if one or more of the following occurs:

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1. The use of sick leave for more than five consecutive workdays without medical verification.
2. Absent medical verification, the use of sick leave more than four days before and/or after an employee's RDO within the employee's 12-month evaluation period.
3. Absent medical verification, the use of sick leave for time off that the employee requested to use personal time and was denied.
4. Absent medical verification, the use of sick leave on a holiday, the day proceeding, or the day following the holiday during the employee's 12-month evaluation period. Holiday is defined as a recognized holiday in the respective memorandum of understandings.
5. Absent medical verification, if an employee uses more than 96 hours of sick leave in a 12-month evaluation period that is not covered by FMLA, CFRA, PDL, Kin Care, or other approved leave.
6. Absent medical verification, an employee who uses on-duty illness for the employee's own illness twice in a 12-month evaluation period after receiving notice of a draft.
7. Absent medical verification, the use of sick leave on a day that the employee was assigned to attend training within the annual training cycle.
 - (a) The Training Unit is responsible for notifying the supervisor of the Facility/Section/Unit to which the employee is assigned.
8. Absent medical verification, the use of sick leave during an Extended Work Week more than once within a 12 month period.
9. Absent medical verification, the use of sick leave for four partial working shifts within the employee's 12 month evaluation period.
10. Failure to submit medical verification, when required, within three of the employee's consecutive scheduled work shifts after returning to work.
11. Absent medical verification, the use of sick leave more than four days directly before and/or after a work substitution within the employee's 12 month evaluation period.

Communicable Diseases

PURPOSE AND SCOPE

To provide guidelines for the Sheriff's Department to assist in minimizing the risk of employees contracting and/or spreading communicable diseases. The policy offers direction in achieving the following goals:

- (a) Managing the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD) and other potentially infectious substances in order to prevent infection as well as prevent transmission.
- (b) Making decisions concerning the selection, use, maintenance, limitations, storage and disposal of personal protective equipment (PPE).
- (c) Ensuring proper reporting to local, state and federal agencies.
- (d) Providing appropriate treatment, counseling and confidentiality should an employee become exposed to a communicable disease.
- (e) Protecting the privacy rights of all personnel who may be exposed to or contract a communicable disease during the course of their duties.

DEFINITIONS

Definitions related to this policy include:

Aerosol transmissible disease (ATD) - A disease or pathogen for which droplet (whooping cough, influenza, streptococcus) or airborne (measles, chickenpox, tuberculosis) precautions are required.

Aerosol transmissible disease (ATD) exposure - Any event in which all of the following has occurred:

- An employee has been exposed to an individual who has or is suspected to have an ATD, or the employee is working in an area or with equipment that is reasonably expected to contain aerosol transmissible pathogens associated with an ATD.
- The exposure occurred without the benefit of applicable exposure controls required by this section.
- It reasonably appears from the circumstances of the exposure that transmission of disease is likely sufficient to require medical evaluation.

Airborne precautions - Include the use of an Airborne Infection Isolation Room (AIIR) that meets the American Institute of Architects/Facility Guidelines Institute (AIA/FGI) standards for AIIRs, for infectious agents such as measles, chickenpox, tuberculosis, etc., in addition to medical personnel wearing masks or respirators.

Bloodborne pathogens (BBP) - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

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Bloodborne pathogen exposure - Includes, but is not limited to, the contact of blood or other potentially infectious materials with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts, abrasions or any contact with blood or body fluids that is synonymous with bloodborne pathogen exposure as defined by the federal Centers for Disease Control and Prevention (CDC).

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.

Ectoparasitic infections - Parasites that live on the skin, such as lice (pediculosis) and scabies (sarcoptic mange). Both infections are communicable and may lead to secondary infections.

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 an employee's position at the San Francisco Sheriff's Department.

HBV - Hepatitis B

HIV - Human Immunodeficiency Virus

NIOSH - National Institute for Occupational Safety and Health

Nosocomial - Acquired during hospitalization. Nosocomial infections are infections that present 48 to 72 hours after admission to a hospital.

OSHA - Occupational Health and Safety Administration

Personal protective equipment (PPE) - Respiratory equipment, garments, gloves and other barrier materials designed to reduce employee exposure to hazards.

Source control measures - The use of procedures, engineering controls and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD.

Standard precautions - Infection control practices used to prevent the transmission of disease that can be acquired by contact with blood, bodily fluids, non-intact skin (including rashes) and mucous membranes.

Transmission-based precautions – A set of precautions used when an individual is known or suspected to have a condition that poses risk of transmission in the event of contact with the individual, their body fluids or their environment despite adherence to standard precautions. These precautions include contact precautions, droplet precautions and airborne precautions.

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Universal precautions - A set of precautions designed to prevent transmission of HIV, HBV, and other bloodborne pathogens by providing protection from blood and certain other body fluids when providing first aid or health care.

POLICY

To maintain an effective program that focuses on the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment, follow-up and proper reporting to local, state and federal agencies of communicable diseases. The San Francisco Sheriff's Department is committed to providing a safe work environment for its employees. Employees should be aware that they are active partners in their own health and safety.

STANDARD PRECAUTIONS

Employees are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. Standard precautions shall be used by employees and health care practitioners to minimize the risk of exposure to blood and bodily fluids of infected individuals.

- Washing hands with soap and water or using hand sanitizer, or wipes.
- Handling all blood and bodily fluids such as saliva, urine, semen and vaginal secretions as if they are known to be infectious. Where it is not possible to distinguish between body fluid types, all body fluids are to be assumed infectious.
- Wearing disposable gloves for potential contact with blood and other bodily fluids.
- Placing used syringes immediately in an impermeable container. Do not recap or manipulate any needle in any way.
- Wearing protective eyewear and a mask if splatter with blood or other body fluids is possible.
- Handling all linen soiled with blood and/or bodily secretions as infectious.
- Processing all laboratory specimens as infectious.
- As appropriate, wearing a mask for TB and other ATDs.

In addition, employees should:

- (a) Carry disposable gloves and a department-issued CPR pocket mask while on duty. Staff should also have other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wear department-approved disposable gloves when in contact with blood, other potentially infectious materials, mucous membranes and non-intact skin as can be reasonably anticipated.
- (c) Wash hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treat all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

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- (e) Use an appropriate barrier device (one-way valve) when providing CPR.
- (f) Use a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminate 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) Handle 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) Dispose of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

TRANSMISSION-BASED PRECAUTIONS

Transmission-based precautions may be needed in addition to universal precautions for selected patients who are known or suspected to harbor certain infections. These precautions are divided into three categories that reflect the differences in the way infections are transmitted. Some diseases may require more than one category.

- (a) Airborne precautions are designed to prevent the spread of ATDs, which are transmitted by minute particles called droplet nuclei or contaminated dust particles. These particles, because of their size, can remain suspended in the air for long periods of time, even after the infected person has left the room. Some examples of diseases requiring airborne precautions are TB, measles and chicken pox.
- (b) Droplet precautions are designed to prevent the spread of organisms that travel on particles much larger than the droplet nuclei. These particles do not spend much time suspended in the air, and usually do not travel beyond a few feet of the person. These particles are produced when a person coughs, talks, or sneezes. Examples of disease requiring droplet precautions are meningococcal meningitis, influenza, mumps and German measles (rubella).
 - 1. All staff should wear masks within 3 feet of the person. Movement should be restricted to the minimum necessary for effective facility operations. The person should wear a mask during movement.
- (c) Contact precautions are designed to prevent the spread of organisms from an infected person through direct (touching the person) or indirect (touching surfaces or objects the person touched) contact. Examples of persons who might be placed in contact precautions are those infected with the following:
 - 1. Antibiotic-resistant bacteria
 - 2. Hepatitis A
 - 3. Scabies

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4. Impetigo
5. Lice

EMPLOYEE EXPOSURE CONTROL

All staff that may come in contact with another person's blood or bodily fluids shall follow these procedures and guidelines. For the purposes of this policy, contact with blood or bodily fluids is synonymous with BBP exposure.

All employees shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated. Disposable gloves shall be worn, if reasonably possible, before making physical contact with any person and when handling the personal belongings of a person.

Should gloves come in contact with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books and personal items in general) while wearing disposable gloves in a potentially contaminated environment. All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying or otherwise generating droplets of those materials.

IMMUNIZATIONS

All Sheriff's employees who perform tasks that may result in exposure to blood or other body fluids will be offered the Hepatitis B vaccination.

- (a) The vaccination process will begin with the pre-employment medical examination at no cost to the employee.
- (b) The additional shots needed to complete the vaccination cycle will be provided by CMOSH.
- (c) Booster shots will be provided at no cost to the employee when the employee provides medical test results indicating the need for a booster shot.
- (d) CMOSH is responsible for maintaining Hepatitis B vaccination records for Sheriff's employees.

Employees will be offered a TB skin test prior to job assignment and annually thereafter, at no cost to the employee. Employees who are skin test positive for TB will be offered an X-ray once a year.

The HBV immunization shall be available to all employees who have direct contact and who test negative for HBV antibodies. The immunization is voluntary and provided at no cost to the employee. Employees who decline the offer of immunization and/or test shall be required to sign a waiver. Employees receiving immunization and testing shall be required to sign a consent form. Employees may reverse their decision to decline at any time by signing a consent form.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

The PPE is the last line of defense against communicable disease. Therefore, the following equipment is provided to all personnel to assist in the protection against such exposures:

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- Disposable gloves
- Safety glasses or goggles
- Pocket mask with a one-way valve
- Alcohol (or similar substance) to flush skin

The PPE should be inspected at the start of each shift and replaced immediately after each use and when it becomes damaged.

DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT

After using any reusable PPE, it shall be washed or disinfected and stored appropriately.

Any PPE that becomes punctured, torn or loses its integrity shall be removed as soon as reasonably feasible. The employee shall wash up and replace the PPE if the job has not been terminated. If the situation resulted in a contaminated non-intact skin event, the affected area shall be decontaminated as described below.

A contaminated reusable PPE that must be transported prior to cleaning shall be placed into a biohazard waste bag. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container. The gloves shall be included with the waste.

DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel should wash their hands as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or body fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of their body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as reasonably possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required. All hand, skin and mucous-membrane washing that takes place shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms or other locations not designated as a cleaning or decontamination area.

DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as reasonably feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as reasonably possible.

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If the clothing must be dry-cleaned place it into a biohazard waste bag. Ensure the dry cleaner is capable of cleaning contaminated clothing, and shall inform the dry cleaner of the potential contamination. The cost of dry cleaning shall be paid according to labor contract agreements.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced. The cost of replacement shall be paid according to labor contract agreements.

DECONTAMINATION OF VEHICLES AND EQUIPMENT

Contaminated vehicles and components such as the seats, radios and doors, shall be washed with soap and warm water and disinfected with an approved germicide as soon as reasonably feasible. Equipment items should be cleaned in a manner recommended by the manufacturer. A bleach and water solution of ¼ cup of bleach to a gallon of water is sufficient to decontaminate equipment items. Don't use this solution on rubberized items. Dispose of cleaning materials properly.

DECONTAMINATION OF THE CLEANING AREA

The Department shall designate a location in the facility that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics and consumption of food and drink are prohibited in this area at all times.

SHARPS AND ITEMS THAT CUT OR PUNCTURE

All personnel shall avoid using or holding sharps (needles) unless they are assisting medical personnel or collecting them for evidence. Unless required for reasons related to evidence preservation, employees are not to recap sharps. Disposal, when possible, shall be into a puncture-proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors and knives) shall be treated cautiously to avoid cutting, stabbing or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other body fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be touched, protective gloves shall be worn. Sharp objects should be secured in puncture-resistant containers whenever possible. If sharp objects are collected for evidence, wrap the object in paper or cloth and place it in an envelope clearly marked as containing a sharp object.

POST EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS

In actual or suspected employee exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the employees.

EMPLOYEE RESPONSIBILITY TO REPORTING EXPOSURE

To provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and should submit a written exposure report,

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detailing all the facts leading to the exposure within 24 hours following the exposure or suspected exposure. The report shall include: type of body fluid exposed to; name of the source, if known; and what type of personal protective equipment was used. The report shall be submitted to the employee's on duty supervisor who will review the report to ensure all relevant information has been provided. Employees should document in the exposure report whether they would like the person who was the source of the exposure to be tested for communicable diseases (15 CCR 1206.5(b)(8)).

SUPERVISOR REPORTING REQUIREMENTS

Supervisors shall give an employee that is suspected to have or has been exposed the NeedleStick Hotline contact information (888-448-4911). The supervisor on-duty shall investigate every 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 employee identification number of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Current location of material or person
- (f) Work being done during exposure
- (g) How the incident occurred or was caused
- (h) PPE in use at the time of the incident
- (i) Actions taken post-event (e.g., clean-up, notifications)

The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply.

MEDICAL CONSULTATION, EVALUATION AND TREATMENT

The Watch Commander will refer any employee who was exposed or who suspects they were exposed to the Employee Occupational Health Services Provider or to their personal physician, if the employee has a waiver on file, to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

- (a) If the source of the exposure is known, the on-duty supervisor will check with JHS to determine if any communicable disease information is known and if it was related to an incarcerated person exposure. If the information is known, it will be provided to the employee in order to inform their health provider.
- (b) The employee will take a copy of the report to the health provider.
- (c) The on-duty supervisor will ensure all Worker's Compensation forms are completed as required.

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- (d) The health provider shall provide the employee with a medical evaluation by a physician.

The doctor or qualified health care professional should be given the supervisor's report and the employee's medical records relevant to the visit and examination. The blood of the exposed employee shall be tested.

The qualified health care professional will provide the Department with a written opinion/evaluation of the exposed employee's medical condition within 15 days of the medical evaluation, and the department shall provide a copy to the employee. This opinion should only contain the following information:

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.
- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition that could result from the exposure incident and whether further treatment or evaluation will be required.
- Whether communicable disease testing from the source is warranted, and if so, which diseases the testing should include.

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

POST EXPOSURE COUNSELING

The Department shall provide the exposed employee, and their family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

CONFIDENTIALITY OF REPORTS

Most of the information involved in this process must remain confidential. The SFSD shall ensure that all records and reports are kept in the strictest confidence. The SFSD shall be responsible for maintaining records containing the employee's treatment status and the results of examinations, medical testing and follow-up procedures.

The Department shall be responsible for keeping the name and Social Security number of the employee and copies of any information provided to the consulting health care professional on file.

This information is confidential and shall not be disclosed to anyone without the employee'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 (15 CCR 1206.5(b)(5)).

SOURCE TESTING

Testing of a person who was the source of an exposure to a communicable disease should be sought when it is desired by the exposed employee or when it is otherwise appropriate.

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There are five methods to obtain such testing. It is the responsibility of the SFSD to ensure the proper testing and reporting occurs. These methods are:

- (a) Obtaining voluntary consent from any person who may be the source of an exposure to test for any communicable disease.
- (b) Filing a report with the Responsible Physician and the county health officer when an employee is exposed to the bodily fluids of an arrestee. The county health officer may pursue testing for HIV or hepatitis B or C.
- (c) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing if consent is not given. If the exposure incident resulted from an act that is chargeable as a criminal offense, the report shall be submitted to the Facility Commander, with a request for criminal charges to be filed, and a court order to be sought for mandatory testing pursuant to Health and Safety Code § 121060.
- (d) 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).
- (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).
- (f) 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).

EXPOSURE FROM A NON-INCARCERATED

Upon notification of an employee's exposure to a non-incarcerated (e.g., visitor, attorney, volunteer, vendor) the Department should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is provided, the following steps should be taken:

- (a) A qualified health care professional should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or their authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the qualified health care professional deems appropriate.
- (b) The voluntary informed consent obtained by the qualified health care professional must be in writing and include consent for three specimens of blood. The ECO should document the consent as a supplement to the Exposure Control Report.
- (c) The results of the tests should be made available to the source and the exposed employee.

If consent is not obtained, the department should promptly consult with the Sheriff's Legal Counsel and City Attorney and consider requesting that a court order be sought for appropriate testing.

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EXPOSURE FROM A PERSON

If the JHS and the Department receives notification from an employee of a potential exposure from a person, they should take the following steps:

- (a) Seek consent from the person who was the source of the exposure and seek a court order, if consent is refused.
- (b) Take reasonable steps to immediately contact the Responsible Physician and/or 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.
- (c) Remain in contact with the county health officer to determine whether testing of the person will occur and whether the testing satisfies the medical needs of the employee.
- (d) The results of the tests should be made available to the person and the treating physician of the exposed employee in order to initiate a treatment plan if needed.

Since there is potential for overlap between the two statutory schemes, the ECO is responsible for coordinating the testing with the county health officer to prevent unnecessary or duplicate testing.

If the exposed employee is not covered by either statutory scheme, the ECO should seek consent or a court order in the same manner as for a non-incarcerated person.

Smoking and Tobacco Use

PURPOSE AND SCOPE

To establish limitations on smoking and the use of tobacco products by members and others while on-duty or while in facilities, offices or vehicles under the jurisdiction of the San Francisco Sheriff's Department. 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.

POLICY

The San Francisco Sheriff's Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore, smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings, and vehicles under the jurisdiction of the Sheriff's Department, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

SMOKING AND TOBACCO USE

Smoking, vaping, and tobacco use by members is prohibited any time members are in public view representing the San Francisco Sheriff's Department. It shall be the responsibility of each member to ensure that no person under their supervision smokes or uses any tobacco product inside City and County facilities and vehicles. Uniformed employees shall not smoke or chew gum or tobacco in public places while on duty.

An employee may use tobacco products or electronic vaporizers on breaks outside of facilities or offices under the jurisdiction of the Department. Employees shall not use tobacco products or vaporizers in public while wearing an uncovered Department uniform or displaying Department identification.

ADDITIONAL PROHIBITIONS

No person shall smoke 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 Sheriff or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).

Personnel Complaints

PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of administrative complaints regarding the conduct of employees of the San Francisco Sheriff's Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of an employee in the normal course of duty, by a supervisor or any other employee, nor shall this policy apply to a criminal investigation.

POLICY

The San Francisco Sheriff's Department takes seriously all complaints regarding the service provided by the Department and the conduct of its employees.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this Department to ensure that any individual can report alleged misconduct without concern for reprisal or retaliation.

The Internal Affairs Unit (IAU) is the administrative investigative unit of the Department and will conduct investigations as directed by the Sheriff. IAU will provide the Administration with all necessary information in order to make appropriate decisions.

INVESTIGATIVE AGENCIES

IAU shall not coordinate any investigation with CIU. At the Sheriff's direction, IAU may coordinate with other qualified investigative outside agencies to conduct administrative investigations of serious allegations against employees of the San Francisco Sheriff's Department. Cases may include, but are not limited to:

- (a) A death in custody.
- (b) Serious complaints from the public, a law enforcement agency or another government agency.
- (c) Complaints from any incarcerated person involving serious allegations of excessive force, sexual assault by an employee, or a pattern or practice of harassment or retaliation.
- (d) Discharge of a firearm except during department-approved training.

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, by incarcerated individuals and 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

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considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Division/Facility/Section/Unit Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused employee. Informal investigations are inquiries that may be handled by the IAU or at the Facility/Section/Unit and are not deemed to be formal IAU investigations. The purpose of such inquiries are:

- (a) To handle relatively minor matters in the most expeditious manner.
- (b) To protect employees from personnel records that contain complaints that are insignificant, minor, frivolous, or unfounded.
- (c) To permit the broadest possible range of department responses to complaints and/or problems.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints shall be referred to the IAU. Formal investigations:

- (a) Have been authorized only by the Undersheriff or Sheriff
- (b) Have been assigned a case number
- (c) Have been conducted by an investigator of the IAU or other qualified investigative agency
- (d) Results are in a formal finding and disposition
- (e) Require the department's adherence to the Public Safety Officers Procedural Bill of Rights Act (POBR)

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 IAU Commander, such matters shall be discussed with the Undersheriff to determine if the seriousness of the complaint requires further investigation.

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 or mail, in person, by telephone or anonymously.
- (b) A Department employee becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from a 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 sufficient information is provided.

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- (e) An incarcerated person may submit a Grievance directly to the: Facility Commander; Custody Operations Division Chief Deputy; Undersheriff; Internal Affairs Unit; or Prisoner Legal Services (PLS) (see the Incarcerated Grievance Policy).
- (f) The San Francisco Controller's Office accepts "Whistleblower" Complaints about the alleged misconduct of employees, which are referred to the Sheriff's Department for investigation and resolution.
- (g) Tort claims and lawsuits may generate a personnel complaint.

AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of Sheriff's facilities and will be accessible through the Department website. Forms may also be available at other City and County facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practical.

ACCEPTANCE AND REPORTING

All complaints will be accepted by any employee and promptly given to their supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving employee shall obtain contact information sufficient for the supervisor or IAU to contact the complainant. The supervisor, upon contact by the complainant, shall resolve the complaint if possible or forward it, through the chain of command, to the IAU for further investigation.

All complaints will be forwarded to the Undersheriff and notice given to the appropriate chain of command, or the IAU within 24 hours. All complaints received by IAU will be submitted to the Undersheriff for administrative review and instructions at the earliest practical time. IAU investigators shall be notified immediately of a complaint or of information involving:

- (a) Criminal acts (escape, assault, etc.)
- (b) Discharge of a firearm by an employee (other than authorized training or as allowed for private citizens by law).
- (c) Employee misconduct which might reasonably necessitate the immediate reassignment and/or administrative leave of an employee pending the outcome of an investigation, such as: being under the influence of drugs or alcohol on duty; arrest/detention by a law enforcement agency; presenting a danger to self or others; assaults; an incident of excessive force or brutality, or one that would leave the employee open to claims of retaliation due to proximity to the complainant.

Some complaints of serious misconduct must be reported to the Peace Officers Standards and Training Commission (POST) within 10 days of the Department being made aware of same (Penal Code § 13510.8 and 9). Those include:

- Dishonesty, including tampering with, falsifying, destroying, or concealing evidence, and tampering with data recorded by a BWC or other device.

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- Intimidating witnesses, knowingly obtaining a false confession, or knowingly making a false arrest.
- Excessive or unreasonable force.
- Sexual assault.
- Demonstrating bias on the basis of any legally protected status.
- Egregious or repeated violations of any law inconsistent with a peace officer's duties.
- Participation in a "law enforcement gang."
- Failure to cooperate with an investigation into potential police misconduct.
- Failure to intercede when present and observing another officer using force that is clearly beyond that which is necessary.

The Sheriff, Undersheriff or Assistant Sheriff will notify the Criminal Investigations Unit (CIU) investigators of a complaint or of information involving criminal acts. 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 their statement at the time it is filed with the Department.

AVAILABILITY OF WRITTEN PROCEDURES

The Department shall make available to the public a written description of the investigation procedures for complaints.

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 a deputy 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).

ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the employee'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 Sheriff or Undersheriff may direct that another supervisor, IAU or other qualified investigative agency conduct the investigation.

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:

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- (a) Ensure that upon receiving or initiating a formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Division/Facility/Section/Unit Commander of the accused employee, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the employee's Division/Facility/Section/Unit Commander who will initiate appropriate action, which may include contacting IAU.
- (b) Respond to all complainants in a courteous and professional manner.
- (c) Resolve those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Division/Facility/Section/Unit Commander.
- (d) Ensure that upon receipt of a complaint involving allegations of a potentially serious nature, the Division/Facility/Section/Unit Commander and the Undersheriff are notified via the chain of command as soon as practical.
- (e) Promptly contact the Sheriff's Department EEO Coordinator, the Department of Human Resources and the Division/Facility/Section/Unit 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) Forward unresolved personnel complaints to the Division/Facility/Section/Unit Commander who will determine whether to contact the complainant or request through the Undersheriff that the complaint be forwarded for investigation by the IAU or CIU.
- (g) Inform the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigate a complaint as follows:
 - 1. Make reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. Ensure immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken if indicated in the complaint.
 - 3. Gather information from applicable sources (i.e. audio and/or video recording devices, electronic data, etc.), reports and documents.
- (i) Ensure the procedural rights of the accused employee are followed (Government Code § 3303 et seq.).

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- (j) Ensure interviews of the complainant are generally conducted during reasonable hours.

ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor, IAU or other qualified investigative agency, the following applies to employees covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, they shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the San Francisco Sheriff's Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee shall be informed of the nature of the investigation, the name, rank and command of the deputy in charge of the investigation, the interviewing officers and all other persons to be present during the interview. Normally, notice will be given when investigators schedule employees for an interview.
- (e) All interviews shall be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Employees are required to cooperate with all investigations required by Department policies and procedures. An employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively. Failure to actively cooperate with investigations or obstructing, impeding, delaying or otherwise hindering an investigation is misconduct and subjects the employee to discipline.
 - 1. A employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the employee 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 an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview.

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- (i) All employees 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 employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned anywhere in the investigator's notes or anywhere else (Government Code § 3307(a)).

Investigations will be completed as soon as possible, on a priority basis. There is no set length of time by which any given case must be completed unless a deadline is stipulated by either the Sheriff, Undersheriff, or the Unit Commander. An investigator's caseload will have a significant effect on the completion date for any particular investigation. IAU will inform Sheriff's Administration when cases are unresolved six months after the date of assignment. Investigations should be completed within nine months of receipt of the complaint, unless extended for articulable reasons.

INVESTIGATION REPORT FORMAT

An investigation report format will be adapted to the nature of the issue or problem under investigation. Reports shall be thorough and complete. All reports will be reviewed and approved by the IAU Commander prior to being submitted to the Undersheriff for action. When action has been taken, reports will be administratively closed out. No completed formal report will be closed out without a formal finding and disposition.

DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions available to the Administration:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department employees. Complaints that are determined to be clearly not true will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred, however, the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint allegation or to conclusively disprove the allegation.

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 a deputy or employee 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 that was not alleged in the original complaint, the investigator shall investigate any additional allegations if approved by the Sheriff or Undersheriff.

COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304(d)(1)).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The employee conducting the investigation shall provide the complainant with periodic updates on the status of the investigation when requested.

ADMINISTRATIVE SEARCHES

Lockers and storage spaces may only be administratively searched in the employee's presence, with the employee's consent, with a valid search warrant or where the employee has been given reasonable notice that the search will take place (Government Code § 3309).

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

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 Sheriff or designee may request through the San Francisco Department of Human Resources to authorize paid administrative leave for an accused employee for up to 340 days. In the event there is a need for additional paid time off, the Sheriff can request a 30-day extension. Any employee placed on administrative leave:

- (a) May be required to relinquish any Department badge, identification, assigned weapons, and any other equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

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- (c) Alternatively, may be temporarily reassigned to a different work location, while maintaining their same shift and Regular Days Off (RDO), during the investigation.

CRIMINAL INVESTIGATION

The Sheriff shall be notified as soon as practical when an employee is accused of criminal conduct. The Sheriff may request a criminal investigation by an outside agency or by the CIU.

Where an employee is accused of potential criminal conduct, a CIU investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

An employee accused of criminal conduct shall be advised of their constitutional rights (Government Code § 3303(h)). The employee should not be administratively ordered to provide any information in the criminal investigation.

The San Francisco Sheriff's Department may release information concerning the arrest or detention of any employee, including a deputy, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

Investigators may, but do not necessarily have to, defer, delay or postpone an administrative investigation pending the results of a criminal investigation. Such postponement is an administrative option. The results of criminal investigations or criminal proceedings are not deemed to be binding as to internal matters of employee discipline, except that convictions or pleas of either "guilty" or "no contest" in criminal proceedings constitute conclusive evidence of employee misconduct.

POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Investigators will make no findings or dispositions in matters under investigation.

- (a) An investigator will not make written recommendations for disciplinary action in matters under investigation.
- (b) An investigator may, if asked by the Sheriff or Undersheriff, express their point of view about a case.
- (c) An investigator will note the employee's failure to cooperate with an investigation, make false or misleading statements, or otherwise obstruct an investigation.

UNDERSHERIFF RESPONSIBILITIES

Upon receipt of a completed personnel investigation, the Undersheriff shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The Undersheriff determines the findings of the allegations and makes recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed to the Sheriff.

- (a) The Sheriff does not determine findings.

Prior to forwarding recommendations to the Sheriff, the Undersheriff may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

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When forwarding recommendations to the Sheriff, the Undersheriff shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

Upon receipt of an administrative finding from the Undersheriff, the IAU will issue an advisory letter to the complainant(s) and employee(s) of the Internal Affairs investigation.

SHERIFF RESPONSIBILITIES

Upon receipt of any written recommendation for or against disciplinary action, the Sheriff shall review the recommendation and all accompanying materials. The Sheriff may modify any recommendation and/or may return the file to the Unit Commander for further investigation or action.

In the event there is no disciplinary action contemplated, the Sheriff will return the file to the Undersheriff who will forward it to IAU. Upon the receipt of an administrative finding of no discipline warranted, the IAU will issue an advisory letter to the complainant(s) and employee(s) of the Internal Affairs investigation. In some cases, this may involve a counseling and/or retraining for the employee.

Once the Sheriff is satisfied that no further investigation or action is required by staff, the Sheriff shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Sheriff shall provide the employee 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 Sheriff shall also provide the employee with:

- (a) Access to all of the materials considered by the Sheriff in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Sheriff within five days of receiving the notice.
 - 1. Upon a showing of good cause by the employee, the Sheriff may grant a reasonable extension of time for the employee to respond.
 - 2. If the employee elects to respond orally, the presentation may be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

Once the employee has completed their response or if the employee has elected to waive any such response, the Sheriff shall consider all information received in regard to the recommended discipline. The Sheriff shall render a timely written decision to the employee and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Sheriff has issued a written decision, the discipline shall become effective.

NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Sheriff or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code

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§ 832.7(f)). A copy of the disposition will be sent to IAU for inclusion in the file, and the creation of an advisory letter to the complainants and the employees of the Internal Affairs investigation.

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)).

PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline Skelly process is intended to provide the accused employee with an opportunity to present a written or oral response to the Sheriff 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 process is not an adversarial or formal hearing process.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the Skelly meeting process is not for the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Sheriff to consider.
- (d) In the event that the Sheriff 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 Sheriff on the limited issues of information raised in any subsequent materials.

RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee 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).

POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal disciplinary actions as provided in the applicable 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.

PROBATIONARY EMPLOYEES AND OTHERS

At-will and probationary employees and those employees other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet performance standards) without adherence to the procedures set forth in this policy. However, any probationary

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deputy 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 Sheriff or 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 Sheriff shall be final.

RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy. All IAU and CIU records and reports are maintained in the respective IAU or CIU office and shall not be destroyed without the knowledge and permission of the Undersheriff. Records will be kept a minimum of five years.

REQUIRED REPORTING TO POST

The Sheriff or designee shall notify POST on the appropriate POST form within 10 days of certain deputy 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 a deputy's POST certification, such as:
 - 1. Complaints, charges, or allegations of misconduct
 - 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 a deputy or the San Francisco Sheriff's Department based on allegations of conduct by a deputy

The Sheriff 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) for up to two years after reporting of the disposition of an investigation (Penal Code § 13510.9).

All sworn supervisors shall forward any claim or allegation of serious misconduct, regardless of the source, through their chain of command using the SB2 Serious Misconduct Notification Form.

Serious Misconduct shall at a minimum include the following:

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- Dishonesty, including tampering with, falsifying, destroying, or concealing evidence, and tampering with data recorded by a Body Worn Camera or other device.
- Intimidating witnesses, knowingly obtaining a false confession or knowingly making a false arrest.
- Excessive or unreasonable force.
- Failure to intercede when present and observing another officer using force that is clearly beyond that which is necessary.
- Sexual assault.
- Demonstrating bias on the basis of any legally protected status.
- Egregious or repeated violations of any law inconsistent with a peace officer's duties.
- Participation in a "law enforcement gang."
- Failure to cooperate with an investigation into potential police misconduct.

[SB 2 Serious Misconduct Notification Form.pdf](#)

Seat Belts

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. This policy is in place per California 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.

POLICY

All San Francisco Sheriff's Department members must use safety belts and, when applicable, child restraint systems when the vehicle is in motion.

WEARING OF SEAT BELTS

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision.

All members shall wear seat belts when operating or riding in a vehicle owned, leased or rented by the Department, or the City and County of San Francisco, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving a vehicle shall ensure all occupants, including non-members, are properly restrained if the vehicle is outfitted with seatbelts.

Exceptions to the requirement to wear safety belts may be made only in exceptional situations where, due to mitigating circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

The California Vehicle Code § 27315, allows for an exemption for deputies in the use of safety belts in emergency vehicles (as defined by law).

- (a) When transporting a combative individual(s), officer safety concerns may determine the use of safety belts.

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-

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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).

TRANSPORTING PERSONS IN CUSTODY

Suspects, incarcerated persons, and arrestees should be in a seated position and secured in the rear seat of a department vehicle. They shall be secured with restraint gear and properly seat belted in the vehicle if the vehicle is outfitted with seat belts.

No person shall modify, remove, deactivate or otherwise tamper with department vehicle safety belts, except the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

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. 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.

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

PURPOSE AND SCOPE

The purpose of this policy is to provide deputies with guidelines for the proper use of body armor.

POLICY

It is the policy of the San Francisco Sheriff's 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 practice, application and execution of sound officer safety tactics.

ISSUANCE OF BODY ARMOR

The Administration and Programs Division shall ensure body armor is issued to all deputies when the deputy begins service at the San Francisco Sheriff's Department and that, when issued, the body armor meets or exceeds a Type IIIA level as defined by the standards of the National Institute of Justice. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

The Administration and Programs Division supervisor 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 that its effectiveness or functionality has been compromised. Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

USE OF SOFT BODY ARMOR

Body armor is required to be worn by deputies subject to the following:

- (a) Deputies shall only wear agency-approved body armor.
- (b) Deputies shall not wear body armor that has been fitted for another person unless it has been temporarily issued to them by the Training Unit.
- (c) Deputies on duty in uniform or in a plain clothes assignment who are wearing a firearm should wear body armor.
- (d) Deputies may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action. However, if an event or situation calls for deputies assigned to an administrative or support capacity to respond to a law enforcement action, deputies should wear body armor before engaging in the law enforcement action,
- (e) Body armor shall be worn when a deputy is in uniform assigned to Department firearms training.
- (f) Deputies shall wear body armor when they are at a range.
 1. When a deputy is assigned to a range and is awaiting the issuance of body armor, the Training Unit will provide body armor during firearms training.

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2. Deputies awaiting replacement body armor shall contact Training and request temporary/loaner body armor.
 - (g) A deputy may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
 - (h) A deputy may be excused from wearing body armor when they are assigned to work inside a secure facility housing incarcerated persons. As soon as that deputy is assigned to a duty or task outside of a secure facility housing incarcerated persons, body armor shall be worn.

INSPECTIONS OF BODY ARMOR

Deputies shall report damage to body armor to their supervisor who will contact the Personnel Unit to arrange for replacement body armor.

Supervisors should ensure body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections.

CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor shall not be modified from its original issued condition. The use of a protective carrier and/or vest cover does not constitute a modification.

RANGE MASTER RESPONSIBILITIES

The Range Master should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates deputies about the safety benefits of wearing body armor.

Personnel Records

PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual employee's name.

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).

DEPARTMENT FILE

The department file, otherwise known as "personnel file," shall be maintained as a record of a person's employment/appointment with this department. The file may contain information in both physical and electronic formats. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the employee should be permanently retained.
- (b) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.
- (c) Original performance evaluations. These should be permanently maintained.
- (d) Discipline records, including copies of sustained personnel complaints.
 1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least four years (Government Code § 12946).
 2. 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).
 3. 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).
 4. Employee CBA/MOUs may direct how the information is stored in the file and accessed.
- (e) Adverse comments such as supervisor notes or memos may be retained in the department file after the employee has had the opportunity to read and initial the comment (Government Code § 3305).
 1. Once an employee has had an opportunity to read and initial any adverse comment, the employee shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).
 2. Any employee response shall be attached to and retained with the original adverse comment (Government Code § 3306).

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3. If an employee refuses to initial or sign an adverse comment, at least one uninvolved supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the employee's file (Government Code § 3305).
- (f) Commendations and awards.

TRAINING FILE

An individual training file shall be maintained by the Training Unit for each employee. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications.

- (a) The involved employee is responsible for providing the Training Unit or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Unit or supervisor shall ensure that copies of such training records are placed in the employee's training file.

Training records shall contain the following information:

- Name of the employee
- Date of hire
- Education and training background (education and training received prior to hire as reported to the Department with proper documentation).
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks
- The Training Unit shall also be responsible for documenting the waivers of the training requirements based upon equivalent training received before employment or demonstrated competency through proficiency testing.

INTERNAL AFFAIRS FILE

Internal Affairs Unit files shall be maintained under the exclusive control of the Internal Affairs Unit in conjunction with the office of the Sheriff. Access to these files may only be approved by the Sheriff, Undersheriff or the Internal Affairs Unit Commander or as required by state or federal law.

These files shall contain the complete investigation of all complaints of employee misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall be maintained in the Internal Affairs Unit files only:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

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Investigation files arising out of civilian's sustained complaints involving misconduct shall be maintained pursuant to the established records retention schedule and for a period of at least 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 § 129463).

MEDICAL FILE

An employee's medical documents shall be maintained in the employee's medical file which is kept separate from the employee's personnel file and shall contain documents relating to the employee's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a employee's medical condition.
- (e) Any other documents or materials that reveal the employee's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations, as deemed necessary by the department.

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 password protection.

Personnel records are subject to disclosure only as provided in this policy or as required by law.

Nothing in this policy is intended to preclude review of personnel records by the, City Attorney or other attorneys or representatives of the City and County in connection with official business.

REQUESTS FOR DISCLOSURE

Any employee receiving a request for a personnel record shall promptly notify the Custodian of Records.

Upon receipt of any such request, the Personnel Unit shall notify the affected employee as soon as practicable that such a request has been made (Evidence Code § 1043).

The Personnel Unit 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 the Sheriff's Legal Counsel.

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All requests for disclosure that result in access to an employee's personnel records shall be logged by the Personnel Unit in the corresponding file.

RELEASE OF PERSONNEL INFORMATION

Personnel records shall not be disclosed except as allowed by law (Penal Code § 832.7; Evidence Code § 1043) (See 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 employee 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 employee who is the subject of the investigation (or the employee's representative) publicly makes a statement that is published in the media and that the employee (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). Except where mandated by courts or law, the Department shall not release any information in any employee's personnel file without written permission of the employee.

RELEASE OF LAW ENFORCEMENT GANG INFORMATION

Information relating to the termination of a deputy 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).

RELEASE OF PEACE OFFICER RECORDS RELATING TO HATE COMPLAINTS Records relating to a deputy for an investigation of a hate complaint described in Penal Code § 13682 with a sustained finding that the deputy 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 through a public records request (Penal Code § 13683).

Records disclosed may be redacted as provided in Penal Code § 13683.

EMPLOYEE ACCESS TO THEIR OWN PERSONNEL RECORDS

Any employee may request access to their own personnel records from the Personnel Unit during normal business hours. Any employee seeking the removal of any item from their personnel records shall file a written request to the Sheriff through the chain of command. An employee may authorize a third party to view their personnel file after submitting a notarized document authorizing same. The Department shall remove any such item if appropriate, or within 30 days provide the employee with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the employee's request and the written response from the Department shall be retained with the contested item in the employee's personnel record (Government Code § 3306.5).

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Employees 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 employee of the intent to discipline.
- (b) Confidential portions of Internal Affairs files that have not been sustained against the employee.
- (c) Criminal investigations involving the employee.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the employee.
- (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, 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 employee 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 employee that may be discovered in a judicial proceeding.

ADVERSE DOCUMENTS

Supervisors will schedule a conference with an employee before they add an adverse document to the employee's personnel file. An adverse document may contain comments unfavorable to the employee's interest.

[Administration and Field Operations Procedure Manual: 1013.1 ADVERSE DOCUMENT PROCEDURE](#)

REMOVAL OF ADVERSE MATERIALS

Employees may submit a written request to the Undersheriff to have an adverse document removed from their file.

- (a) The Department shall, upon request of an employee, remove adverse material from the employee's personnel file of a Counseling or Reprimand which is one year old or older at the time of the request for removal, if the employee has had a discipline-free record for the preceding one year.
- (b) Upon request of an employee, records of Suspension of five or fewer days which are two years old shall be removed from consideration for transfers and reassignments if the employee has had a discipline-free record for the preceding two years.
- (c) Upon request of a bargaining unit employee, records of Suspension of between six and ten days which are three years old shall be removed from consideration for transfers

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and reassignments if the employee has had a discipline-free record for the preceding three years.

- (d) Upon request of a bargaining unit employee, records of Suspension of more than ten days which are four years old shall be removed from consideration for transfers and reassignments if the employee has had a discipline-free record for the preceding four years.

The Undersheriff will respond in writing and indicate whether the document has been removed or retained. Any physical original or copies shall be returned to the employee. The Department will ensure that any known digital copies are permanently deleted.

RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each employee'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.
- (b)
- (c) If in the opinion of the Sheriff, 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 and law.

RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF DEPUTIES

Personnel records and records related to certain incidents, complaints, and investigations of deputies 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 Sheriff's Legal Counsel should work with the Sheriff or the Internal Affairs Unit Commander in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(2)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against a deputy in connection with an incident, or whether the deputy'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.

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- 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 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 a deputy.
 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 a deputy.
 3. A sustained finding involving a complaint that alleges unreasonable or excessive force.
 4. A sustained finding that a deputy failed to intervene against another deputy using force that is clearly unreasonable or excessive.
- (b) Records relating to an incident where a sustained finding (see Personnel Complaints Policy) was made by the Department or oversight agency regarding:
 1. A deputy engaged in sexual assault involving a member of the public (as defined by Penal Code § 832.7(b)).
 2. Dishonesty of a deputy relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another deputy, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence or perjury.
 3. A deputy 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. A deputy made an unlawful arrest or conducted an unlawful search. Qualifying records will be made available regardless of whether the deputy 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 deputies, the Department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of a deputy unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(5)

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against the deputy. However, factual information about the action of the deputy during an incident or the statements of a deputy shall be released if the statements are relevant to a sustained finding of the qualified allegation against another deputy that is subject to release (Penal Code § 832.7(b)(5)).

REDACTION

The Sheriff's Legal Counsel, in consultation with the Sheriff or designee, shall redact the following portions of records made available for release (Penal Code § 832.7(b)(5)):

- (a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of deputies.
- (b) Information that would compromise the anonymity of whistle blowers, 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 deputy or another person.

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(7)).

DELAY OF RELEASE

Unless otherwise directed by the Sheriff, the Sheriff's Legal Counsel should consult with an investigator supervisor familiar with the underlying investigation to determine whether to delay disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury due to any of the following conditions (Penal Code § 832.7):

- (a) Active criminal investigations
 1. Disclosure may be delayed 60 days from the date the 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 a deputy or against someone other than a deputy who engaged in misconduct or used the force.
- (b) Filed criminal charges
 1. When charges are filed related to an incident where force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.
- (c) Administrative investigations

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Personnel Records

1. Disclosure may be delayed until whichever occurs later:
 - (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.
 - (b)

NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of qualifying records, the Sheriff's Legal Counsel shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

- (a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.
 - (b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.
1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:
 - (a) When the criminal proceeding is against a person other than a deputy 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 deputies.

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)).

Satellite Assignments

PURPOSE

To provide guidelines for the Department and Deputy Sheriffs in respect to Satellite Assignments.

POLICY

The San Francisco Sheriff's Department shall maintain specifically identified units as Satellite Units. Assignment to and transfer out of these units will be made in accordance with this policy and procedure. This policy supersedes any other memo, tentative agreement, policy, or other directives either written or verbally.

1014.2.1 DEFINITIONS

Satellite Assignment -Satellite assignments are defined as certain identified Sheriffs Units to which a Deputy Sheriff can apply, according to specific guidelines, and be assigned for a designated amount of time.

Request for Satellite Assignment Form - The standard authorized Department form that is to be used by 8304 and non-probationary 8504 Deputy Sheriffs to indicate their interest for a transfer to a particular satellite unit.

Satellite Assignment Eligibility List - A list of names of Deputy Sheriffs who meet the eligibility criteria for assignment to a satellite unit, arranged in order by seniority and active for six months from the date the announcement period closed. A separate list will be prepared and maintained for each satellite by the Personnel Unit and is available for review by any Department employee upon request.

GENERAL

- (a) The length of a satellite assignment shall be five years.
- (b) Satellite Assignment Locations:
 - 1. Community Programs
 - 2. Backgrounds Unit
 - 3. Community Assessment and Referral Center (CARC)
 - 4. Central Records and Warrants Unit (CRW)
 - 5. City Hall Patrol Unit (CHPU)
 - 6. Civil Section
 - 7. Classification Unit
 - 8. Department of Emergency Management (DEM)
 - 9. Institutional Patrol Unit (IPU)
 - 10. Transportation Unit
 - 11. Ward 7D/7L

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12. Court Services

- (c) The Department and the Association will meet and confer regarding the restructuring, merger, closure, or creation of satellite units, or the implementation of alternative shifts or schedules within those units.
- (d) Consistent with existing operations, staff assigned to a satellite may be detailed to another unit or facility based on staffing needs.
 - 1. Credit in the original satellite unit will be added when the employee is involuntarily detailed from their assigned unit for consecutive 20 work shifts or more in any calendar.

COURT SERVICES

- (a) Court Services will retain 50 percent of their positions as non-rotating assignments and the remaining 50 percent will be rotating assignments for 8304 and non-probationary 8504 Deputy Sheriffs. The 50 percent number will be assessed by the overall number of assignments in the Court Services Unit.
- (b) Incumbent 8306 Senior Deputies in non-supervisory positions shall count toward the 50 percent of non-rotating positions at the time of implementation. Once the 8306 incumbent Senior Deputy leaves the unit, that non-rotating position will be open for an 8304 Deputy Sheriff.
- (c) Incumbent 8304 Deputy Sheriffs in rotating positions will be invited to apply for the remaining non-rotating positions and be selected based on their Department seniority.
 - 1. The initial 50 percent non-rotating positions shall be selected by December 31, 2004.
 - 2. In the event there is not enough interested staff to fill the non-rotating positions, those positions will remain rotating until a qualified individual within the unit applies.
- (d) 8302 and probationary 8504 Deputy Sheriffs are not eligible for non-rotating satellite assignments.

REQUEST FOR SATELLITE ASSIGNMENTS

In February and August of each year, the Personnel Unit will post an announcement inviting all eligible Deputy Sheriffs to apply for satellite units of their choice. The announcement will be posted for a minimum of two weeks and will contain the following information and instructions:

- (a) All requests must be submitted on the approved Request for Satellite Assignment Form, which lists all currently designated satellite units.
- (b) Each deputy applicant may indicate interest for up to a total of three satellite units. Any Form with more than three units selected will be removed from consideration.
- (c) The closing date and time for the requests must be received by the Personnel Unit.
- (d) Requests may only be for a satellite unit and may not include a particular shift/Watch or day off selection.

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- (e) A list of all eligible applicants will be established and remain in effect for six months from the closing date of the announcement.

SATELLITE SELECTION ELIGIBILITY

Any 8304 or non-probationary 8504 Deputy Sheriff is allowed to apply for satellite assignments, provided they meet the following criteria:

- (a) Have the most recent Employee Performance Evaluation reflect a rating of "Competent and Effective" in all areas including attendance and punctuality.
 - 1. Most recent is defined as an evaluation prepared no more than 12 months prior to the closing date of the satellite announcement.
 - 2. In the event that an evaluation has not been completed, a rating of "Competent and Effective" will be automatically assumed.
- (b) Have used no more than 96 hours of sick pay, with or without medical verification during the 12 month period prior to the closing date of the satellite assignment.
 - 1. Sick pay used as a result of an authorized leave, which has been approved by the Sheriff, will not be counted toward the calculation of the allotted 96 hours.
- (c) Have successfully passed Advanced Officer Training during the preceding 12 months and meet the current Department criteria for carrying a firearm.
- (d) Possess a valid California Driver's License.
- (e) Applicants with any suspensions in the past two years may be excluded from consideration. Written reprimands may weigh heavily against selection as well.
 - 1. During March and September, the Personnel Unit staff will review submitted application and identify employees who meet the eligibility criteria for the unit. The names of the eligible candidates shall be placed on separate list for each satellite unit.
 - (a) Each finalized satellite unit list will be posted on April 1st and October 1st of each year on the muster board department wide.
 - (b) The posted lists will remain in effect for six months.
 - (c) The unit/section supervisor will contact eligible candidates in order of the list to offer the position.
 - 2. Appeal Process
 - (a) Appeals of the list must be submitted to the Personnel Unit Manager no later than ten (10) calendar days after the list has been posted.

PROCESSING REQUESTS AND ESTABLISHMENT OF THE SATELLITE ASSIGNMENT ELIGIBILITY LIST

- (a) The Personnel Unit will provide each deputy who submits a Request for Satellite Assignment Form with a written receipt indicating the date the request was received by the Personnel Unit.

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- (b) Deputies that meet the eligibility for selection to a satellite unit on the final day of open enrollment will be placed, in seniority order, on the list for each satellite in order of the following categories:
 - 1. All 8304/non-probationary 8504 Deputy Sheriffs who have completed a 12 consecutive month minimum tour of duty in a non-satellite assignment.
 - 2. All 8304/non-probationary 8504 Deputy Sheriffs who have served less than a 12 consecutive month tour of duty in a non-satellite assignment.
 - 3. All 8304/non-probationary 8504 current incumbents wishing to remain in their satellite and who are within a six month period of ending their satellite rotation.
 - 4. All 8304/non-probationary 8504 Deputy Sheriffs who wish to transfer from one satellite assignment to another satellite assignment.
 - 5. In the event there are no specific requests for specific satellite assignments from eligible applicants, the Department will select the least senior non-probationary Deputy Sheriff for an involuntary transfer to that assignment.

ASSIGNMENT TO SATELLITE ASSIGNMENT

All open deputy positions in satellite units will be filled using the current Satellite Eligibility list for that specific satellite unit. The Personnel Unit will notify Deputy Sheriffs in writing as they are selected for satellite unit openings.

- (a) Notifications will be addressed to the deputy and provided to the Facility/Section/Unit Commander for personal delivery to the deputy sheriff.
- (b) Upon receipt of the notification of assignment the deputy:
 - 1. Is responsible for notifying the Personnel Unit of their decision.
 - 2. Will have 24 hours to either accept or reject the assignment.
- (c) Once the deputy accepts the requested satellite assignment they cannot decline the position.
- (d) If the deputy does not accept the first satellite assignment offered:
 - 1. It will be considered a waiver for that specific satellite assignment.
 - 2. Their name will be removed from the eligibility list for that satellite assignment for the remainder of the six-month period.
 - 3. Their name will remain active on the other satellite lists during the six-month period.
 - 4. They may re-apply during the next open enrollment period.
- (e) When a deputy accepts a transfer to the selected satellite unit, their name will be removed from all other satellite assignment Eligibility Lists
- (f) The Personnel Unit will prepare a transfer letter and send it to the Deputy Sheriff in accordance with the current MOU provisions.

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INVOLUNTARY DETAILED ASSIGNMENT TO SATELLITE ASSIGNMENT

Every effort will be made by the department to identify volunteers that meet the minimum satellite requirements. If after the announcement outlined above in 1014.5 has been posted, and there are still no volunteers, the department proposes to draft 8504 non-probationary deputy sheriffs, by inverse seniority, into satellite assignments.

- (a) The department will replace involuntarily assigned personnel with volunteers when qualified volunteers are identified.
- (b) If the deputy who was subject to the involuntary draft chooses to remain in the position, they will have the first choice to remain in the position for the term of the satellite assignment.

TRANSFER OUT OF A SATELLITE UNIT

- (a) A Deputy Sheriff leaving a satellite unit due to normal rotation or at their own request shall be allowed to bid for any open non-satellite jail assignment.
- (b) A Deputy Sheriff who is removed from a satellite due to discipline shall be transferred to a non-satellite jail assignment based on the needs of the Department.
- (c) Deputies voluntarily or involuntarily transferred from a satellite assignment shall work one year in a non-satellite jail assignment prior to being eligible to be selected for a satellite assignment, unless it meets Section 1014.7, b.2. above.

REASSIGNMENT OUT OF THE SATELLITE UNIT

- (a) If the employee rotating out of the satellite unit is on modified duty the employee will be reassigned to the Administration Section of the Custody Division.
 - 1. The modified duty employee will be detailed to a position within the custody division that can accommodate the modified duty restriction.
 - 2. The employee on modified duty will not participate in any regular day off (RDO) realignment process within the custody division when the modified duty falls within the RDO realignment period.
- (b) When an employee is carried as modified duty for ninety (90) calendar days, the employee will be placed on disability leave status, and their personnel file will be sent to the Personnel Section.
- (c) If the employee rotating out of the satellite unit is on disability leave status, the employee's personnel file will be sent to the Personnel Section.
- (d) When the modified duty and/or disability leave status employee is medically cleared to return to full duty, the employee will be reassigned to the custody division.

REMOVAL FROM A SATELLITE ASSIGNMENT

Personnel may be removed from a satellite unit for cause, or for one or more of the following reasons:

- (a) Receipt of a performance related sustained Letter of Reprimand or suspension.

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- (b) Failure to maintain "Competent and Effective" in all categories on the annual evaluation.
 - 1. A supervisor must give the employee a remediation plan and a chance to raise their rating prior to removal from the unit. The plan will be provided to the deputy prior to the evaluation being completed in order to allow the employee a chance to improve.
- (c) Failure to pass Advance Officer Training or firearms qualifications when the firearm is removed from the deputy due to this failure.
- (d) After ninety (90) calendar days absence from an assigned satellite unit:
 - 1. The employee's personnel file will be sent to the Personnel Unit;
 - 2. The employee will be immediately reassigned to the Administration Division;
 - 3. Upon the reassignment to the Administration Division, the employee's remaining time in the satellite unit will continue.
- (e) At the time the employee returns to full duty and an opening in the original assignment satellite unit is available, the employee will be reassigned to the original satellite assignment.
 - 1. If the opening is not the original satellite shift assignment, the employee may accept or decline the opening.
 - 2. If the satellite opening is declined, the employee will be reassigned to the Custody Division.
- (f) During the time the employee has recall rights to his/her original satellite unit assignment. the employee is eligible to bid on any other satellite unit openings.
- (g) Should the employee decline an assignment to his/her original satellite unit assignment. the employee is rescinding his/her recall rights to the satellite unit assignment.
- (h) A new employee will be selected from the current satellite list and replace the employee who has been absent from his/her satellite assignment for ninety (90) calendar days or longer.

MODIFIED DUTY/DISABILITY/LEAVES IN SATELLITE ASSIGNMENTS

Deputies who are on modified duty, disability, or any type of paid or unpaid leave except those called to active military duty will not have their time extended in the satellite assignment beyond their original satellite rotation date.

- (a) If the employee selected for a satellite assignment is on modified duty the employee will be reassigned to the Administration and Programs or Field and Support Services Division.
 - 1. Five (5) year term commence when the employee reports to the designated satellite modified duty position.
 - 2. When the employee is medically cleared for full duty, the employee will be reassigned to the satellite unit the employee was originally selected for.

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(b) If the employee is off work on leave status during the satellite selection process:

The employee will not be considered for the selection but will remain at the top of the list for their three (3) choices for the duration of the active satellite assignment list.

Commendations and Awards

PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts by members of the San Francisco Sheriff's Department and individuals from the community.

POLICY

It is the policy of the San Francisco Sheriff's Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards. Criteria for each award and the selection, presentation, and display of awards are determined by the Sheriff.

COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by a department member or by a person from the community.

- (a) Commendations, in the form of a letter, may be issued by the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy, Captain or their civilian equivalent, for an employee when the following elements exist:
 1. The employee performs their duty in such a manner as to show dedication and service above that normally demanded by the department of its employees. The commendation becomes a part of the employee's permanent record.

CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

AWARD APPLICATIONS

An employee who believes that a meritorious or commendable act of a department member or individual from the community is deserving of an award may nominate the person for the award.

- (a) The employee must complete a memo and attach supporting documentation, stating:
 1. The name, division and assignment of the nominee
 2. The date, time, location and brief summary of the incident
 3. The names of witnesses and a report number, if applicable
 4. Recommendation for a particular award
 5. The signature of the person submitting the application.
- (b) Applications for awards must be submitted no later than one year after the incident, except if exempted by the Sheriff.

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- (c) Applications for a Certificate of Merit, based on receiving three or more commendations in a five year period, must be submitted no later than one year after the last commendation was issued.

Award applications shall be forwarded to the nominee's Division Commander or designee for their review and personal investigation to determine if the nomination is warranted. The Division Commander or designee will forward all applications to the Awards Committee Chairperson.

Documentation or a phone call of a meritorious or commendable act submitted by a person from the community or former employee should be accepted in any form, however, written documentation is preferred.

- (a) Department members accepting the documentation or a phone call should attempt to obtain detailed information regarding the matter, including:
 1. The name, division, and assignment of the nominee
 2. The date, time, location and brief account of the incident
 3. The name, address, email, telephone number and signature of the community member
- (b) The employee shall forward documentation the Awards Committee Chairperson or designee for their review.

AWARDS COMMITTEE

- (a) The Department Awards Committee, acting on behalf of the Sheriff, reviews the meritorious or commendable acts of department members and the community and awards those actions as follows.
 1. The Committee may authorize the Medals of Valor, the Lifesaving/Humanitarian Award and certificates.
 2. The Committee may recommend a commendation to be issued by a supervising officer when an award documentation does not meet the criteria of the Medals of Valor or other awards.
 3. The Committee may decide an award doesn't meet the established criteria.
- (b) The Awards Committee consists of five employees, of which at least three must be sworn. Three are chosen by the Sheriff, one is from the Deputy Sheriff's Association (DSA) and one is from the Managers and Supervisors Association (MSA).
 1. The Sheriff will select the chairperson.
 2. The Sheriff, MSA or DSA may change their appointee at any time.
 3. Three members shall constitute a quorum and three out of five votes decide the giving of an award.

AWARDS COMMITTEE MEETING

The Awards Committee Chairperson shall schedule meetings at least semi-annually or more often as needed. The Chairperson will document and publish the Committee decisions within two

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weeks of the meeting. The Committee will select a chairperson if the appointed Chairperson is unavailable.

- (a) In preparation for a meeting the Chairperson shall:
 - 1. Prepare an agenda and copies of each nomination package for Committee members.
- (b) The Committee shall review all nominations and determine if the nominee merited an award and if so, the type of award that should be granted.
- (c) Nominations shall be reviewed and voted on separately, except when the incident and documentation indicate a joint act by employees.
- (d) A Committee member who has been nominated may not vote on the award.
- (e) The Committee and the Chairperson are responsible for ensuring that once an award has been voted on and approved, the award and attendant items are ordered, and if applicable, the department Medal of Valor plaque is updated.

AWARDS

Awards may be given to employees of the Sheriff's Department and to community members, as follows:

- (a) Special Awards
 - 1. In recognition of a special event or activity that a number of employees participated in, the Sheriff may issue ribbons, awards and/or certificates.
- (b) Certificate of Appreciation
 - 1. A Certificate of Appreciation may be merited by a community member or non-sworn member who has demonstrated:
 - (a) Performance of outstanding services to law enforcement or corrections
 - (b) Outstanding contributions toward the betterment of the department
 - (c) Dedication, diligence, reliability, resourcefulness, and unselfish service
- (c) Certificate of Merit
 - 1. A Certificate of Merit and ribbon will be awarded to full-time employees for:
 - (a) Significant contributions toward the betterment of the department
 - (b) Possession of personal traits such as leadership, mature judgment, reliability, and excellent performance
 - (c) Embodiment of the highest standards of professional conduct in the performance of duties
 - (d) Three or more commendations within a two-year period received from the Sheriff, Undersheriff, Assistant Sheriff, Chief Deputy, Captain and/or a civilian equivalent.
- (d) Certificate of Outstanding Service

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1. A Certificate of Outstanding Service and ribbon will be awarded to full-time employees or retirees for demonstrating outstanding performance of duty under circumstance not within the provisions provided for in the Medals of Valor.
- (e) Lifesaving/Humanitarian Award
1. A Lifesaving/Humanitarian plaque will be awarded to full-time employees or retirees who acted or attempted to save a human life, where the threat to human life was of sufficient gravity to determine that if the employee had not intervened, the life may have been lost.
- (f) Medals of Valor
1. Bronze Medal of Valor - Is the third highest award, given to full-time employees or retirees, whereby the act of valor was merited by:
 - (a) Outstanding bravery above and beyond what is expected in the line of duty
 - (b) Where failure to take such action would not justify censure
 - (c) The objective was of sufficient importance to justify the risk.
 2. Silver Medal of Valor - Is the second highest award, given to full-time employees or retirees, whereby the act of valor was merited by:
 - (a) Outstanding bravery above and beyond what is expected in the line of duty
 - (b) Where failure to take such action would not justify censure
 - (c) The member risked their life with full and unquestionable knowledge of the danger involved or where a reasonable person would assume their life was in great danger
 - (d) The objective was of sufficient importance to justify the risk
 - (e) The accomplishment of the objective or the objective was prevented from being accomplished by circumstances beyond the member's control
 3. Gold Medal of Valor - Is the highest award, given to full-time employees or retirees, whereby the act of valor is merited by:
 - (a) Outstanding bravery above and beyond what is expected in the line of duty
 - (b) Where failure to take such action would not justify censure
 - (c) The risk of life to the member or others actually existed
 - (d) The objective was of sufficient importance to justify the risk
 - (e) The accomplishment of the objective or the objective was prevented from being completed by the member incurring a disabling injury or death.
 4. Each Medal of Valor shall be accompanied by a certificate, a ribbon, and a cash stipend:
 - (a) Bronze Medal of Valor is \$100.00, Silver Medal of Valor \$150.00, and the Gold Medal of Valor \$200.00.

Sworn employees shall wear Medals of Valor and ribbons only on the Class A uniform jacket.

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1015.6.1 AWARDS CEREMONY

The Awards Committee, in collaboration with the Sheriff's administration, will choose a venue, date and time for the awards ceremony. The Committee will send an invitation to all department members and to those receiving awards.

Documentation of the awards and commendations shall be maintained in a file designated for such records, and for placement into the employee's permanent personnel file.

Fitness for Duty

PURPOSE AND SCOPE

All deputies are required to be free from physical, emotional, or mental conditions which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all deputies of the San Francisco Sheriff's Department remain fit for duty and able to perform their job functions (Government Code § 1031).

EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each employee of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
- (b) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (c) Any employee who feels unable to perform their duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform their duties, such observations and/or belief shall be promptly reported to a supervisor.

NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable relief from symptoms. If the condition is a serious health condition of the employee or a qualified family member, the employee's supervisor should facilitate the employee's contact with the appropriate person to initiate the leave process under the Family and Medical Leave Act.

WORK RELATED CONDITIONS

Any employee suffering from a response to a critical incident or work-related condition which warrants a temporary relief from duty, shall be required to comply with instructions and directions provided by the Personnel Unit Manager or designee, who is the single point of contact for an employee involved in a critical incident or work-related condition.

- (a) Employees shall be offered to attend at least one session with the City and County of San Francisco (CCSF) Employee Assistance Program (EAP) or with an equivalent program or resource approved by the Department.

An employee whose actions or use of force in an official capacity resulted in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being 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.

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- (b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

When an employee is seriously injured during a critical incident or exigent situation, the highest-ranking Facility/Section/Unit supervisor available in the employee's chain of command shall make every effort to respond to the site/hospital to render support, necessary resources, and determine the Department's assistance in the situation.

The Personnel Unit Manager may detail a non-injured employee to a non-public, no incarcerated contact assignment for three days (or more with the approval of the Sheriff or designee) to assist in the recovery from a critical incident or work-related condition.

PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unable to perform their duties, the Sheriff, Undersheriff, or Assistant Sheriff may order that employee to undergo a fitness for duty examination by a physician designated by the Department of Human Resources. The order shall indicate the date, time and place for the examination (see Civil Service Rule 116.2 for further information).
- (b) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation.
- (c) All reports and evaluations submitted by the examining physician and/or psychologist or psychiatrist shall be part of the employee's confidential medical file.
- (d) 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 and/or psychologist or psychiatrist 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 and/or psychologist or psychiatrist shall be subject to discipline up to and including termination for insubordination.
- (e) Once an employee has been deemed fit for duty by the examining physician and/or psychologist or psychiatrist, the employee will be notified to resume their duties.

In addition, a fitness for duty examination may be required for a Department employee who:

- (a) Discharges a firearm that:
 - 1. Produces bodily injury to any person
 - 2. Results in property damage
 - 3. Is reckless in nature
 - 4. The employee was under the influence of alcohol, drugs or medication at the time of the discharge
 - 5. The employee has been involved in more than one accidental discharge
- (b) Draws or exhibits a firearm or deadly weapon in a rude, angry, or threatening manner.
- (c) Was taken hostage
- (d) Received serious bodily injury in the scope of their duties

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- (e) Displays bizarre behavior

The results of the investigation and fitness for duty examination will be reviewed by the Undersheriff, Assistant Sheriff, or designee.

APPEALS

An employee who is separated from paid employment resulting from a fitness for duty examination shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

Meal Periods and Breaks

1017.1 IN PROCESS

This policy is still in process.

Employees seeking direction should refer to the appropriate sections of the file listed below:

[See attachment: L-02 CJ3 CJ2 12 Hour Agreement.pdf](#)

Lactation Break

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).

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). A City employee's decision to express milk in the workplace is a legally protected right and a decision supported by the City and County of San Francisco and the Sheriff's Department.

REQUESTS FOR LACTATION ACCOMMODATION

Employees requesting a lactation accommodation shall:

- (a) Notify the Personnel Unit before the start of an employee's child bonding leave.
- (b) Request a Request for Lactation Accommodation form, a copy of this policy and related parental information supplied by the Department of Human Resources (DHR). The form is available on the DHR website or by calling DHR.
- (c) Complete the Request for Lactation Accommodation form and return it to the Personnel Unit Manager as soon as possible, but no later than 10 business days before returning from leave.
 1. The Personnel Unit Manager may discuss any impact on the workload and/or work schedule with the employee and the Facility/Section/Unit Commander, in order to balance the lactation accommodation with the Department's needs.

LACTATION BREAK TIME

For up to one year after a child's birth, employees are allowed to take reasonable breaks for lactation each time the employee has a need to express milk. After a child's first year, the Department may continue to provide reasonable breaks for lactation, if feasible given the operational demands of the Department.

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 paid break or meal period.

Employees are entitled to use regular paid breaks, meal periods and unpaid break time to express milk. 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 §

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1030). The Department may provide a flexible schedule so employees can make up unpaid break time if requested by the employee and approved by the Division Commander.

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.

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. A designated lactation space may be used for other purposes when not needed for lactation.

Employees should inform their supervisor if a designated lactation room is not available or accessible, as a temporary accommodation may be identified. The following locations and rooms are available to all city employees to express milk in private:

- (a) City Hall – McAllister Street entrance, ground floor – Lactation Pod
- (b) Hall of Justice – 850 Bryant Street, 1st floor
- (c) 425 7th Street, Rm. #4 South 02 (only accessible to city employees with jail clearance)
- (d) San Bruno Complex – Rm #C-136 (only accessible to city employees with jail clearance)

City employees must not interfere with a member of the public who is engaged in lactation by expressing milk or nursing a child in any City location open to the public.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area or at a nearby childcare facility.

STORAGE OF EXPRESSED MILK

An 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 their shift.

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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).

Attendance and Payroll Records

PURPOSE AND SCOPE

Payroll records are to be submitted to the Payroll Unit on a weekly basis for the payment of wages. Attendance records are maintained for each employee at their assigned work location.

COMPLETION OF ATTENDANCE AND PAYROLL RECORDS

Facility/Section/Unit Commanders are responsible for the timely and accurate maintenance and submission of attendance and payroll records for the employees assigned to them.

PAYROLL/ATTENDANCE RECORDS

Payroll/attendance records reflect an employee's personal time off, absences, and regular days off during a year as follows:

- (a) Employee's names are listed in alphabetical order by last name, first, then by shifts, beginning with the midnight shift and ending with the swing shift.
- (b) Employee's names for each shift will be grouped by civil service class number, with sworn classes before civilian classes, in descending order of their civil service class number along with their DSW (Disaster Service Worker) number.
 1. Facilities that operate 24/7 should use separate pages for each shift.
 2. When an assignment overlaps two shifts it shall be considered part of the shift with which it has the larger number of overlap.
 - (a) When it is an equal number of hours, it shall be the shift of their starting time.
 3. Employee's personal time off will be recorded using black for every entry other than Sick Leave and AWOL. Sick Leave and AWOL are recorded using red. Sick leave taken without medical verification will be indicated by "SL". Sick leave taken with medical verification will be indicated by "XSL".
 4. Personal time off shall be recorded using payroll designation codes (i.e., FH, DIL, VAC, CT, FIT, etc.).
 5. When an employee uses sick leave on a legal holiday that they were scheduled to work, record it as SL.
- (c) Employees who work part of a regularly scheduled workday shall have their time off recorded for that date by indicating the numbers of hours and type of time taken off (i.e., 2 CT, 4 SL).
- (d) If the employee worked their shift at a detailed location indicate that location and the number of hours on the payroll sheet.
- (e) As needed and Prop F employees must have the number of work hours written on the payroll sheet.
- (f) Employees receive 8 hours of paid time off for a legal holiday. If a legal holiday falls on a regularly scheduled workday for an alternate schedule employee, (ex. 10-hour or

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12-hour workday), 2 or 4 hours of paid time off (PTO) or no pay (NP) must be marked on the timesheet to make up the difference. Employees shall inform the supervisor what type of time off PTO or NP to use to reach the 80-hour minimum for the pay period. This time off excludes sick leave.

- (g) When an employee is on leave and wants to use a specific paid time off rather than the default of using sick pay first, write down LV or FMLA followed by the time off (LV FH, LV VA, etc).
- (h) When a Deputy Sheriff of any rank other than the rank designated by MOU/CBA or organizational chart works a shift as the Acting Watch Commander print "AWC" in the box that corresponds to that date.

Payroll records are submitted to the Payroll Unit on a weekly basis for the payment of wages. All payroll records shall be emailed to sfsd.payroll@sfgov.org

Mid Pay Period Payroll Record

Unless there is an exception directed by the Department, a completed Mid Pay Period Payroll Record shall be submitted to the Payroll Unit:

- (a) No later than noon on the 1st Friday of the pay period.
- (b) Record the employee attendance from the beginning of the pay period through the 2nd Monday (include the Midnight and Day shifts).
- (c) Note the anticipated personal time off for the remainder of the pay period for each employee.

An updated Mid Pay Period Payroll Record will be used when completing the Total Pay Period Payroll Record.

Total Pay Period Payroll Record

A completed Total Pay Period Payroll Record will be submitted to the Payroll Unit no later than noon on the 2nd Thursday before the end of the pay period.

- (a) For changes made to the Total Pay Period Payroll Record after it has been previously submitted to the Payroll Unit, send an email to Payroll that includes the employee's DSW#, date of the change, and type of change, as soon as possible.

DAY LIGHT SAVING COMPENSATION

Employees assigned to work when daylight savings time begins (in the spring) shall be paid for their full shift when they use one hour of PTO to make up for the last hour of their shift or remain on duty for an extra hour. An employee who does not use PTO or who does not remain on duty until the end of their regularly assigned shift will be paid only for the hours worked.

Employees assigned to work when daylight savings time ends (in the fall) shall be paid overtime for the extra hour worked during the shift,

Employees who use sick leave or PTO for a shift that occurs on a daylight savings time shift will be charged the total hours of their regularly assigned shift.

Overtime/Holiday Work

ATTACHMENTS

[See attachment: OT Template.xlsx](#)

[See attachment: Overtime-sign-up.pdf](#)

[See attachment: Holiday Sign-up.pdf](#)

IN PROCESS

This policy is still in process.

Employees seeking direction should refer to the appropriate sections of the files(s) listed below:

[See attachment: SFSD 03-20 Overtime.pdf](#)

[See attachment: SFSD 03-49 Work Rules.pdf](#)

Outside or Additional Employment

PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest for department employees engaging in outside employment, all employees shall obtain written approval from the Sheriff prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Sheriff in accordance with the provisions of this policy.

1021.1.1 DEFINITIONS

Outside Employment - Any employee 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, products 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. No employee may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.

OBTAINING APPROVAL

No employee of this Department may engage in any outside employment without first obtaining prior written approval of the Sheriff. Failure to obtain prior written approval for outside employment or engaging in outside employment is prohibited by this policy and may lead to disciplinary action. Full-time employment with the Sheriff's Department is considered the employee's primary employment.

City and County (CCSF) Civil Service rules govern outside employment conditions. Outside employment may be denied if:

- The additional employment interferes in any way with performance of the employee's City employment.
- The duties or responsibilities of the additional employment are inconsistent, incompatible or in conflict with the employee's City duties or responsibilities, or those of the employee's department or Appointing Officer.
- The duties or responsibilities of the additional employment are contrary to the interests of City service in general or could lead to situations that would discredit the City.
- The additional employment involves any work performed during the employee's regular City work schedule.

Those seeking outside employment should check the CCSF civil service website for other limitations.

The employee must renew their request in writing every 12 months. Employees may be denied permission based on their attendance, discipline history or any other criteria established by the Sheriff. Any employee seeking approval of outside employment, whose request has been denied,

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shall be provided with a written reason for the denial at the time of the denial (Penal Code § 70(e)(3)).

REVOCAION/SUSPENSION OF OUTSIDE EMPLOYMENT

Any outside employment may be revoked or suspended under the following circumstances:

- The outside employment changes in such a way that it no longer meets CCSF Civil Service rules.
- When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment 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.

PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any outside employment request submitted by an employee to engage in any activity which:

- (a) Involves the employee's use of Department 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 SECURITY AND PEACE OFFICER EMPLOYMENT

Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no employee 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 expressed written permission of the Sheriff.

No deputy may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Sheriff.

OUTSIDE ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking law enforcement action while working at an outside employment capacity shall be required to complete documentation reporting the event upon returning to work pursuant to Department policy.

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1021.3.2 PEACE OFFICER IDENTIFICATION

A deputy who is engaged or employed in outside employment by a private employer, while off-duty, may not identify themselves as a peace officer when making an arrest or otherwise performing their outside employment duties.

Additionally, a battery on a peace officer employed by a private employer, while off-duty, cannot be punished as a battery on a peace officer.

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.

1021.4.1 REVIEW OF FINANCIAL RECORDS

If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide their personal financial records for review/audit based on CCSF ethics rules. If the employee elects not to provide the requested records, their off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment section of this policy (Government Code § 3308; Government Code § 1126).

CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates their outside employment during an approved 12 month period, the employee should promptly submit written notification of such termination to the Sheriff through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees should also promptly submit in writing to the Sheriff any material changes in outside employment including any change in the number of hours, type of duties of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on an occupational injury or illness leave or modified duty shall inform the Personnel Unit Manager in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or modified duty status. The Personnel Unit Manager shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Sheriff whether such outside employment should continue.

In the event the Sheriff determines that the outside employment should be discontinued or if the employee fails to promptly notify the Sheriff or the Personnel Unit Manager of their intentions regarding their outside employment, a notice of revocation of the employees previously approved

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outside employment will be forwarded to the involved employee, and a copy attached to the original approval.

Criteria for revoking outside employment includes, but is not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the City and County's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.

When the disabled employee returns to full duty with the San Francisco Sheriff's Department, outside employment rights are automatically restored.

Occupational Disease and Work-Related Injury Reporting

PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease, or mental health issue arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

POLICY

The San Francisco Sheriff's Department will address occupational diseases and work-related injuries appropriately and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.). The City and County of San Francisco (CCSF), Department of Human Resources (DHR), Workers' Compensation Division administers the Department's workers' compensation program. Workers' compensation benefits apply to all Sheriff employees and incarcerated who may be injured when performing work for the Department, whether the incarcerated person is in physical custody or in an alternative to incarceration program.

REPORTING AND DOCUMENTATION

Procedural link:

[Administration and Field Operations Procedure Manual: 1006.1 OCCUPATIONAL INJURY AT TRAINING](#)

[Administration and Field Operations Procedure Manual: 1006.2 EMPLOYEE RESPONSIBILITIES ON OCCUPATIONAL INJURY OR ILLNESS LEAVE](#)

[Administration and Field Operations Procedure Manual: 1006.3 RETURN TO WORK FROM AN OCCUPATIONAL INJURY OR ILLNESS LEAVE](#)

EMPLOYEE AND SUPERVISOR RESPONSIBILITIES

- (a) An employee sustaining an occupational disease or work-related injury shall notify a supervisor and document the event describing the injury as soon as practical and shall seek medical care when appropriate (8 CCR 14300.35).
- (b) Supervisors shall document the reported claim by the employee, and shall include the employee's decision whether they will or will not seek medical treatment.
 1. If the employee is unable to document the incident due to the injury or illness, the supervisor's documentation will stand in its place.

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- (c) Once notified, supervisors shall provide the employee with an Employee's Claim for Worker's Compensation Benefits (DWC1) form within 24 hours of the employer's knowledge of the injury or illness.
 - 1. Employees shall complete the injured worker section of the form and return it to the supervisor.
 - 2. Supervisors shall complete the employer's section of the form and the Employer's Report of Occupational Injury or Illness Form 5020.
- (d) For an employee seeking medical treatment at a future date, supervisors shall complete the Employer's Report of Occupational Injury or Illness Form 5020, and shall provide the Employee's Claim for Worker's Compensation Benefits (DWC1) form to the employee.
 - 1. The employee shall send the Personnel Unit the medical documentation and the completed DWC1 form within 24 hours of the medical visit.
- (e) Employees who suffer a reoccurrence of a previously reported occupational disease or work-related injury, if on-duty, shall:
 - 1. Submit a memo to their supervisor stating the facts of the reoccurrence, the date of the original injury, and the name and address of the treating physician.
 - 2. Complete the injured worker section of the (DWC1) form within 24 hours of the employer's knowledge of the injury or illness and return it to the supervisor.
 - 3. Supervisors shall complete the employer's section of the form and the Employer's Report of Occupational Injury or Illness Form 5020. Supervisors shall forward the Incident Report, DWC1 form and Form 5020 to the Personnel Unit within 24 hours of the reported injury/illness.
 - 4. Employees suffering from a recurrent injury/illness shall, without unreasonable delay, notify their Facility/Section/Unit Commander and the San Francisco City and County Employee's Compensation Division, Sheriff's Claims Adjuster, and follow all instructions.
 - (a) A supervisor will submit documentation based on the information provided by the employee. Employees shall provide the required information necessary to complete the documentation.

Supervisors shall send both Incident Reports (supervisor and employee), completed forms and medical documentation (if applicable) to the Personnel Unit within 24 hours of the employee injury or illness.

EMPLOYEE MEDICAL CARE

A supervisor learning of an occupational disease or work-related injury shall ensure medical care is offered as appropriate. Supervisors are responsible for providing initial transportation for employees sustaining an on the job injury or illness to medical treatment, upon the employee's consent. An employee exposed to a body fluid capable of transmitting HIV and/or Hepatitis may call the San Francisco Exposure Hotline at (628) 469-4411.

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PERSONNEL UNIT RESPONSIBILITIES

The Personnel Unit Commander or designee who receives a report of an occupational disease or work-related injury shall review the report and forms for accuracy and completeness. The Personnel Unit will forward the Incident Reports, completed forms and medical documentation to DHR, Worker's Compensation Division.

The Personnel Unit will create a worker's compensation file for the reports and related documents retained by the Department. The Personnel Unit will enter the necessary information into an electronic file.

CAL/OSHA REPORTING

The Personnel Unit or designee shall immediately report any serious injury, illness or death of an employee occurring while the employee was on-duty or in connection with employment, to the Division of Occupational Health and Safety Administration (Cal/OSHA). For the purposes of this section, the term, "serious injury or illness" means any injury or illness which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation."

The Personnel Unit will gather all necessary information from the reporting party and shall notify Cal/OSHA and the Sheriff's Chain of Command. The following information must be obtained:

- Date, time and location of the incident
- Employee's name, address, and telephone numbers on file
- Nature of employee's injury
- Description of incident and whether the incident scene or instrumentality has been altered
- Identity of other law enforcement agencies and officers present at the scene
- Point of contact at the incident site
- Location where employee was moved to
- Name, job title, and badge number of the reporting party

Outside of normal business hours, the reporting party shall contact the Central Records and Warrants Unit or the Department 24-Hour Emergency Number to report such an injury, illness or death.

1022.4 SETTLEMENT OFFERS

When an employee sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, their agent, insurance company or attorney and offered a settlement, the employee shall submit documentation of this contact to their supervisor and forward a copy to the Personnel Unit as soon as possible.

1022.4.1 SETTLEMENT NOTICE

When accepting a settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the employee should provide the Sheriff with written notice of the

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proposed terms of such settlement. The purpose of such notice is to permit the City and County to determine whether the offered settlement will affect any claim the City and County may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City and County's right of subrogation, while ensuring that the employee right to receive compensation is not affected.

Personal Appearance Standards

PURPOSE AND SCOPE

Employees shall maintain their personal hygiene and appearance to project a neat, clean, professional image for this department and for their assignment. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

At present, this policy does not apply to MSA members. MSA members seeking direction should click on the link below:

[See attachment: SFSD 03-40 Uniform Equipment and Grooming Standards.pdf](#)

GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present safety issues, the following appearance standards shall apply to all members.

HAIR

Hairstyles of all Department members shall be neat, clean and professional in appearance and not present a safety hazard.

Additionally, uniformed members shall follow the below guidelines:

- (a) Hair worn on the forehead will not be lower than the eyebrows; however, hair will not be visible on the forehead when wearing the Department hat or cap.
- (b) Hair will not cover the earlobes nor extend below the front of the earlobes.
- (c) Extreme hairstyles will not be worn (i.e. Mohawk style, pattern shaving, pattern streaking, etc.). Hairstyles such as braids, twists, locks and other culturally protected hairstyles are not considered extreme.(California Gov't Code Section 12926 ("Crown Act")).
- (d) Hair will not extend outward more than three inches from the scalp.
- (e) Ornaments (other than plain clips or fasteners) will not be worn in the hair.
- (f) Hair color, a wig or a hairpiece will be limited to natural colors (i.e. auburn, black, blonde, brown).

For uniformed members, hair must be no longer than three inches below the bottom of the uniform collar when the member is standing erect, for reasons of safety. Hair that extends more than three inches below the bottom of the uniform collar must be worn up in a tightly wrapped bun, braid or ponytail and secured above the top of the uniform collar.

MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend more than one-half inch below the corners of the mouth or beyond the natural hairline of the upper lip. Moustaches with twisted ends are prohibited.

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SIDEBURNS

Sideburns shall not exceed one inch in width, shall not extend below the bottom of the earlobe, and shall end with a clean-shaven horizontal line.

BEARDS

Beards are allowed, but not encouraged. Beards will be neatly trimmed and not extend outward more than one-half inch from the sides of the face or the chin. For those employees whose normal course of duties include the use of a respirator, facial hair cannot interfere with a respirator, mask or safety device that the employee may be required to wear.

FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to deputies or others. When in uniform or working in a jail environment, fingernails shall be neatly trimmed so that no point of the nail extends beyond one-fourth inch from the tips of the fingers. If nail polish is worn, all nails must have the same color polish covering the entirety of the nail. The only exception are nails with what is commonly referred to as "French Tips." Stripes, multicolor, charms, designs are not acceptable.

COSMETICS

Facial cosmetics may be used, however, only in moderation and/or blended to match the natural skin color of the individual.

JEWELRY AND EYEGLASSES

Eyeglass lenses must be clear or lightly tinted. Sunglasses will not be worn inside a facility or building unless a reasonable accommodation has been granted.

Employees will be limited to wearing the following jewelry while on duty:

- (a) One watch.
- (b) No more than three fingers on each hand may have rings.
- (c) Two bracelets and two necklaces.
- (d) Earrings are allowed but not encouraged when in uniform.
 - 1. Two earrings per ear, shall not exceed one-half inch in diameter, and shall not extend more than one-half inch below the bottom of the earlobe, nor extended outward more than one-fourth inch from the ear.
 - 2. When wearing non-uniform clothing, two earrings per ear shall not exceed one and one-half inches in diameter, and shall not extend more than one and one-half inches below the bottom of the earlobe or extend outward more than three-fourths of an inch from the ear.
 - 3. Earrings not worn in the earlobe must be a hoop or stud and not have anything attached to them.
- (e)

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- (f) Deputies assigned to defensive tactics training may be directed by the instructor to remove jewelry that may cause injury to themselves or others.

No jewelry or personal ornaments shall be worn on any part of the uniform or equipment, except those authorized within this policy and the attached Uniform and Equipment Specifications. Jewelry, if worn around the neck or wrist, shall not be visible when in uniform. The Department will not be responsible for lost or damaged jewelry.

TATTOOS

While on-duty or representing the Department in any official capacity, or when in uniform visible tattoos on the hand, neck or head are not allowed and must be concealed. Scarifications, or other body art is not allowed and must be concealed. At no time while on-duty or in uniform, or representing Department in any official capacity, shall any offensive tattoo, scarification or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang-related, or obscene language.

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.

Uniform Regulations

PURPOSE AND SCOPE

The uniform policy of the San Francisco Sheriff's Department is established to ensure that uniformed employees will be readily identifiable to the public through the proper use and wearing of department uniforms. All employees are required to present a neat, clean, and professional business appearance. Employees should also refer to the following associated policies:

Department Owned and Personal Property

Body Armor

Personal Appearance Standards

The Uniform and Equipment Specifications are maintained and periodically updated by the Sheriff or their designee. These specifications and this policy shall be consulted and adhered to regarding authorized equipment and uniform regulations.

WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

The uniform serves to identify the wearer as a peace officer, the source of assistance in an emergency, crisis or other time of need.

- (a) Sheriff's employees shall possess and maintain at all times, the class of uniform and the required safety equipment necessary and available to fulfill any post assignment and to perform their duty. Uniforms and safety equipment shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) Personnel shall wear only the uniform and safety equipment specified for their rank and assignment.
 1. Employees shall not loan or supply an individual their Department I.D. card. Employees shall not loan or supply an individual who is not a Sheriff's employee with any part of their uniform or safety equipment without the authorization of their supervisor.
 - (a) Absent exigent circumstances, a deputy or IP Officer shall not allow another deputy or IP Officer to carry their department firearm.
 - (b) Absent exigent circumstances, body worn cameras shall not be loaned to another deputy or IP Officer.
- (c) The uniform is to be worn in compliance with this policy and as set forth in the Uniform and Equipment Specifications attached to this policy.
 1. Uniforms that are faded, torn, poorly repaired, excessively tight or loose will not be worn.
- (d) Inspections of Sheriff's member's clothing, uniform and safety equipment will be conducted informally on each shift at all job sites. All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations. Employees shall take immediate corrective action to be in compliance with the clothing, uniform and safety equipment guidelines of the policy.

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Uniform Regulations

- (e) Formal inspections will be conducted at least twice each year. Division Commanders and/or Facility/Section/Unit Commanders may schedule an inspection of employees on an individual basis or in a group. A written record will be maintained of inspection results.
 - 1. A Commander will specify, by written notice, the date and the class of uniform to be inspected. All uniform inspections include the required Safety Equipment noted in the Uniform and Equipment Specifications, Schedule I unless additional equipment is required as specified by the Commander.
 - 2. Supervisors will give employees a date by which to correct their clothing, uniform and/or safety equipment issues if the employee did not pass inspection.
 - 3. Deputies directed to attend such inspections shall report wearing the uniform prescribed and carrying the safety equipment specified.
- (f) Non-uniform (business) attire shall not be worn in combination with any distinguishable part of the uniform.
- (g) Uniforms are only to be worn while on duty, for court, or at official department functions or events.
 - 1. Employees representing the Department at official functions must have the Sheriff's or designee approval and will wear the uniform of the day or as directed by the Sheriff or designee.
 - 2. The wearing of the uniform at an event other than a Sheriff's pre-approved or sponsored event must be approved prior to the event. The request shall be in writing and may be approved by the employee's Chief Deputy or higher.
- (h) A uniform worn while in transit shall have an outer garment worn over the uniform shirt so as not to bring attention to the employee while they are off-duty.
- (i) Employees are not to purchase or consume alcoholic beverages while displaying any type of uniform insignia.
- (j) Mirrored sunglasses and boots with pointed toes will not be worn with any Department uniform.

The Department will replace any uniform, department-issued safety equipment item or department-issued I.D. card damaged or lost in the line of duty not caused by negligence. The Department will recommend approval of claims filed with the City for personal effects lost or damaged in the line of duty not caused by negligence, as determined by the Department, if worn in accordance with this policy. Employees shall document the loss or damage in writing to their supervisor as soon as possible of the loss or damage to any part of the uniform, safety equipment or I.D. card.

- (a) In the event of a theft of the department-issued uniform, safety equipment or I.D. card the employee shall submit written notification to their supervisor within 48 hours of knowledge of the theft.
- (b) The written notification shall be sent to the appropriate personnel.

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AUTHORIZED DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

- (a) When on duty or acting in an official capacity representing the department, employees shall display their department-issued identification in a courteous manner to any person upon request and as soon as practical and it is safe to do so.
 - 1. In a custodial setting, there is no need for uniformed staff to present their identification card.
- (b) Deputies working undercover assignments may be excused from the possession and display requirements when approved by their Division Commander.

UNIFORM CLASSES

CLASS A DRESS UNIFORM

The Class A Dress Uniform is to be worn on special occasions such as funerals, graduations, ceremonies, authorized events or as directed by the Sheriff. Deputies are required to have all department-issued safety equipment noted in the Uniform and Equipment Specifications, Schedule I and other equipment as directed by a supervisor. Neckties will not be removed when wearing the Class A jacket. Supervisors may authorize the removal of the uniform jacket and necktie on a case by case basis.

The Class A uniform shirt may be altered by adding a zipper that is hidden underneath the buttons.

CLASS B DUTY UNIFORM

The Class B Duty Uniform will consist of the same garments and safety equipment as the Class A Dress Uniform, other than Command staff, with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open. No tie is required unless directed by a supervisor.
- (b) A white crew-neck t-shirt must be worn with the uniform.
- (c) Shirt may be altered by adding a zipper that is hidden underneath the buttons.

Employees assigned to the Crisis Negotiation Team (CNT) or as Radio Telephone Operators (RTO) shall wear Class B uniform when on an ESU or CNT assignment, unless otherwise directed.

CLASS C BASIC DUTY UNIFORM

The Class C Basic Duty Uniform allows deputies more flexibility and cooler clothing when assigned to positions in the jail, transportation, field assignments or special duty assignments. Deputies are required to have all department-issued safety equipment noted in the Uniform and Equipment Specifications, Schedule I and other equipment as required by the Division Commander.

- (a) The Class C sleeves may be professionally shortened.

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1. Sleeves may be temporarily rolled up during events or tasks where the sleeves may hinder activities or be damaged.
- (b) The Class C shirt may be altered for pregnant deputies who are in a uniformed assignment. The shirt may be altered maternity style and worn with plain black pants. This expense shall be incurred by the employee.

CLASS D EMERGENCY SERVICES UNIT UNIFORM (ESU MEMBERS ONLY) Deputies assigned to the Emergency Services Unit (ESU) shall wear the Class D Emergency Services Unit Uniform when on an ESU assignment, attending ESU training or as directed by an ESU or Training Unit supervisor. ESU members are required to have in their possession all department-issued safety equipment noted in Uniform and Equipment Specifications, Schedule I and Schedule II, and other equipment as required by the ESU, an Operational Order or the Officer in Charge (OIC).

CLASS E SPECIAL RESPONSE TEAM UNIFORM (SRT MEMBERS ONLY) Deputies assigned to the Special Response Team (SRT) shall wear the Class E uniform when on an SRT assignment, attending SRT training or as directed by an ESU, SRT or Training Unit supervisor. SRT members are required to have in their possession all department-issued safety equipment noted in Uniform and Equipment Specifications, Schedule I and Schedule II, and other equipment as required by the ESU, SRT, an Operational Order or the OIC.

CLASS F RECRUIT/CADET/PSO UNIFORM (RECRUIT, CADET, PSO, ONLY) Recruits, Cadets, and PSOs will possess and maintain the Class F uniform and department-issued safety equipment for that uniform.

SPECIALIZED UNIT UNIFORMS

The Sheriff may authorize special uniforms to be worn by deputies in specialized units such as Bicycle Patrol and other specialized assignments.

- (a) Deputies assigned to bicycle patrol may wear the bicycle patrol uniform as specified in the Bicycle Patrol Unit Policy.

FOUL WEATHER GEAR

The Uniform and Equipment Specifications lists the authorized uniform black colored jacket and black colored rain gear. In addition, a black wool or cotton baseball-style cap, with no logo may be worn outside. Except for the front gate and while performing perimeter checks at the San Bruno Jail complex, head caps "beanies" are not permitted.

INSIGNIA AND PATCHES

- (a) **Shoulder Patches** - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and bisected by the crease in the sleeve.
- (b) **Service stripes, stars, etc.** - Service stripes and other indicators for length of service may be worn on long-sleeved shirts and jackets. They are to be machine stitched onto

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the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.

- (c) The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform, on the outermost uniform clothing worn. The nameplate shall display the employee's last name. If the employee desires a name other than their legal last name, the employee must receive written approval from the Sheriff or designee. The nameplate shall be worn and placed 1/8" above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
 - 1. Nameplates shall be gold in color with the name in black capital block letters for the Class A, B and F uniforms.
 - 2. Embroidered nameplates are gold letters, 12mm block, and will be worn on Class C and D uniforms and subdued letters on Class E uniforms.
- (d) When a jacket is worn, the nameplate or an authorized sewn-on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
- (e) Assignment Insignias - Assignment insignias, (ESU, SRT, CNT, forward observer crossed rifles, CTO, FTO, JTO, and Canine) are worn (centered 1/2") above the right shirt or jacket nameplate.
- (f) Expert Shooting Pin – Awarded for excellence in firearms, is worn centered on the right shirt or jacket pocket flap.
- (g) American Flag Pin (1/4") – An issued flag pin is worn, centered on the left shirt or jacket pocket flap.
- (h) Ribbons and Medals – Department issued ribbons and medals of valor are only worn on the Class A jacket. Ribbons are worn centered (1/8") above the left pocket, directly below the badge, on an appropriate ribbon holder. The following ribbons are approved to wear in order of the highest precedence:
 - 1. Gold Medal of Valor
 - 2. Silver Medal of Valor
 - 3. Bronze Medal of Valor
 - 4. Courageous Service
 - 5. Lifesaving
 - 6. Outstanding Service
 - 7. Merit
 - 8. Disaster
 - 9. Event
 - (a) When multiple ribbons are worn, the highest ribbon of precedence will be worn in the middle, with the next highest ribbon of precedence worn on the right, followed by the last highest ribbon of precedence worn on the left.

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- (i) Badge - The department issued badge or authorized sewn-on cloth replica must be worn and visible at all times while in uniform.
- (j) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform.

No other patches or pins shall be worn on a uniform without the authorization of the Sheriff.

A deputy who is both a member of the ESU and a JTO must decide which pin to wear. Only one pin will be worn in each designated location. Multiple pins are not to be worn or "stacked". No other pins are to be worn on a uniform without the Sheriff's authorization.

Employees will not display any Department emblem, I.D. card, patch or badge when off-duty and/or traveling to a duty location to begin or end their tour of duty, or when away from their assigned Facility/Section/Unit, except when:

- (a) Using public transportation (deputies only)
- (b) Asked to identify themselves
- (c) Acting in the capacity of a Peace Officer (deputies only)
- (d) Self-identification for the purpose of performing their job duties
- (e) Authorized by the Sheriff

MOURNING BADGE

Deputies may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The mourning band shall not exceed ½ inch in width. The following mourning periods will be observed:

- (a) A deputy of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer from this or an adjacent county - From the time of death until after the service on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Sheriff.

NON-UNIFORM DRESS STANDARDS

There are assignments/positions within the Department that do not require the wearing of a uniform. All employees in non-uniform assignments/positions shall maintain dress standards that conform to business or business casual attire, to include:

- (a) Clothing that fits properly, is clean and free of stains, not damaged or excessively worn, and is color-coordinated.
- (b) Button style dress shirt with a collar, scarf, slacks or suits that are moderate in style. A belt shall be worn when slacks have belt loops. Shoes or boots with heels are not to exceed two inches. Athletic shoes, if worn, must-have brand names and/or brand

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symbols obliterated. A blazer/jacket, tie, or sweater is optional unless directed by the Division/Facility/Section/Unit Commander.

1. In addition to the above, gender identified females may wear a blouse, shirt, skirt, dress, pantsuit or nylons.
- (c) The Department-approved polo shirt, with the Department patch or round logo embroidered in gold, are allowed as authorized by the Facility/Section/Unit Commander.
1. The Unit name may be embroidered below the logo.
- (d) The rank of Captain and above may wear non-uniform business attire.
- (e) The following items shall not be worn on duty:
1. T-shirt alone
 2. Open-toed sandals or flip-flops
 3. Swimsuit, tube tops, or halter-tops
 4. See-through clothing
 5. Distasteful printed slogans, buttons or pins
 6. Unless working in a custodial setting, hats shall not be worn indoors.
 - (a) Only department-approved baseball caps can be worn.
- (f) Variations from this non-uniform dress standard are allowed at the discretion of the Sheriff or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (g) No item of non-uniform attire may be worn on duty that would adversely affect the reputation of the San Francisco Sheriff's Department.

POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Sheriff, San Francisco Sheriff's Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify themselves as an employee of the San Francisco Sheriff's Department to do any of the following (Government Code §§ 3206 and 3302):

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.
- (e) In connection with private employment.
- (f) Under any circumstances which would bring discredit to the Department.

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OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional (Schedule III) shall be purchased at the expense of the employee. No part of the purchase cost shall be offset by the Department.
- (b) Maintenance and replacement of optional items shall be the financial responsibility of the purchasing employee. For example, repairs and replacement due to normal wear and tear.

1024.7.1 RETIREE BADGES

The Sheriff may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has retired from the San Francisco Sheriff's Department. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retiree Concealed Firearms Policy.

A badge issued to a retired peace officer that is not affixed to a plaque or other memento will have the words "Retired" clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the San Francisco Sheriff's Department and will be revoked in the event of misuse or abuse (Penal Code § 538d).

UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

San Francisco Sheriff's Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in this policy and in the Uniform and Equipment Specifications or by the Sheriff.

San Francisco Sheriff's Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Sheriff.

TRAINING

Deputies shall wear the uniform of the day or as directed by training when attending Department in house training (i.e. Advanced Officer Training, etc.). When assigned specifically to ESU or SRT training the deputy must wear the Class D or E uniform, based on their assignment. Deputies are required to be in uniform and have in their possession all safety equipment as noted in the Uniform and Equipment Specifications, Schedule I, unless specified otherwise by the Training Unit.

- (a) Deputies who report for training out of uniform and/or without the required safety equipment in their possession may be excused from training and return directly to their assigned Facility/Section/Unit, even if it is not the employee's specific shift.
- (b) Deputies shall report to the Watch Commander and may be required to complete written documentation and submit it by the end of the shift to the Watch Commander.
- (c) Deputies will be rescheduled for training at a later date.
 - 1. If training is separated by a morning class and afternoon class, the deputy may attend the afternoon class if in full uniform and in possession of all required safety equipment, upon the collaborative approval of both the Training Unit and

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the Watch Commander, and only after the submittal of the completed Incident Report.

POLICY EXCEPTION

Any exception to this policy and to the attached Uniform and Equipment Specifications, to accommodate a temporary or permanent disability or condition must be supported by a:

- (a) Written statement by a licensed physician that clearly articulates the need associated with the accommodation request.
- (b) Specific recommended type of equipment accommodation
- (c) Duration of the accommodation

The Department does not obligate itself to purchase equipment or services to facilitate an approved accommodation requested by the employee.

RETURN OF UNIFORMS AND EQUIPMENT

Immediately return department-issued uniforms and equipment to the Training Unit upon separation from the department. Equipment issued by a specialized unit (ESU) shall be immediately returned to the Unit Commander or designee upon separation from the Unit.

- (a) If the employee is instructed by the Personnel Unit or specialized unit to dispose of uniform items, the employee shall remove all patches, insignia, stars, pins, etc., prior to disposal.

ATTACHMENTS

See attachment: [Class A Dress Uniform.pdf](#)

See attachment: [Class A Dress Uniform Inspection Form.pdf](#)

See attachment: [Class B Duty Uniform.pdf](#)

See attachment: [Class C Basic Duty Uniform.pdf](#)

See attachment: [Class D ESU Uniform.pdf](#)

See attachment: [Class E SRT Uniform.pdf](#)

See attachment: [Class F Recruit Cadet PSO Uniform.pdf](#)

See attachment: [Safety Equipment.pdf](#)

Sheriff's Cadets

PURPOSE AND SCOPE

Cadets work under direct supervision, perform a variety of routine and progressively more advanced tasks.

ORIENTATION AND TRAINING

Newly hired cadets will receive an orientation of the organization and facilities. On-the-job training will be conducted and will be scheduled as needed to train cadets for assignments. In addition to job-specific training, information may be offered to cadets with the opportunity to compete successfully in the sheriff's deputy selection process, as well as the academy training. Training will focus on improving job performance. These trainings will also offer an opportunity to receive continuous feedback regarding progress of the program.

CADET UNIFORMS

Each cadet will be provided uniforms meeting the specifications described in the Uniform Regulations Policy.

ROTATION OF ASSIGNMENTS

Rotating job assignments within the unit should occur on a regular basis. Department needs and concerns will take precedence over individual considerations with the final decision resting with the Personnel Manager.

PERFORMANCE EVALUATIONS

Performance evaluations for all cadets shall be completed after three months of initial employment and no later than five, as a cadet. Upon successful completion of probation, cadets will be evaluated on a yearly basis to assess their current job performance and their potential as sheriff's deputies.

Nepotism and Conflicting Relationships

PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between employees, interns, and volunteers of this department.

People in both family and romantic relationships are referred to as "related persons" solely for the purposes of this policy (see Civil Service Commission Policy on Family and Romantic Relationships at Work dated February 8, 2017).

1026.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Direct supervision – One employee directing the work of another employee. This includes temporary and project-based assignments.

Employment decisions – Refers to the full array of decisions and actions that involve City employees and their employment, including, but not limited to, decisions related to hiring, supervision, promotion, compensation, work hours, assignment, performance evaluation, discipline, termination, and decisions involving other terms and conditions of employment.

Indirect supervision - One employee is responsible for the work of another employee through the organizational structure or chain of command. This includes temporary and project-based assignments.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Related person - An employee's family member, whether by blood, adoption, marriage, or domestic partnership, includes: parent, grandparent/grandchild, spouse, domestic partner, significant other, child, sibling, aunt/uncle, niece/nephew, first cousin, and any corresponding in-law, step or foster relation. Related person also includes a consensual romantic relationship occurring within the last two years. This includes but is not limited to sexual, dating, engagement, or other intimate relationships.

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Nepotism and Conflicting Relationships

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or conflicts of interest, the following reasonable restrictions shall apply:

- (a) Employees are prohibited from directly supervising, or being directly supervised by any other employee who is a related person or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a supervisor/subordinate relationship exists temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 - (a) Related persons or an employee with whom a personal or business relationship exists may be allowed to work in the following limited assignments:
 - 1. Holiday Watch
 - 2. Overtime
 - 3. Emergency response
 - 4. Special assignment by the Sheriff or Undersheriff should be evaluated each 60 calendar days
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Whenever possible, FTOs and other trainers will not be assigned to train related persons. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (c) To avoid actual or perceived conflicts of interest, employees of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact, investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in violations of state or federal laws.

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Nepotism and Conflicting Relationships

EMPLOYEE RESPONSIBILITY

Employees may not make, participate in making, or influence any employment decision involving a related person or with whom they are involved in a personal or business relationship. This includes, but is not limited to:

- Hiring, promoting, transferring, assignment or re-assignment
- Serving on a hiring panel
- Developing, administering, or rating a civil service exam
- Initiating an administrative investigation or discipline
- Preparing, conducting, or contributing information to a performance evaluation
- Approving overtime or any other compensated time
- Approving vacation, sick, or other leave time
- Granting or denying permission to attend a conference or other work-related event
- Approving reimbursement for work-related expenses

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any related person or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify another supervisor or uninvolved employee to either relieve the involved employee or minimally remain present to witness the action.

SUPERVISOR'S RESPONSIBILITIES

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Personnel Unit Commander of such actual or potential violations through the chain of command. The Personnel Unit Commander will notify the Sheriff.

This policy does not prohibit a supervisor from making an employment decision that impacts an entire unit or group of employees that includes a related person.

REPORTING AND COMPLIANCE

- (a) Direct or indirect supervision of related persons must be promptly reported by both employees to the Personnel Unit Commander. Since employees cannot directly supervise related persons, the Personnel Unit Commander shall take steps towards addressing the conflict until the issue is resolved.
- (b) Employees who become related persons during City employment and while in a direct or indirect supervision situation must promptly disclose the relationship to the Personnel Unit Commander.
- (c) Employees are prohibited from retaliating against anyone who reports a potential violation of this policy.

Department Badges

PURPOSE AND SCOPE

The San Francisco Sheriff's Department badge and uniform patch, as well as the likeness of these items and the name of the San Francisco Sheriff's Department, are the property of the Department and their use shall be restricted as set forth in this policy.

POLICY

The uniform badge shall be issued to department members and the use and display of department 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. The term "deputies" throughout the Department policy and procedure manuals refers to all sworn staff of every rank.

UNIFORM BADGE

The Personnel Unit will issue badges to new deputies upon graduation from the Basic POST Academy. Reappointed or newly hired deputies who possess a Basic POST certificate will be issued a badge when sworn in. Once issued the badge deputies will retain that badge until separation from service. Prior issued badge numbers are issued by the Personnel Unit at the Sheriff's discretion. Deputies requesting a badge previously issued to a family member or inactive must submit a request in writing to the Sheriff through the Personnel Unit.

- (a) Deputies approved for reappointment within six months from separation will be allowed to retain their original badge number.
- (b) Deputies with a break from service longer than six months may be issued a new badge.

FLAT BADGE

Vouchers for flat badges are offered or available on request to deputies upon the completion of Deputy Sheriff probation. A flat badge and any specially authorized badge are the property of the deputy and are not subject to return. Deputies are allowed to purchase a flat badge and special/commemorative badges (until no longer approved) during the course of employment. The use of the flat badge is subject to all the same provisions of department policy as the uniform badge.

- (a) A deputy may not sell, exchange, or transfer a flat badge to another unless written approval of the Sheriff has been granted.
- (b) Should the flat badge become lost, damaged, or otherwise removed from the deputy's control, they shall submit an Incident Report to the Personnel Unit.
- (c) A retired deputy may keep their flat badge upon retirement.
- (d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

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Department Badges

CIVILIAN PERSONNEL

Badges and department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee.

- (a) Non-sworn personnel shall not display any department badge except as a part of their uniform and while on duty.
- (b) Non-sworn personnel shall not display any department badge or represent themselves, on or off duty, in such a manner which would cause a reasonable person to believe that they are a sworn peace officer.

VOLUNTEERS

The Sheriff's Chaplain, Mounted Posse, and Air Squadron are issued badges and are maintained at the discretion of the Sheriff, and are not covered under the guidelines of this policy, however, requests for additional badges, refurbishment of badges or any special requests must be routed through the Personnel Unit Manager.

EMPLOYEE SEPARATION BADGES

Retired employees may receive an authorization letter from the Sheriff for a retired ribbon to be placed on the badge. The Personnel Unit may issue a letter to retired employees who elect to have a plaque mount added to the badge, and for those who did not receive the retired ribbon upon separation. The Sheriff's Department will incur these costs.

Employees who passed away while on active duty status will have their badge refurbished and presented to the family/friend by the Sheriff or designee.

Retired Institutional Police Officers who have requested to retain their issued badge, must submit a written request to the Sheriff through the Personnel Unit Manager.

Employees separated from service other than through retirement must submit a written request to the Sheriff through the Personnel Unit Manager. If approved, the badge will be encased in Lucite or post mounted at the employee's own expense. If the employee agrees to the cost, the badge will be given to the Personnel Unit with the payment. The Personnel Unit will oversee the completion process and will notify the employee when ready.

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.

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 retired peace officer.

Department badges are issued to all sworn employees and designated civilian employees are 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.

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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 Sheriff.

Employees shall not loan their department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

LOST OR STOLEN BADGES

Employees will submit a memo to the Personnel Unit for a lost/stolen badge with a copy of a police report (if applicable), within 48 hours of the loss. The Personnel Unit will forward a copy of the documentation to:

- (a) Central Records and Warrants Unit (CRW) for input into CLETS/NCIC
- (b) Internal Affairs Unit
- (c) Sheriff or designee who will determine if disciplinary action or financial restitution is warranted.
 - 1. The Personnel Unit will provide the employee with a loaner badge and replacement authorization letter.
 - (a) If the replacement badge will retain the employees' original number it will be marked "Duplicate" on the reverse.
 - 2. A recovered badge found within six months of the loss will be reissued to the employee after it is cleared in the system through CRW, and notifications have been made to IAU and the Personnel Unit Manager.

LOANER BADGES

Loaner badges will be requested through and distributed by the Personnel Unit. Loaner badges will be returned to the Personnel Unit by the employee within three business days upon receiving their badge. Loaner badges will only be issued for:

- (a) Refurbishment – Employees may submit a written request once every five years. Refurbishment letters will be sent to employees if approved by the Personnel Unit. Requests for additional refurbishments within a five-year period will be reviewed on a case by case basis by the Undersheriff.
- (b) Reproduction – Badges will only be reproduced by the approved City vendor at the request of the Personnel Unit.
- (c) Promotion – A loaner badge will be issued to employees with a letter to have a new rank designation ribbon added or removed.
- (d) Temporary replacement for lost/stolen badges.

PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Sheriff and shall be subject to the following:

- (a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear

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Department Badges

representation of the association and not the San Francisco Sheriff's Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the department badge for endorsement of political candidates shall not be used.

Modified and Restricted-Duty Assignments

PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified and restricted-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City and County 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, to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

POLICY

The San Francisco Sheriff's Department may identify temporary modified and restricted-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. Employees returning from disability or doctor mandated sick leave due to the employee's health condition must be medically cleared by their physician.

GENERAL CONSIDERATIONS

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. A disabled employee seeking reasonable accommodation must notify the Personnel Unit Manager.

No position or assignment in the San Francisco Sheriff's Department shall be created or maintained as a permanent 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.

The Sheriff or designee may restrict employees assigned to temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, responding to emergency situations, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall not exceed a cumulative total of 180 calendar days for any injury. The Sheriff or designee may authorize the resumption of specific duties of Command Staff or professional equivalent beyond the 180 days.

GUIDELINES

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment shall submit a written notice from the employee's treating physician to the Personnel Unit containing:

- (a) An assessment of the illness or injury.
- (b) The nature and scope of limitations and/or work restrictions.

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- (c) A statement regarding any required workplace accommodations, mobility aids or medical devices, if any.

The Sheriff or designee may authorize the Personnel Manager to return the employee to specific duties that are within the employee's abilities and consistent with their medical restrictions.

- (a) a. An employee who is unable to return to full duty with no restrictions within 180 calendar days will be placed on leave status. The employee will remain on leave status until such time as the employee is cleared by the employee's treating physician to return to full duty.
- (b) Probationary Deputy Sheriffs may only be assigned to a temporary modified duty assignment for 30 days. At the end of the 30th day, if the probationary deputy is not able to return to full duty with no restrictions, the employee will be placed on leave status.
 - 1. Probationary Deputy Sheriffs cannot have their probation extended for modified duty.

TEMPORARY MODIFIED DUTY ASSIGNMENT

The Personnel Unit will provide written notification of assignments, work schedules and any restrictions to employees assigned to temporary modified-duty assignments, to the administrative supervisor at the employee's originating Facility/Section/Unit and to the supervisor at the modified duty assignment. The Personnel Unit may consider factors such as the employee's physical restrictions, medical appointments, department operations, needs of the originating Facility/Section/Unit, staffing minimums, and shift availability when making temporary modified duty assignments. Priority will be given to employees with a work-related injury.

The assignment of employees with a non-work-related injury or illness to temporary modified duty may be reviewed every 30 days. If an employee with a non-industrial injury or illness decides not to work, or if the Department cannot accommodate the restrictions, the employee will be charged using their accrued sick pay.

EMPLOYEE RESPONSIBILITIES

Employees assigned to a temporary modified duty assignment, whether the injury was incurred on or off duty, shall:

- (a) Communicate and coordinate all medical and physical therapy appointments in advance with their supervisors.
 - 1. Keep all scheduled medical and physical therapy appointments. If the appointment is rescheduled notify the Personnel Unit and their supervisor.
 - 2. Comply with the instruction of the attending physician and physical therapist.
 - 3. Employees shall not participate in any activity which is likely to aggravate or prolong the condition, except for the activity, exercise or therapy prescribed for medical reasons.
- (b) Comply with all instructions and directions given by the Personnel Unit, and immediately provide the Personnel Unit with the following:

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1. A change in restrictions or limitations after each appointment with the treating medical provider.
 2. Medical certificates/paperwork from the treating medical provider, including the continuation or discontinuation of the temporary modified duty.
 3. The date the employee will be released to return to full duty. The employee must submit the medical verification slip from the attending physician.
- (c) Communicate a status update to the Personnel Unit and their supervisor as soon as possible but no later than the next day after each appointment with the treating medical provider while assigned to a temporary modified duty assignment.
- (d) Employees shall not engage in outside employment, without the permission of the Sheriff via the Personnel Unit Manager, notwithstanding the fact that prior written permission to engage in such outside employment was received from the Sheriff.
- (e) Employees on modified duty can only work overtime in designated modified duty locations. Overtime is awarded based on the process as outlined in the Overtime/Holiday Policy.
- (f) Employees on Modified Duty may be subject to draft unless that would conflict with work restrictions in place as ordered by their treating physician(s).
- (g) Employees on Modified Duty may be subject to involuntary work on a holiday unless that would conflict with work restrictions in place as ordered by their treating physician(s).
- (h) Employees on Modified Duty may be subject to involuntary work during an Extended Work Week unless that would conflict with work restrictions in place as ordered by their treating physician(s).

PERSONNEL UNIT RESPONSIBILITIES

The Personnel Unit shall monitor and manage those assigned to a temporary modified duty assignment and shall:

- (a) Periodically apprise the Division/Facility/Section/Unit Commander of the status of the employee assigned to temporary modified duty.
- (b) Notify the Division Commander and ensure that the required documentation facilitating a return to full duty is received from the employee.

RETURN TO FULL DUTY

Prior to returning to full-duty status, from a temporary modified duty assignment, employees shall submit medical certification from their attending physician stating the employee is medically cleared and able return to full duty status, and to perform the essential functions of their jobs without restrictions or limitations. The medical certification must be submitted to the Personnel Unit.

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.

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Employees who returned to full duty from modified duty may have follow-up appointments scheduled with their attending physician. A copy of the appointment schedule shall be presented to the employee's immediate supervisor if the appointments are scheduled during regularly scheduled work hours.

- (a) Employees attending follow-up appointments during work hours shall not be required to use sick pay unless the injury/illness was non-work related or the appointment causes the employee to be away from the work site for more than two hours.
- (b) Employees will not be compensated for follow-up medical appointments when those appointments occur during their non-work hours.

PREGNANCY (RESTRICTED DUTY)

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under Government Code § 12945.

RESTRICTED DUTY ASSIGNMENT

- (a) Upon confirmation of an employee's pregnancy, and no later than the first trimester, the employee shall send written notification of her pregnancy through the chain of command to the Personnel Unit Manager.
 - 1. Notification includes the name, office address, and telephone number of the treating physician or certified nurse-midwife, and the child's due date.
- (b) As soon as possible, but no later than the beginning of the fourth month of pregnancy, the employee shall submit a Physician Certification Form, along with the employee's job description to her treating physician or certified nurse-midwife for certification that the employee is able to perform the described essential job functions.
 - 1. The employee shall request and receive a copy of those essential job functions from her Facility/Section/Unit Commander or Director.
 - 2. The employee shall submit a completed Physician Certification Form every month until the employee begins her maternity leave.
 - 3. Each completed Physician's Certification Form must be submitted in a timely manner to the Watch Commander or Administrative Supervisor at the employee's assigned duty location. The supervisor shall forward the original to the Personnel Unit Manager. A copy shall be placed in the employee's Personnel File.
 - 4. When an employee fails to submit a Physician's Certification Form as required by this policy, the Department may place the employee on leave status.

When a deputy enters her fourth month of pregnancy and notifies the Department, the Department shall make every effort to assign them to a position with limited incarcerated contact. These positions include, but are not limited to:

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Modified and Restricted-Duty Assignments

- (a) Control Rooms at Sheriff's facilities to include Ward 7D/7L (non-weapon assignments).
- (b) Civil Section (non-weapon assignments).
- (c) City Hall (non-weapon assignments).
- (d) Sheriff's Operations Center (SOC) at ZSFGH (non-weapon assignments).
- (e) Administrative or clerical positions with no incarcerated contact.

These assignments are temporary and are only available to the employee during their pregnancy.

- (a) Employees may work overtime while on restricted duty. Overtime is awarded based the Overtime Policy.
- (b) Employees on restricted duty may be subject to draft unless it would conflict with work restrictions as ordered by their treating physician.

NOTIFICATION

Pregnant employees should notify the Personnel Unit as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City and County's personnel rules and regulations regarding family and medical care leave.

1028.8 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 the Training Unit Manager or designee of any inability to maintain any certification, training or qualifications.

Employees may attend training that does not conflict with work restrictions in place as ordered by their treating physician(s).

Procedural Link:

[Administration and Field Operations Procedure Manual: 1004.1 MODIFIED DUTY LOCATIONS](#)

[Administration and Field Operations Procedure Manual: 1004.1.1 PRIORITY#1](#)

[Administration and Field Operations Procedure Manual: 1004.1.2 PRIORITY#2](#)

[Administration and Field Operations Procedure Manual: 1004.1.3 PRIORITY#3](#)

Seniority

PURPOSE AND SCOPE

To provide guidelines to Sheriff's Department members on department seniority and how it is established.

POLICY

Seniority is established in accordance with Civil Service Rules and the Sheriff's Department policy as stated in the Memorandum of Understanding.

SENIORITY GUIDELINES

- (a) Within each class/rank seniority is determined in order from the highest to lowest.
 - 1. Permanent Civil Service Appointees: Seniority is established by the permanent Civil Service certification date. Where two or more individuals have the same date of appointment, seniority shall be established by their rank on the Civil Service list of eligible individuals from which they were appointed.
 - 2. Temporary Civil Service, Limited Tenure and Non-Civil Service seniority is established by the appointment date.
- (b) Station Officers, Class 8217, are treated as deputies, class 8304 for seniority purposes. Therefore, a deputy who was formerly a station officer shall establish their seniority based on the date of appointment to class 8217 within the Sheriff's Department.
- (c) Employees who accept a permanent appointment to another City and County of San Francisco department and who seek reinstatement back to the Sheriff's Department in a former classification in which the probationary period had been completed may, upon approval of the Sheriff, have their former seniority standing in the Sheriff's Department.
- (d) A permanent employee who has completed their probationary period and who resigns from the Sheriff's Department with satisfactory service and leaves employment with the City and County of San Francisco may be reappointed to their former classification, subject to the approval of the Sheriff.
 - 1. When reappointed, an employee with a break in Department service of six months or less shall have their original appointment date used as the basis of their seniority.
- (e) A probationary employee serving in an entrance classification who is terminated by the Department and who subsequently has their name returned to the eligible list by the Civil Service Commission will have their new appointment date used for the basis of seniority.
- (f) Employees who had prior City and County service before employment with the Sheriff's Department shall start work as a new appointee with no department seniority rights in a particular class based on that prior City and County service, except such as may be specifically provided in the vacation, sick leave and salary standardization

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Seniority

ordinances and in the examination procedures with respect to credit for City and County service.

Request for Personal Time Off

PURPOSE

To establish guidelines for the approval and denial of requests for personal time off by Department employees.

TYPES OF REQUESTS

The number of available Personal Time Off (PTO) slots at a Facility/Section/Unit is mandated by the Collective Bargaining Agreements (CBA) and Memorandums of Understanding (MOU) of the various labor organizations representing Department employees. In addition to the number of PTO slots available, an additional time off slot is available based on the Fair Labor Standards Act (FLSA). The category of PTO that can be used for the additional time off slot is mandated in the employee's CBA/MOU.

- (a) Employees may request and submit a Personal Time Off (PTO) Request form to their supervisor or through the Annual Vacation Sign-up process.
 - 1. Employees may not approve their own time off request.
- (b) Except for Annual Vacation Sign-up, PTO may be requested and used only through accrued time off that is currently in the employee's account, as follows:
 - 1. Vacation (VAC)
 - 2. Compensatory Time (CT)
 - 3. Floating Holiday (FH)
 - 4. Days in Lieu (DIL)
 - 5. Fitness (FIT)
 - 6. Employees are responsible for knowing the amount and type of time that is available for use. Changes will not be made to PTO once the time off period has begun.
 - 7. The Department shall transfer previously approved PTO when the employee is reassigned, detailed or transferred to another Facility/Section/Unit. Employees who are detailed, shall submit a PTO request to the Facility/Section/Unit supervisor at the detailed location, for time off that was not previously approved.
- (c) PTO requests outside of these guidelines and the justification for the request, must be made to the employee's supervisor. Denials of these requests may be appealed through the chain of command.
- (d)
 - a. Employees detailed may only sign up for PTO at their detailed location during their known dates of detail.
 - 1. All other requests shall be made at their "home" facility/watch based on PTO policy and procedure.

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Request for Personal Time Off

PERSONAL TIME OFF REQUESTS

- (a) Employees shall complete and submit a PTO Request to a supervisor to request PTO or to change previously approved time off. The employee shall document the dates requested and category of paid time off that is to be used.
- (b) PTO requests will be accepted for all time off in the current calendar year, and for the following calendar year only after the Annual Vacation Sign-up process has been completed.
- (c) When an employee is not on-duty, they may contact a supervisor at their Facility/ Section/Unit to request or cancel time off. The supervisor will acknowledge the contact. The supervisor will complete the Time Off Request form and notify the employee of its approval or denial.
 - 1. Employees must cancel PTO at least 24 hours prior to the date being canceled.
 - 2. During the Annual Vacation Sign-up, no changes or cancellations can be made to approved PTO.

PERSONAL TIME OFF APPROVAL

- (a) A supervisor shall process PTO Requests as soon as possible but within 24 hours of submission, and may approve a request for time off if:
 - 1. The Watch is above minimum, and there are no CBA/MOU slots available, the supervisor may approve additional PTO slots until the scheduled watch minimum is reached.
 - 2. In these instances, the Request will be processed within a reasonable time.
- (b) Upon receiving a Personal Time Off Request supervisors shall:
 - 1. Record the date and time the Request was received. If more than one Request was submitted, process Requests in the order received.
 - 2. Ensure the employee has accrued the time off being requested.
 - 3. Verify that a time off slot is open/available.
 - 4. Approve or deny the Request. If denied, state the reason for the denial.
 - (a) Record approved Requests in the Time Off Calendar documenting the employee's name and type of time off (i.e. First Last CT).
 - (b) Document an approved Request on the Daily Watch Sheet, if previously printed.
 - (c) Record denied Requests in the Time Off Calendar documenting the employee's name and type of time off denied, indicating the order of the denial for possible future approval (i.e. Sansa Stark FH (1)).
 - 1. A denied Request due to the employee having an insufficient amount of accrued time off shall not be entered into the Time Off Calendar.
 - 5. Sign the Request form and provide a copy to the employee.

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PERSONAL TIME OFF CANCELLATION

Upon receiving a cancellation for Personal Time Off supervisors shall:

- (a) Record the date and time a cancellation Request was received. If more than one Request was submitted, process Requests in the order received.
- (b) Remove the employee's name from the Time Off Calendar. Sign the form and provide a copy to the employee.
- (c) Review the Time Off Calendar for an employee who was previously denied time off.
 1. Approve the first employee denied and notify the employee that their previously denied request has been approved.
- (d) Indicate if the date requested for cancellation was approved or denied. If denied, the reason for the denial will cited.
 1. All PTO cancellations submitted at least 24 hours prior to the date requested will be approved.
 2. Employees reporting for work on an approved PTO day, without 24 hours advanced notice, shall not be allowed to work the shift.

ANNUAL VACATION SIGN-UP PROCESS

The annual Vacation Sign-up Schedule will be posted by each Facility/Section/Unit Commander on September 21st of each year. The annual vacation sign-up process begins on October 1st. The vacation sign-up process ends 24 hours after the end of each Watch, on the last scheduled Single Day Sign-up. Any PTO which has already been dedicated to use in the current year (October 1st to January 5th) cannot be used during the annual vacation sign-up process.

[Administration and Field Operations Procedure Manual: 1030.1 ANNUAL VACATION SIGN-UP PROCEDURE](#)

[Administration and Field Operations Procedure Manual: 1030.1.1 SINGLE DAY SIGN-UP PROCEDURE](#)

[Administration and Field Operations Procedure Manual: 1030.1.2 DENIED ANNUAL SIGN-UP DATES](#)

YEARS OF SERVICE

- (a) An employee may sign up for vacation hours they will accrue in the upcoming calendar year.
- (b) Available vacation time off is determined by the employee's total years of completed service for the City and County of San Francisco, as follows:
 1. 1 to 4 years = 80 hours of vacation
 2. 5 to 14 years = 120 hours of vacation
 3. 15 or more years = 160 hours of vacation

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- (c) An employee may sign up for an additional 80 vacation hours (84 for a 12-hour shift) provided the employee has an accrued a vacation balance of at least 40 hours by the pay period ending immediately prior to October 1st.
- (d) During the single day sign-up process, any PTO, including VAC not used during the week sign-up process, can be used.

1030.5 ATTACHMENTS

[See attachment: Vacation Sign-up Single Day Bid Sheet.pdf](#)

[See attachment: Vacation Sign-up Weekly Bid Sheet.pdf](#)

[See attachment: Vacation Sign-up Single Day Bid Sheet.pdf](#)

Injury and Illness Prevention

PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of injury and illness for members of the San Francisco Sheriff's Department, in accordance with the requirements of 8 CCR 3203.

This policy specifically applies to injury and illness that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces injury and illness, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related City and County safety efforts.

POLICY

The San Francisco Sheriff's Department is committed to providing a safe environment for its members and visitors and to minimize the incidence of work-related illness and injuries. The Department will establish, maintain and provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

INJURY AND ILLNESS PREVENTION PLAN

The Administration and Programs Division Commander, working with the department safety officer/analyst, will be responsible for developing an injury and illness prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.
 6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Department to meet relevant standards.

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- (f) Establishment of a process to ensure serious illnesses or injuries and death are reported as required by the Division of Occupational Safety and Health Administration (Cal/OSHA) (8 CCR 342).

ADMINISTRATION AND PROGRAMS DIVISION COMMANDER RESPONSIBILITIES The responsibilities of the Administration and Programs Division Commander include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member injury and illness.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the injury and illness prevention plan.
 - 3. Access to the injury and illness prevention plan to members or their representatives as set forth in 8 CCR 3203.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - 1. Informing members of the injury and illness prevention guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring department compliance to meet standards regarding the following:
 - (a) Respiratory protection (8 CCR 5144)
 - (b) Bloodborne pathogens (8 CCR 5193)
 - (c) Aerosol transmissible diseases (8 CCR 5199)
 - (d) Heat illness (8 CCR 3395)
 - (e) Emergency Action Plan (8 CCR 3220)
 - (f) Fire Prevention Plan (8 CCR 3221)
 - (g) Hazards associated with wildfire smoke (8 CCR 5141.1)
- (e) Making available the Identified Hazards and Correction Record form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available the Investigation/Corrective Action Report to document individual incidents or accidents.

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- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the injury and illness prevention plan.

SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to injury and illness prevention; such forms and reports shall be submitted to the Administration and Programs Division Chief.
- (e) Notifying the respective supervisor and Administration and Programs Division Chief when:
 - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

SAFETY OFFICER/ANALYST

The Safety Officer/Analyst will:

- (a) Set facility safety goals
- (b) Establish qualifications for selection of facility safety team members
- (c) Arrange for safety team members to attend relevant training
- (d) Prepare and present on-going safety training to all department members
- (e) Prepare quarterly safety reports
- (f) Review Cal OSHA violations and ensure current safety and reporting requirements are met
- (g) Ensure new safety rules and laws are provided to all members
- (h) Attend seminars and training related to work safety requirements

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HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should submit their reports to their supervisor.

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, and when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering persons or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protective equipment to accomplish the task safely.

All significant actions taken and dates they are completed shall be documented and forwarded to the Administration and Programs Division Chief via the chain of command.

The Administration and Programs Division Chief will take appropriate action to ensure the injury and illness prevention plan addresses potential hazards upon such notification.

INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Administration and Programs Division Chief and the safety officer/analyst shall ensure the appropriate documentation is completed for each inspection.

1031.8.1 EQUIPMENT

Members shall complete documentation (in addition to a work order when applicable) if an unsafe condition cannot be immediately corrected. Members should forward the documentation to their supervisors.

INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.

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- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting. Contact the department safety officer/analyst as soon as possible and complete all required documentation.

TRAINING

The Administration and Programs Division Chief should work with the safety officer/analyst and the Training Unit Commander to provide all members with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To members with respect to hazards specific to each member's job assignment.
- (c) When new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (d) When the Department is made aware of a new or previously unrecognized hazard.

TRAINING TOPICS

The safety officer/analyst and Training Unit Commander shall ensure training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of blood borne pathogens and other biological hazards.
- (g) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (h) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (i) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (j) Back exercises/stretchers and proper lifting techniques.
- (k) Avoidance of slips and falls.

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- (l) Good housekeeping and fire prevention.
- (m) Other job-specific safety concerns.

RECORDS

Records and training documentation relating to injury and illness prevention will be maintained in accordance with the established records retention schedule.

SAFETY COMMITTEE

The Sheriff has agreed to a joint Health and Safety Committee consisting of designated representatives from collective bargaining unions and up to an equal number of persons designated by the Department.

- (a) The parties recognize that the Department has the sole and exclusive responsibility to maintain a safe and healthy work environment. The joint Health and Safety Committee does not relieve the Department of those responsibilities. The joint Health and Safety Committee's purpose is to assist in identifying and suggesting solutions to the Department regarding health and safety issues. The parties agree that staffing and staffing issues are not in the purview of this committee.
- (b) Although the joint Health and Safety Committee is a formal mechanism it does not preclude an individual member from bringing such issues directly to the appropriate supervisor, nor does it relieve any supervisor from their obligation to address work-related health and/or safety issues as they arise during the course of employment.
- (c) In a routine situation, an employee will raise a health and safety issue to a Union Health and Safety member or the appropriate supervisor. That Health and Safety Committee may investigate the concern and should document it.
 1. The Health and Safety Committee member presents the issue in writing to the supervisor. That supervisor shall meet with the Health and Safety Committee member and the employee who first raised the issue to discuss the problem and jointly develop a solution. The supervisor shall provide a preliminary verbal response within 2 calendar days and a written response within 7 calendar days of receipt.
 - (a) If the safety issue presents an immediate serious safety issue, the initial notification may be verbal.
 2. If the Health and Safety Committee member believes the problem/issue has not been satisfactorily resolved, they may submit the issue in writing to the Facility/Section/Unit Commander.
 3. The Facility/Section/Unit Commander shall meet with the Health and Safety Committee member and, if necessary, with the Chairperson of the joint Health and Safety Committee to discuss the problem jointly, develop a solution, and respond in writing within 7 calendar days of receipt to the Health and Safety Committee member.
 4. If the problem/issue has not been satisfactorily resolved, the union representative may present the issue to the Undersheriff and/or Sheriff.

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Injury and Illness Prevention

5. The Undersheriff and/or Sheriff's responsibility is to meet with the union representative to discuss the problem, jointly develop a solution, and respond in writing within 10 calendar days of receipt.
 - (d) If an employee, committee member or the union member encounters a non-routine health and/or safety situation (i.e. bona fide emergency condition, imminent danger to life, etc.), the procedural steps outlined in 1-4 above, may be ignored and the issue may be presented directly to the Undersheriff and/or Sheriff.
 - (e) The Chairperson of the Committee shall convene a meeting of the Committee not less than quarterly. The Department will order the attendance of all Committee members at the meetings and will release them from their assignments in sufficient time for them to travel to the meeting and arrive by the designated time. The purpose of the meeting will be to discuss issues, concerns, problems, and successes in general. The Chairperson shall establish and distribute the agenda, taking input from all concerned parties not later than 10 calendar days prior to the meetings. These meetings may be scheduled more frequently by mutual agreement between the Department and the union representative.
 - (f) The Secretary of the Committee will take notes at each meeting and deliver copies of those notes to all concerned parties.
 - (g) No employee shall suffer adverse action by raising health and/or safety issues or participation in the Health and Safety Committee, or participation in the health and/or safety procedures.

Reasonable Accommodation

PURPOSE AND SCOPE

The San Francisco Sheriff's Department provides reasonable accommodations to qualified individuals with known physical and mental impairments.

POLICY

Sheriff's employees may request a reasonable accommodation when they have a physical or mental impairment that limits one or more major life activities or limits an employee in performing essential functions of their job. Major life activities include walking, seeing, hearing, breathing, learning, performing manual tasks, caring for oneself and physical/mental/social activities. This impairment may or may not be a result of a work-related incident. A copy of the City's "Employee Information Sheet Regarding CCSF Reasonable Accommodation Process" is available through the San Francisco Department of Human Resources (DHR).

REQUESTING AN ACCOMMODATION

Employees requesting a reasonable accommodation may contact their supervisor or Department Reasonable Accommodation Coordinator (RA). Employees may make a verbal or written request, describing the needed accommodation and its relationship to their physical or mental condition. Supervisors will forward the request to the Reasonable Accommodation Coordinator (RA). Supervisors should contact the RA Coordinator if they believe an employee has an impairment that is limiting the employee in performing essential job functions.

REASONABLE ACCOMMODATION COORDINATOR (RA) ACTIONS

- (a) The RA Coordinator shall meet with the employee within five business days of a received request. The Coordinator shall engage in an interactive process with the employee and explain the process, discuss the accommodation under review, and answer questions. The RA Coordinator shall provide the following documents to the employee:
 1. Reasonable Accommodation Request Employee Information Sheet
 2. Employee Reasonable Accommodation Request form
 3. Medical Authorization and Release form
- (b) The RA Coordinator will contact the employee by phone and will send the forms via regular and certified mail, if unable to meet with the employee. Employees shall complete the forms accurately and return them as soon as possible.
- (c) Upon receipt of the completed accommodation and medical release forms, the RA Coordinator will send a cover letter and self-addressed stamped envelopes, with a Health Care Provider Certification form and Essential Functions Guide, to the employees designated healthcare provider. A copy of the letter and forms will be sent to the employee with a proposed meeting date to discuss the accommodation.
- (d) Upon receiving the completed Health Care Provider form, the RA Coordinator will review the information to determine if the employee is a qualified individual with a

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disability, and if so, whether reasonable accommodation is possible in the employee's position. The RA Coordinator will identify the essential functions of the employee's job and may review:

1. The nature, extent and seriousness of the employee's restrictions (i.e. whether the employee has restrictions that limit one or more major life activities).
 2. Whether the employee, with a reasonable accommodation, could perform the essential functions of their full-duty position, through such methods as restructuring nonessential functions, or other means which do not pose an undue hardship to the Department or pose a direct threat to the health or safety of employees and others.
 3. Speak to the employee's supervisor
 4. Speak to the employee's health care provider
- (e) The RA Coordinator will determine if a worker's compensation claim is associated with the request. If so, the RA Coordinator must obtain information regarding restrictions related to the request (see Occupational Disease and Work Related Injury Reporting Policy).
- (f) Pending a resolution of the employee's accommodation request, the Coordinator may consider a temporary interim accommodation. If the interim accommodation is appropriate, the Coordinator will send a letter to the employee detailing the accommodation.
1. The letter must state the deadline for expiration of the interim accommodation, not to exceed 90 days.
 2. An advisement to the employee that the interim accommodation does not obligate the Department to provide an accommodation on a permanent basis.
- (g) For an employee who does not contact the RA Coordinator within 10 business days, with a meeting date, the RA Coordinator will contact the employee by phone. Upon being unsuccessful, the Coordinator will send another letter.
1. If the employee does not respond within 10 business days of the second letter, the RA Coordinator will send a letter stating the request for an accommodation file is closed, until the employee sends a written request to restart the process. The Personnel Unit will document all contact attempts.
- (h) In the event that the employee's health care provider does not provide requested information, or is unable to provide a medical opinion regarding a proposed accommodation, the Department may offer an employee the option of submitting to a medical examination by a City and County of San Francisco (CCSF) designated health care provider under the following circumstances:
1. Despite repeated efforts (documented in writing) to obtain additional or clarifying information, the health care provider remains unclear, or incomplete, or is unable to provide a satisfactory medical opinion as to the effectiveness of a proposed accommodation.

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2. Should an employee not exercise this option, it may be appropriate to deny the accommodation request, after consultation with the City Attorney's Office.
- (i) The RA Coordinator will review the recommended action with the Sheriff or designee and with DHR, and will notify the employee of the Department's decision.

REASONABLE ACCOMMODATION PLACEMENT

The RA Coordinator shall inform the employee when a reasonable accommodation was granted, and will first attempt to accommodate the employee at the employee's current position. The RA Coordinator will consider whether:

- The accommodation is reasonable and effective
- Other effective accommodations may be preferable
- The proposed accommodation poses an undue hardship
- The accommodation does not protect the employee
- The accommodation poses a direct threat to the health and safety of others

When the RA Coordinator determines an accommodation is appropriate, a letter will be sent to the employee detailing the accommodation.

The RA Coordinator will remain available to address any issues relating to the accommodation, such as:

- The employee determines the accommodation is not effective or their medical condition has changed.
- Discussions with the employee's supervisor regarding accommodation issues/concerns. Employee disability and accommodations are confidential and shall only be disclosed on a "need to know" basis.

EMPLOYEE CANNOT BE ACCOMMODATED

- (a) When the Sheriff or authorized designee or DHR, determines that an employee cannot be reasonably accommodated to perform the essential functions of their current position, the RA Coordinator shall contact the employee. Alternative requests, the employee may have, will be reviewed and the RA Coordinator will search the Department for an alternative assignment.
- (b) When there are no appropriate positions in the Department, the RA Coordinator shall refer the employee to the DHR for a 60 day concurrent Department and City and County of San Francisco (CCSF) search for vacant positions which meet the employee's medical restrictions and for which the employee meets the minimum qualifications for the position. The Coordinator will notify the employee in writing of these efforts.
 1. An employee placed in a vacant position may be required to serve a probationary period. An employee who fails probation in their accommodation placement automatically reverts to their former classification and department.

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2. An employee may elect not to participate in the CCSF search by notifying the Department in writing of this election.
- (c) After the 60-day search, it remains that a vacant position is not available, the RA Coordinator will contact the City Attorney's Office for a case review. Should the City Attorney's Office determine that the employee cannot be reasonably accommodated to perform the essential job functions of their position, the RA Coordinator will meet with the employee and discuss the following options:
1. Disability retirement, if applicable
 2. Unpaid leave of absence pursuant to the Civil Service Rules
 3. Allow sick leave, FMLA leave, or other PTO options
 4. Telecommuting
 5. Medical separation if none of the above are appropriate.

The RA Coordinator will send a letter to the employee summarizing the discussion.

ACCOMMODATION DENIAL

An employee's request for a reasonable accommodation may be denied as follows:

- The employee is not a qualified individual with a disability.
- There is no suitable position that can accommodate the request.
- The employee declines a position offered.

All denials of accommodation requests shall be reviewed by the City Attorney's Office.

APPEAL AND COMPLAINT PROCEDURE

An employee may appeal a reasonable accommodation decision to the Sheriff and/or to DHR. An employee or applicant who believes there has been discrimination in an employment action or reasonable accommodation request, may make a complaint with the equal employment opportunity officer or RA Coordinator in the Department or with the DHR.

Extended Work Week

PURPOSE AND SCOPE

To provide guidelines for the establishment of longer work hours, work shifts, and for the cancellation of regular days off during situations that require an expanded Department commitment of personnel support or to address intermittent critical staffing shortages. Overtime which does not trigger an Extended Work Week (EWW) shall be filled pursuant to the Overtime/Holiday Work Policy.

At present, this policy does not apply to MSA members. MSA members seeking direction should click on the link below:

[See attachment: SFSD 03-22 Extended Work Week.pdf](#)

POLICY

The Sheriff's Department, at the direction of the Sheriff, will provide personnel for situations or events that require an expanded Department commitment of resources. When activated, it will be known as the Extended Work Week (EWW).

DEFINITIONS

EWW: An acronym referring to an Extended Work Week. An expansion of a work shift up to a maximum of 16 hours within a 24-hour period, modification of shift schedules for a short period, or the cancellation of regular days off for a short period to address an expanded Department commitment of resources or critical staffing shortages.

Request for Time Off: An employee's written request for personal time off from the employee's regularly assigned shift. Employees complete a Request for Time Off Card and submit it to a supervisor for approval.

Regular Assignment: - An employee's permanent assignment to a Facility, Section, Unit, shift, and regular days off.

RDO: An employee's regularly scheduled day off.

LIMITATIONS

No employee may be compelled to work more than six consecutive calendar days.

- This does not include voluntary overtime shifts worked on RDOs by the employee.
- Employees can cancel approved overtime in accordance with the Overtime Policy.

1033.4 PROCEDURAL REFERENCES

[Administration and Field Operations Procedure Manual: 1001.1 PROCEDURE FOR DECLARING EWW](#)

[Administration and Field Operations Procedure Manual: 1001.1.1 GENERAL RULES DURING AN IDENTIFIED EWW](#)

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[Administration and Field Operations Procedure Manual: 1001.1.2 CANCELTION OF AN EWW](#)

Service Retirement

PURPOSE AND SCOPE

To provide guidelines to employees when retiring from the San Francisco Sheriff's Department.

EMPLOYEE NOTIFICATION

Employees should contact CalPERS or SFERS prior to their retirement date. Employees should notify the Personnel Unit of their planned retirement, complete retirement documents, and must return all Department issued equipment prior to their separation from the Department.

The Personnel Unit, upon notification of a pending retirement, shall send the employee a verification form and letter. On or before the employee's last day of work, the employee shall:

- (a) Remove personal contents from all lockers, offices or other places of storage.
- (b) Return keys/keycards to their Facility/Section/Unit Commander or designee.
- (c) Return Department issued safety equipment and uniforms to the Training Unit.
- (d) Return Department issued electronics to the Information and Technology Services Section (ITSS).
- (e) Return Department issued vehicles to the Fleet/Communications Unit
 1. Each Facility/Section/Unit receiving Department issued property will document receipt and forward that information to the Personnel Unit.

IDENTIFICATION CARDS

Deputies retain their Department and City and County of San Francisco (CCSF) identification cards until they receive a Department issued Retired Identification Card. When received, deputies shall return all other issued identification cards to the Backgrounds Clearance Officer or designee.

- (a) Non-sworn employees will return Department and CCSF identification cards, on the day of their retirement, to the Backgrounds Clearance Officer.

If conditions are present, such as a medical issue, a Backgrounds Unit supervisor will arrange for the retrieval of any identification cards.

BADGES

Deputies who qualify for a service retirement will retain their badge for the placement of a Retired ribbon.

- (a) Professional staff will return their badge on the day of their last day of work to the Personnel Unit. Requests to retain a badge shall be sent to the Sheriff for approval via the Personnel Unit.

RETIREMENT PACKET

The Personnel Unit will complete a Separation Report and send it to CCSF Department of Human Resources, upon notification that all Department issued items were returned to the designated Facility/Section/Units. The Personnel Unit will mail a retirement packet to deputies that includes:

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- (a) Copy of the Separation Report (only document mailed to non-sworn employees)
- (b) Sheriff's approval letter for a retired badge ribbon, Concealed Carry Weapon (CCW) qualification, and retiree identification card.
- (c) DMV Confidentiality Form
- (d) Copy of the Retiree Concealed Firearms Policy

Retired employees may be hired on a part-time basis at the discretion of the Sheriff.

DMV Confidentiality

PURPOSE AND SCOPE

To provide guidelines for the request, approval and removal of home address confidentially as allowed by the California Vehicle Code through the Department of Motor Vehicles (DMV).

DMV CONFIDENTIALITY REQUEST

Designated persons, their spouses, registered domestic partners and children may request home address confidentially. Request for Confidentiality of Home Address forms or changes to existing previously approved requests must be submitted to the Department's Personnel Unit.

- (a) The requester shall:
 - 1. Obtain a DMV Request for Confidentiality of Home Address form from their supervisor or the Personnel Unit and submit the completed form to the Personnel Unit.
 - (a) Retired sworn staff may also request DMV confidentiality and shall contact Personnel directly with the request.
- (b) The Personnel Unit shall:
 - 1. Verify the requestor's eligibility (Vehicle Code 1802 and Penal Code 830-832) and complete the Employment Verification Information on the request form.
 - 2. Forward the original copy of the form to the California DMV.
 - 3. Place a copy of the form in the employee's Personnel File.
 - 4. Notify the DMV of any change in employment status of those approved for confidential status.
 - (a) Upon separation of an employee, other than retirement, home address confidentiality will be removed.

Leave

PURPOSE AND SCOPE

To provide guidelines and direction to employees in the proper documentation and use of Maternity Leave, Family and Medical Care Leave (FMLA) and Military Leave.

POLICY

San Francisco Sheriff's Department employees who use Maternity Leave, Family and Medical Leave, and Military Leave must comply with rules established by the City and County of San Francisco in accordance with the Civil Service Rules and the City Charter, state and federal laws, and the guidelines provided in the Occupational Disease and Work-Related Injury Reporting Policy and this policy.

See the City and County of San Francisco, Department of Human Resources website for more information on leave entitlement and different types of Leaves (<https://sfdhr.org/employee-leaves>).

MATERNITY LEAVE

MATERNITY LEAVE

The Sheriff's Department supports the right of pregnant employees to continue working, as long as their physician or certified nurse midwife provide documentation that the employee's condition does not limit them in performing their essential job duties.

MATERNITY REQUIREMENTS AND LEAVE

- (a) Pregnant employees who request Maternity Leave in compliance with this policy shall be allowed to take such leave for a period up to six consecutive months. Maternity Leave is granted to an employee who is pregnant and includes the convalescence period after birth.
 - 1. Maternity Leave may be taken on a paid basis by an employee using accrued Personal Time Off (PTO) or Sick Leave with Pay, provided the employee applies for these benefits in compliance with department policy.
 - 2. Maternity Leave may be taken on an unpaid basis by an employee applying for Sick Leave without Pay in compliance with the sick leave without pay procedures.

FAMILY AND MEDICAL CARE LEAVE (FMLA)

- (a) Permanent Sheriff's employees who have one or more years of continuous service in any status may be granted 12 weeks of unpaid Family and Medical Care Leave for the following:
 - 1. The birth of a biological child of the employee
 - 2. The assumption by the employee of parenting or child-rearing responsibilities. Family and Medical Care Leave does not apply to an employee who temporarily cares for a child for compensation, such as a paid childcare worker.

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3. The serious illness or health condition of a family member of the employee, the employee's spouse or domestic partner, the biological or adoptive child of an employee, or a child from whom the employee has parenting or child-rearing responsibilities.
4. The mental or physical impairment of a family member of the employee, the employee's spouse or domestic partner, a parent of the employee or the employee's spouse or domestic partner, the biological or adoptive child of the employee, or a child for whom the employee has parenting or child-rearing responsibilities, which impairment renders that person incapable of self-care.

MILITARY LEAVE

The San Francisco Sheriff's Department supports employees who serve in the armed forces of the United States or the State of California when ordered by the government or by lawful order of any of its departments. Military Leave is governed by the provisions of applicable Federal and State laws, City and County of San Francisco Charter provision and Civil Service Rule.

MILITARY LEAVE NOTIFICATION AND PROOF OF SERVICE

- (a) Employees enrolled in a branch of the armed forces of the United States or the State of California must notify the Personnel Unit through their chain of command.
 1. Notification shall include the enrollment date, unit description and address, commanding officer's name and telephone number, and mandatory training requirements (30-day summer encampment and one weekend training per month).
- (b) Employees who have been employed by the City and County of San Francisco for a period of not less than one year of continuous service shall receive their regular salary for a period not to exceed 30 calendar days of such Military Leave in any fiscal year, or no more than 30 calendar days during any period of continuous Military Leave.
- (c) Employees requesting Military Leave must inform their Facility/Section/Unit Commander in writing before January 1 of each year, if they are subject to military duty during the months of June, July, or August.
 1. Facility/Section/Unit Commanders should assess the possible amount of Military Leave that will take place during the summer months and adjust the number of persons that may be scheduled for vacation during that period accordingly.
- (d) Employees requesting Military Leave shall file with the Personal Unit Manager, through their chain of command, a copy of the orders necessitating such service prior to the effective date of the leave of absence. Employees who return from such leave shall also submit a copy of the discharge papers.
 1. Employees who do not receive proof of military service through written orders, prior to taking Military Leave, shall:
 - (a) Notify their Facility/Section/Unit Commander and the Personnel Unit of the order to report for duty.

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- (b) Be approved for Military Leave when the employee states they have received an order to report for duty.
- (c) Be unpaid during the Military Leave period, as the City cannot verify the character of the service.
- (d) Provide proof of military service through submitting a copy of the discharge or release paperwork, at the time of reinstatement/return to work. Once the proof of military service has been verified, the employee shall receive paid compensation as noted above.
- (e) Facility/Section/Unit Commanders shall inform the Personnel Unit of the employee's name and the duration of the Military Leave.
- (f) Employees seeking military schooling or training, in excess of the mandatory training requirements of 48 drill periods per year and a period of not less than 14 days active duty per training year, shall notify the Personnel Unit Manager well in advance. Employees shall receive permission from the Personnel Unit Manager prior to scheduling such schooling or training. All schooling or training will be verified with the employee's Military commanding officer by the Personnel Manager.

Hardship Accommodations

PURPOSE AND SCOPE

Employees experiencing a temporary hardship may be accommodated, provided an accommodation is appropriate and does not interfere with the operational needs of the Department.

POLICY

The San Francisco Sheriff's Department will attempt to accommodate employees experiencing personal hardship situations, with a balanced view toward other employees not similarly affected, and the overall operation of the Department.

HARDSHIP ACCOMMODATION

The Sheriff's Department defines a hardship as a personal situation such as medical, family care (including but not limited to childcare), or any other unusual circumstance that affects the employee's ability to meet the requirements of a particular Watch and/or assignment. It is expected that the situation will be rectified within 30 calendar days.

Employees requesting a temporary hardship accommodation shall submit a written request to their Facility/Section/Unit Commander, for an accommodation specifying:

- (a) The type of personal hardship (e.g., childcare, medical).
- (b) Projected date of resolution, if known, at the time of submission.
- (c) How the Department may attempt to accommodate the employee.
- (d) Desired start date of the requested accommodation.

The Facility/Section/Unit Commander shall provide a written response to the employee within five working days, either granting or denying the temporary hardship accommodation.

All hardship accommodation requests, appeals, and their approval or denial will be forwarded to the Personnel Unit for placement in the employee's personnel file.

GRANTED ACCOMMODATION

An accommodation is an adjustment made to an employee's work schedule (i.e., change in shift and/or Facility/Section/Unit location) for a period of 30 calendar days. An accommodation does not include areas covered in the Modified Duty Assignment Policy, Fitness for Duty Policy, Leave Policy or Reasonable Accommodation Policy).

If the hardship accommodation is approved, the approval notification will articulate the beginning and ending date of the accommodation.

- (a) Upon a Facility/Section/Unit Commander granting a temporary hardship accommodation, the employee will have up to 30 calendar days to make the scheduling adjustment and return to the original Watch and/or assignment given by the Facility/Section/Unit.

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Hardship Accommodations

1. In the event an employee is unsuccessful in resolving their personal hardship within the 30-calendar day limit, they must submit a written request for an extension to their Facility/Section/Unit Commander.
 - (a) The Facility/Section/Unit Commander may extend a temporary hardship accommodation an additional 15 calendar days, at which time the employee will then return to their original Watch and/or assignment unless otherwise entitled by the employee's Collective Bargaining Agreement/Memorandum of Understanding or in accordance with the needs of the Facility/Section/Unit.
2. Employees will automatically return to their received assignment, prior to the temporary hardship accommodation at the end of the 30-calendar day limit, unless otherwise entitled by the Collective Bargaining Agreement/Memorandum of Understanding or in accordance with the needs of the Facility/Section/Unit.

DENIED HARDSHIP ACCOMMODATION REQUEST

The Facility/Section/Unit Commander may deny a temporary hardship accommodation request based on the operational needs of the Facility/Section/Unit. The Commander will provide the denial in writing.

- (a) If a request is denied, an employee may submit a written appeal, of the Facility/Section/Unit Commander's decision to the Division Chief Deputy.

The Division Chief Deputy will have five working days to provide a written response to the employee stating the reason for the denial.

- (a) If a request is denied, and employee may submit a written appeal of the Division Chief Deputy's decision to the Undersheriff.

The Undersheriff will have five working days to provide a written response to the employee's appeal.

EXISTING HARDSHIP

Employees who were granted an accommodation may have additional requests denied but will still have appeal rights.

- (a) Approval or denial of any hardship request is not Facility/Section/Unit specific and will follow the employee in the event they are transferred.
- (b) In the event an employee is transferred, the Facility Facility/Section/Unit Commander, at the currently assigned Facility/Section/Unit will contact the future Facility/Section/Unit Commander to ensure the accommodation can be granted at the new assignment. The accommodation time granted at their prior Facility/Section/Unit will count against the 30-calendar day limit.
- (c) Employees shall only be granted one accommodation per hardship event as defined in this policy.

Jury Duty

PURPOSE AND SCOPE

To provide a guideline when an employee is summoned for jury duty in their county of residence.

POLICY

The San Francisco Sheriff's Department recognizes the duty of its employees to fulfill their obligation when summoned for jury duty. Although this is not viewed as a work assignment, the Department will make every effort to adjust the employee's schedule to allow them to perform their civic duty.

1038.2.1 PEACE OFFICERS

The Department recognizes that active Peace Officers cannot be selected for a jury in any state, civil, or criminal matter (California Code Civil Procedure 219, 830.1 Penal Code). Active duty Peace Officers shall return the jury summons to their county of residence acknowledging their 830.1PC status.

EMPLOYEE RESPONSIBILITIES

Employees that are not exempt from jury duty that are summoned for jury duty shall:

- (a) Upon notice, but no later than at least two weeks prior to the jury duty reporting date, submit a copy of the summons to their supervisor.
- (b) Contact the Watch Commander or administrative supervisor, before 1000 hours each day they are on jury duty, and inform the supervisor of their jury duty schedule.
- (c) When excused from jury duty prior to 1300 hours, contact the Watch Commander or supervisor and receive reporting instructions.
- (d) An employee instructed to report to jury duty immediately shall inform the supervisor and leave work in order to fulfill their obligation. Employees assigned to an off watch shall be detailed to days for the duration of the trial (night premiums will continue as outlined in the CBAs).
 1. An employee instructed to report on the following day or any day thereafter shall inform the supervisor.
- (e) An employee selected for a trial jury shall inform the supervisor as soon as possible and provide the estimated length of the trial.
- (f) Employees should not apply for nor accept payment for services as a juror on days they are regularly scheduled to work, as they will receive their Department salary while serving.

SUPERVISOR RESPONSIBILITIES

- (a) Supervisors shall ensure the employee reviews this policy and understands the call-in process.

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Jury Duty

- (b) Supervisors should anticipate that an employee may be selected for a jury trial, which may exceed the original stated length of the summons.
- (c) Supervisors should adjust the RDOs of the affected employee, if needed, if serving jury duty more than 5 days.
- (d) Supervisors shall ensure the employee is not scheduled to work at least eight hours prior to their initial jury duty appearance.
- (e) Supervisors shall place the letters "JD" on the employee's Attendance Record while on jury duty.
 - 1. The Attendance Record will reflect when an employee is at work for part of the day and on jury duty for the other part.

Work Substitution

PURPOSE AND SCOPE

To provide an alternative means for employees to take time off by arranging for another qualified employee to work in their place.

POLICY

Employees may be allowed to voluntarily work in the place of another employee.

WORK SUBSTITUTION REQUESTS

- (a) The Sheriff's Department allows employees to voluntarily work in place of another employee under the following circumstances:
 - 1. Employees must be of comparable civil service classification.
 - (a) A Lieutenant or Sergeant may only substitute within these two ranks.
 - (b) A Senior Deputy may only substitute for another Senior Deputy, except:
 - 1. A Senior Deputy may substitute for a Sergeant or Lieutenant, if the reciprocal substitution would not require the Sergeant or Lieutenant to work at a deputy post assignment, or if a Senior Deputy would be required to work as an acting Facility Commander. This Work Substitution shall be approved by the Facility/Section/Unit Commander.
 - 2. A Senior Deputy may substitute for a Deputy Sheriff if the reciprocal substitution does not require the Deputy Sheriff to work in a supervisory position. This Work Substitution shall be approved by the Facility/Section/Unit Commander.
 - (c) A Deputy Sheriff may substitute for a probationary Deputy Sheriff, for another Deputy Sheriff, or for a Senior Deputy as noted above.
 - (d) A probationary Deputy Sheriff may substitute for another probationary Deputy Sheriff or a non-probationary Deputy Sheriff.
 - 2. Work Substitution Requests should be submitted at least 24 hours prior to the start of the work substitution shift.
 - (a) Work Substitution Requests may be for a full or partial shift.

WORK SUBSTITUTION REQUEST APPROVAL

- (a) Any on-duty supervisor at the Facility/Section/Unit where the substitution will take effect shall write the date, time and supervisor initials on the Request upon receipt. The supervisor shall approve or deny the Request by the end of the Watch on the date in which it was received.
 - 1. A probationary Deputy Sheriff may have no more than one approved substitution every other pay period.

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Work Substitution

2. Employees cannot volunteer to substitute for another employee when that substitution would require the employee to work more than the allowable amount of hours in a 24-hour period.
3. The Watch Commander may deny a Work Substitution Request based on the articulable operating requirements of the Facility/Section/Unit (i.e., male/female staffing requirements, similar knowledge, skills and abilities specific to the Facility/Section/Unit).
4. For an approved work substitution, the supervisor shall note the approval and record the work substitution on the Watch Sheet.
 - (a) If the Watch Sheet has not been posted, the supervisor shall record the work substitution in the Vacation Calendar and/or on the Payroll Sheet.
 - (b) A copy will be provided to requesting employee.

WORK SUBSTITUTION PROVISIONS

- (a) In the event the agreed-upon substitute (the employee who agreed to work for another employee) does not report for duty at the scheduled time, that substitute will be contacted to report for duty. If the substitute does not report and the Department is unable to contact the substitute, a welfare check shall be conducted.
 1. If the substitute does not report as scheduled, the amount of time they were unavailable for duty will be charged to the regularly assigned employee's accrued Personal Time Off (PTO) as chosen by the employee. If the regularly assigned employee has no accrued hours, it will be recorded as "no pay."
 2. In the event a substitute does not report for a partial shift substitution as scheduled, the regularly assigned employee may be required to remain on duty.
 3. Employees who voluntarily substitute for another employee shall be compensated only by a reciprocal work substitution. It is the responsibility of the participating employee to mutually agree upon a reciprocal substitution date.
 - (a) Employees are prohibited from compensating a substitute by trading services, items of value, or monetary compensation.
 4. Work Substitution agreements are entered into with the understanding that the Sheriff's Department is not responsible for paying the substitute any salary or overtime for the regularly scheduled shift.
 5. Upon the completion of the agreed-upon work substitution hours, the substitute employee shall not be required to work involuntarily for the following shift.
 6. A Facility/Section/Unit Commander may approve work substitutions in excess of guidelines.
 7. All work substitutions must be reciprocated within 180 calendar days unless approved otherwise by the Facility/Section/Unit Commander.
 - (a) Denials of an extension of the 180-day time frame can be appealed to the Division Chief with the Assistant Sheriff being the final arbiter.

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Work Substitution

CORRECTIVE OR DISCIPLINARY ACTION

- (a) Employees who violate this policy may be subject to corrective or disciplinary action.
 - 1. Failure to call in sick one hour prior to the approved reporting time may subject that employee to a counseling. A second instance of failing to call in sick during any consecutive 12-month period may subject that employee to discipline.
 - 2. If a substitute fails to report for a work substitution, the substitute may be subject to counseling.
 - (a) If the substitute fails to report for another substitution in the same 12-month period they may be subject to discipline.

Chapter 11 - Building Security

Department of Emergency Management

PURPOSE AND SCOPE

The San Francisco Sheriff's Department provides a patrol and security function at the Department of Emergency Management (DEM) building. Sheriff employees assigned to the DEM Unit are in the Field Operations Division (FOD).

SHERIFF'S RESPONSIBILITY

Deputies and Cadets assigned to the DEM Unit conduct interior and exterior patrols, respond to security issues and control building ingress and egress. Sheriff's employees are expected to manage themselves professionally and responsibly in all interactions with DEM employees and the public.

Procedural link:

City Hall Patrol Unit

PURPOSE

The San Francisco Sheriff's Department provides a patrol and security function at the San Francisco City Hall building. Sheriff's employees assigned to the City Hall Patrol Unit (CHPU) provide for the safe and secure operation of City Hall and its occupants and visitors. Deputies also act as a liaison to other law enforcement and public safety personnel.

CITY HALL PATROL UNIT

San Francisco City Hall is a national and historical landmark. In addition to the Mayor's Office, the City and County Board of Supervisors and many of the City's departments operate from within City Hall. The Sheriff's Department is the primary law enforcement agency at City Hall.

Deputies assigned to the CHPU conduct interior and exterior patrols and respond to security issues. Cadets control ingress and egress of the building. Sheriff's deputies assigned to the CHPU provide for:

- (a) Protection of life and property in and around City Hall.
- (b) Respond to and investigate unusual or illegal activity.
- (c) Effect detentions and arrests.
- (d) Provide a law enforcement presence during Commission, Board of Supervisors and other public meetings.
- (e) Provide a law enforcement presence during planned and spontaneous events.

Procedural link:

[Administration and Field Operations Procedure Manual: 1101.1 CHPU Employee Responsibilities](#)

[Administration and Field Operations Procedure Manual: 1101.2 Securing Detained/Arrested Individuals](#)

[Administration and Field Operations Procedure Manual: 1101.3 Staffing City Hall Events](#)

COMMUNITY ASSESSMENT REFERRAL CENTER

The Community Assessment Referral Center (CARC) is an assignment of the CHPU. CARC is operated by the Juvenile Probation Department. The Sheriff's Department provides contracted services to CARC performing law enforcement functions to include but not limited to the following:

- (a) Ensuring those entering are authorized and have a valid government identification
- (b) Screening detainees using handheld detectors to ensure staff safety.
- (c) Facilitating employee and visitor sign-in protocols
- (d) Maintaining records of facility ingress and egress
- (e) Providing perimeter checks of the parking lot and lobby area (staff permitting)

Municipal Transportation Agency

PURPOSE

The San Francisco Sheriff's Department provides law enforcement services for the Municipal Transportation Agency (MTA) Customer Service Center. Deputies assigned to the MTA are in the Field Operations Division (FOD).

POLICY

The San Francisco Sheriff's Department contracts with the Municipal Transportation Agency to provide law enforcement services at their Customer Service Center located on South Van Ness Avenue. Deputies also act as a liaison to other law enforcement and public safety personnel.

SHERIFF'S RESPONSIBILITIES

Deputies provide a presence at the MTA Customer Service Center during business hours. Deputies monitor those entering and exiting the building, monitor Hearing Rooms and protect life and property at the Center. At the beginning of the shift deputies shall enable the entrance, disabled access pad, and activate the monitor only to reverse the process at closing.

Assigned deputies shall be knowledgeable of the location of fire extinguishers, Automated External Defibrillators (AED), and other life-saving equipment. Sheriff's employees are expected to manage themselves professionally and responsibly in all interactions with MTA employees and the public.

Deputies assigned to the MTA will report to and function under the Department of Emergency Management Unit (DEM) Commander. All administrative functions such as payroll and time-off requests will be processed by DEM or the Field Operations Division supervisor. The number of deputies required at the MTA and hours of operation are covered during training.

Public Utilities Commission Unit

PURPOSE

The San Francisco Sheriff's Department provides a patrol and security function at the Public Utilities Commission (PUC) building. The Sheriff may also provide law enforcement services at other PUC controlled locations. The Sheriff employees assigned to the PUC Unit fall under the Field Operations Division (FOD).

SHERIFF'S RESPONSIBILITIES

Deputies assigned to the PUC Unit conduct interior and exterior patrols, respond to security issues, and control building ingress and egress. Deputies also act as a liaison to other law enforcement and public safety personnel.

Cadets assigned to the PUC Unit conduct interior patrols, respond to security issues, and control building ingress and egress. Cadets are limited to observing and reporting security issues and shall not perform any enforcement action.

Procedural link.

[Administration and Field Operations Procedure Manual: 1103.1 DEPUTIES/CADETS RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 1103.1.1 SECURITY ROUNDS](#)

[Administration and Field Operations Procedure Manual: 1103.2 OUTSIDE OF BUSINESS HOURS](#)

San Francisco Public Library

PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for deputies when providing law enforcement services for the San Francisco Public Library.

POLICY

The San Francisco Sheriff's Department contracts with the San Francisco Public Library (SFPL) to provide law enforcement services at the main public library on Larkin Street. Deputies also act as a liaison to other law enforcement and public safety personnel.

SHERIFF'S

San Francisco Deputy Sheriffs will provide a continuous presence in the library. Deputies will monitor those entering and exiting the building, in coordination with the library staff, in order to protect life and property, reduce the incidence and fear of crime, provide community assistance and to enhance public safety.

Deputies assigned to the Public Library will report to and function under the City Hall Security Unit (CHSU) Commander.

Procedural link:

[Administration and Field Operations Procedure Manual: 1104.1 PUBLIC LIBRARY PROCEDURES](#)

Department of Public Health Facilities

PURPOSE

The San Francisco Sheriff's Department, through the Sheriff's Patrol Unit (SPU), provides contracted services for the Department of Public Health (DPH) at Zuckerberg San Francisco General Hospital (ZSFGH), DPH Clinics and other DPH facilities throughout San Francisco. Department employees are a uniformed presence that control entry points and patrol the interior and exterior of buildings and areas surrounding the facilities. Deputies also act as a liaison to other law enforcement and public safety personnel.

PATIENT PRIVACY

Employees shall respect the confidentiality of patients and medical care providers. The Health Insurance Portability and Accountability Act (HIPAA) defines how and with whom Protected Health Information (PHI) can be shared. Hospitals, physicians, other health care practitioners are HIPAA covered entities.

Employees assigned to DPH facilities shall not discuss patient's PHI unless the following exists:

- (a) For purposes of identifying or locating a suspect, fugitive, material witness or missing person (i.e. at-risk patient). The information must be limited to basic demographic and health information about the person.
 - 1. Law enforcement may receive a report of PHI if the law enforcement official is reasonably able to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.
- (b) When required by law to do so (i.e. gunshot or stab wounds).
- (c) To alert law enforcement to the death of an individual when there is a suspicion that death resulted from criminal conduct.

REMOVAL OF PERSONS FROM EMERGENCY DEPARTMENT

Persons in the Emergency Department (ED) who are in for an emergency medical condition cannot be removed for behavioral problems from the ED by Sheriff's employees until the:

- (a) ED Charge Nurse, Watch Commander, and Administrator on Duty (AOD) are notified,
- (b) A Licensed Medical Practitioner conducted a medically screening of the patient, and
- (c) The AOD, Charge Nurse or their designee agree that the patient does not need further emergent care and should be escorted from the premises.
 - 1. The Watch Commander shall ensure an Incident Report is written when a problematic patient has to be detained, arrested or escorted from the ED by Sheriff's staff.

EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT (EMTALA)

The Facility Commander shall ensure Sheriff's employees assigned to the ZSFGH are trained in and follow the Emergency Medical Treatment and Active Labor Act (EMTALA).

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- (a) All decisions regarding a person's admittance, transfer or discharge are the responsibility of ZSFGH medical staff.
- (b) Employees shall notify their immediate supervisor for an EMTALA related issue.
- (c) Deputies/IP Officers have the legal authority to place persons on 5150 W&I holds (see Mental Illness Detention Policy).
 - 1. If the person placed on a 5150 hold meets the EMTALA criteria set forth by the Code of Federal Regulations, Psychiatric Emergency Services (PES) must receive the person regardless of the current capacity of PES.

PATIENT TRACKING SYSTEM

ZSFGH and LHH utilize a patient tracking system in certain designated areas. A tag worn by an at-risk patient regularly signals the tag's presence. Detectors are installed in critical locations including hospital unit exits, emergency exit doors, near elevators and main hospital exits. If a patient wearing a tag attempts to go to an unauthorized location, the system transmits an alert to staff who intervene and/or return the patient to care. When an alert is triggered on the patient tracking system, employees assigned to the SOC/control room shall:

- (a) Immediately phone the nursing station at the alert location and verify the alert authenticity.
- (b) If verified, dispatch staff to the alert area and to other pre-identified locations.
- (c) Advise employees responding to the area if it is determined to be a false alarm.

Tags cannot track a patient who has left the interior of the building. If the patient cannot be found immediately, the Watch Commander shall work with the AOD to implement a "Code Green" Missing at Risk response.

LOCK-OUT CONTROL

Only employees, hospital staff or authorized volunteers shall be admitted to locked/secured/sensitive areas.

Sheriff's employees receiving a request for access to a locked, secured or sensitive area shall instruct the requestor to report to the SOC. Deputies/IP Officers assigned to the SOC receiving a request for access to a locked, secured or sensitive area shall:

- (a) Instruct the requestor to complete an Admittance Request Form.
- (b) Review the form and verify the employee identification, noting the type of identification.
- (c) Confirm the necessity of their access.
 - 1. Non-sensitive work areas may be accessed upon the identification of the requestor.
 - (a) Confirm with a supervisor or notify DPH staff using the online directory if the person is allowed access.
 - 2. Access to a private office must be authorized by the person assigned to the office.

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- (a) Contact and advise of the person of the requestor's name and the reason for entry.
 - (b) Note the date and time notification was made on the form.
 - (c) Note the person contacted and whether access was granted or denied and along with comments.
3. Access to sensitive areas requires the Department of Public Health Manager's approval assigned to that area.

If authorization cannot be attained for a ZFGH location through any of the above, the Administrator on Duty (AOD) shall be contacted. For the University of California San Francisco (UCSF) designated areas, UCSF Police shall be contacted for the final determination.

Procedural link:

[Administration and Field Operations Procedure Manual: 1102.1 DPH FACILITY PROCEDURES](#)

[Administration and Field Operations Procedure Manual: 1102.1.1 SAFETY AND SECURITY CHECKS](#)

[Administration and Field Operations Procedure Manual: 1102.1.2 DAILY ACTIVITY REPORT \(DAR\)](#)

[Administration and Field Operations Procedure Manual: 1102.1.3 PUBLIC POINTS OF ENTRY](#)

[Administration and Field Operations Procedure Manual: 1102.1.4 COMMUNICATIONS](#)

[Administration and Field Operations Procedure Manual: 1102.2 POSITIONS AND RESPONSIBILITIES](#)

[Administration and Field Operations Procedure Manual: 1102.2.1 DPH CLINIC](#)

[Administration and Field Operations Procedure Manual: 1102.2.2 ZUCKERBERG SAN FRANCISCO GENERAL HOSPITAL](#)

[Administration and Field Operations Procedure Manual: 1102.2.3 VICTOR 00 \(RADIO OPERATOR\) AND VICTOR 00A \(TELEPHONE OPERATOR\)](#)

[Administration and Field Operations Procedure Manual: 1102.2.4 VICTOR 1 AND VICTOR 2 \(EMERGENCY DEPARTMENT SECURITY\)](#)

[Administration and Field Operations Procedure Manual: 1102.2.5 VICTOR 3 \(FOOT PATROL AND PSYCHIATRIC EMERGENCY SERVICES \(PES\)\)](#)

[Administration and Field Operations Procedure Manual: 1102.2.6 VICTOR 4 \(CAMPUS PATROL\)](#)

[Administration and Field Operations Procedure Manual: 1102.2.7 VICTOR 6 \(CAMPUS VEHICLE PATROL\)](#)

[Administration and Field Operations Procedure Manual: 1102.2.8 VICTOR 8 \(SECURITY CHECKS AND RELIEF\)](#)

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Administration and Field Operations Procedure Manual: 1102.2.9 VICTOR 9 (BEHAVIORAL HEALTH CENTER)

Administration and Field Operations Procedure Manual: 1102.2.10 VICTOR 10 (EMPLOYEE ESCORTS)

Administration and Field Operations Procedure Manual: 1102.2.11 VICTOR 11 AND 11A (BUILDING 80 AND 90 SECURITY)

Administration and Field Operations Procedure Manual: 1102.2.12 VICTOR 12 (MATERNAL CHILD HEALTH)

Administration and Field Operations Procedure Manual: 1102.2.13 VICTOR 14 (SECURITY CHECKS AND RELIEF)

Administration and Field Operations Procedure Manual: 1102.2.14 VICTOR 15 (EMERGENCY DEPARTMENT PUBLIC LOBBY VISITOR KIOSK)

Administration and Field Operations Procedure Manual: 1102.2.15 VICTOR 16 (EMERGENCY DEPARTMENT PUBLIC LOBBY)

Administration and Field Operations Procedure Manual: 1102.2.16 VICTOR 17 (MAIN LOBBY SECURITY)

Administration and Field Operations Procedure Manual: 1102.2.17 VICTOR 19 (EMERGENCY DEPARTMENT AMBULANCE BAY ENTRANCE)

Administration and Field Operations Procedure Manual: 1102.2.18 VICTOR 20 (CAMPUS ROVER AND RELIEF)

Administration and Field Operations Procedure Manual: 1102.3 EMERGENCY DEPARTMENT LOCKDOWN PROCEDURES

Administration and Field Operations Procedure Manual: 1102.3.1 EMERGENCY DEPARTMENT LOCKDOWN STAFF RESPONSE

Administration and Field Operations Procedure Manual: 1102.3.2 LIFTING OF ED LOCKDOWN