

## Unit Orders 76-80

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- **LCS Unit Order 76**

### **LANCASTER STATION**

#### **UNIT ORDER #76**

### **BUSINESS SHOPLIFTING CALLS AND THE USE OF LMC 9.48.050**

#### **PURPOSE:**

The purpose of this unit order is to establish procedures for handling shoplifting/theft calls (916B), at businesses within the City of Lancaster and enforcing Lancaster City Ordinance 9.48.050(a) and 9.48.050(c).

#### **ORDER:**

In October of 2015, the City of Lancaster introduced Lancaster City Ordinance 9.48.050. This ordinance covers enforcement of loud parties and other crimes such as shoplifting and theft. The ordinance allows suspect(s) cited for violations under 9.48.50 LMC to be civilly prosecuted by the City of Lancaster. Refer to Unit Order #74 for the use of administrative citations for loud party calls.

Lancaster City Ordinance 9.48.050 allows businesses within the City of Lancaster to issue administrative citations to suspects arrested for shoplifting, 9.48.050(a) LMC, or theft, 9.48.050(c) LMC. If the business elects to issue an administrative citation for the above violations, deputy personnel will not be dispatched to the business.

Deputy personnel who are dispatched to a business regarding a 916B call, shall determine what crime has occurred and arrest suspect(s) for the appropriate Penal Code section. Deputy personnel will not issue City of Lancaster administrative citations if a suspect is arrested for shoplifting or theft. If deputy personnel issue a citation under the appropriate Penal Code, it shall be completed on a LASD notice to appear citation.

Businesses within the City of Lancaster are only authorized to issue administrative citations under 9.48.050(a) LMC and 9.48.050(c) LMC. 916B calls for service in unincorporated areas shall be handled as usual and issuing an administrative citation is not authorized for deputy personnel.

Deputies arresting suspect(s) for Proposition 47 related crimes, or Proposition 47 related arrest warrants, shall book said suspect(s). Suspect(s) will be booked, Livescanned, and their Criminal History checked to determine if a previous conviction could make the current arrest a felony.

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- **LCS Unit Order 77**

**LANCASTER STATION**

**UNIT ORDER # 77**

**BACK SEAT DETENTION COMPLAINTS**

**PURPOSE:**

The purpose of this unit order is to set forth procedures regarding the handling of citizen complaints relating to Back Seat Detentions (BSD's), and the procedures for addressing them while in the field. This unit order satisfies DOJ Settlement Agreement Number 49.

**SCOPE:**

This directive applies to all personnel assigned to Lancaster sheriff's station.

**ORDER:**

Any citizen contact in which a back seat detention occurs and the detainee wishes to complain as a result, the following procedures **shall** be adhered to;

### **Deputy Responsibility**

- The handling deputy(s) **shall** request a field supervisor to take the complaint
- If the detainee does not wish to wait for a supervisor, the deputy(s) **shall** issue the pamphlet "Procedures for Public Comment", along with his/her business card
- Upon completion of the contact, the deputy(s) **shall** immediately notify the watch commander of the contact

### **Field Supervisor Responsibility**

- When requested, the field supervisor **shall** respond and take the complaint in the field

### **Watch Commander Responsibility**

- The watch commander **shall** make an entry in the watch commanders log when notified of the complaint

All patrol vehicles, including DB vehicles, **shall** have the pamphlet "Procedures for Public Comment." The pamphlets **shall** be secured in the school safety binder of the vehicle. It is the deputy's responsibility to ensure the vehicle has the pamphlet prior to entering service.

All logging of citizen contacts via the Mobile Digital Computer policies remain in place.

All personnel are reminded of Department policy pertaining to business cards:

*M.P.P. 3-01/110.45 BUSINESS CARDS*

*Sworn members performing duties involving direct public contact must possess business cards. They must be presented to members of the public upon request.*

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- **LCS Unit Order 78**

**LANCASTER STATION**

**UNIT ORDER # 78**

**ON-CALL DETECTIVE**

**PURPOSE:**

To establish protocol for the on-call after hour detective program.

**SCOPE:**

All detective personnel assigned to Lancaster Station Detective Bureau.

**ORDER:**

On-call detectives will handle incidents requiring a detective during hours when no detective is on duty or additional detectives are needed to handle a critical incident.

The on-call detective assignment will require one station detective to be on-call for a seven day period, from midnight Friday to midnight Friday. The number of weeks provided for sign up will be the exact number as the detectives available (32 detectives available, 32 weeks posted for sign up). Detectives will be able to pick their required coverage week based on station seniority in detective bureau (highest to lowest). Detectives will be able to trade coverage days or weeks with other eligible detectives. Detectives will decide if they want to be compensated with overtime, saved time or adjust their work schedule for the same week, if an activation

occurs. Detectives will be responsible for finding a replacement and notifying the detective operations sergeant with the replacement detective's information if they are unable to fulfill their on-call detective duties. The on-call detective will maintain a conduit (cell phone, home phone) for contact in the likelihood of an activation, allowing for immediate direct communication or a timely response if an activation message is left.

A request for activation of the on-call detective will be determined by the on-duty watch commander. If the watch commander determines a detective is required, the watch commander or his designee will contact the detective bureau lieutenant for activation approval. If the detective bureau lieutenant determines a detective is required, the assigned on-call detective will be contacted, briefed on the nature of the response, and directed to respond to the station as soon as possible.

If the on-call detective cannot be reached, then station detectives will be called at random until a station detective agrees to respond. The on-call detective will be required to address the detective bureau lieutenant on the next business day as to their inability to be contacted.

Failure to comply with this unit order may result in disciplinary action.

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- **LCS Unit Order 79**

**LANCASTER STATION**

**UNIT ORDER # 79**

**QUARTERLY AUDIT OF EQUIPMENT ASSIGNED TO STATION PERSONNEL**

**PURPOSE:**

To establish accountability of Department equipment issued to Lancaster Station personnel on a quarterly basis.

**ORDER:**

Procedures for the storage, issuance, reissuance, accountability, maintenance, and quarterly inventory of all weapons shall be adhered to in accordance with **Lancaster Unit Order # 75 Armory and Weapons Control**.

Furthermore, all safety equipment (e.g. helmets, vests, shields, etc.) along with all other miscellaneous equipment (e.g. LIDAR, Blue Check, Portable Radios, Mobile Phones, Satellite Phones, etc.) shall be inventoried on a quarterly basis for the purpose of tracking, storage, issuance, reissuance, accountability, and maintenance.

## **PROCEDURES:**

All equipment assigned to station patrol personnel shall be documented on a master station inventory form that will reflect the name and employee number of the employee along with a list of Department equipment issued to the employee. The list will be updated to reflect changes whenever the following occurs: new personnel are assigned to the station, personnel leave the station, equipment is reassigned to employees, or any instance that requires edits be made to reflect changes in the issuance or reissuance of equipment.

The responsible patrol lieutenant shall ensure the quarterly inventory is conducted to account for all patrol assigned equipment.

## **SPECIALIZED TEAMS**

Supervising sergeants from the listed Lancaster Station specialized teams shall conduct quarterly inventories of all weapons and equipment assigned to their teams in accordance with this unit order and Unit Order #75. These teams shall include the following:

- Detective Bureau Burglary Suppression Team
- Detective Bureau Robbery Suppression Team
- School Safety Unit
- LANCAP
- Traffic
- Detective Bureau

A miscellaneous equipment coordinator shall be designated to manage the provisions of this order.

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- **LCS Unit Order 80**

**LANCASTER STATION**

**UNIT ORDER # 80**

**SUSPECTED CHILD ABUSE REPORT (SCAR)**

**PURPOSE:**

To establish protocols and procedures, to ensure compliance with the mandates of the Child Abuse and Neglect Reporting Act, Penal Code 11164.

**OVERVIEW:**

Lancaster Station handles a large volume of child abuse reports each year. All personnel shall adhere to Field Operations Directive 03-004, Child Abuse and Neglect Reporting Act.

**PROCEDURES:**

**WATCH DEPUTY**

The watch deputy shall ensure all SCAR's are dispatched and handled in a timely manner. The watch deputy shall notify the watch sergeant and field sergeant of any SCAR calls being unnecessarily delayed.

All watch deputies will review and read the narrative of each SCAR to determine if it is an emergent, priority, or a duplicate SCAR. All SCAR's shall be dispatched on each shift. At no time will a SCAR be in E-SCAR's longer than twenty four hours. In the event the watch deputy receives a duplicate SCAR, a call will be entered for both SCAR's. The watch deputy will immediately clear out one of the calls as a duplicate call and cross reference the tags. The EM watch deputy will provide the watch commander with non-emergent SCAR's which can wait to be sent out during AM or PM shift. These SCARs will be held at the discretion of the shift watch commander.

In the event a watch deputy does not have a password for E-SCAR's (i.e. not a regularly assigned watch deputy), they will contact another Sheriff's Department station. They will provide the assisting watch deputy with the SCAR number they received via the CAD system. The assisting watch deputy will then then be requested to send the Lancaster SCAR to Lancaster Station.

Before forwarding a SCAR to another station or agency, the watch deputy shall make every attempt to verify the child actually lives at the address listed on the SCAR. The watch deputy will give the agency or other station a courtesy call and put the contacted person's name and phone number in the forwarding section of the SCAR.

If the alleged abuse occurred in Lancaster Station's jurisdiction, but the child is currently in another jurisdiction, the watch deputy will attempt to contact the other jurisdiction and request a courtesy response to interview the child. If the other jurisdiction is unable or unwilling to respond, a Lancaster Station unit shall be dispatched at the watch commander's discretion.

## **SERGEANTS**

The watch sergeant and field sergeants will monitor dispatched SCAR calls for service to ensure they are handled in a reasonable amount of time. While reviewing a completed SCAR, the watch sergeant shall ensure all the allegations in the SCAR are addressed appropriately prior to approving the report.

## **FIELD DEPUTY**

A SCAR (Suspected Child Abuse Report) call shall be handled prior to any routine report calls for service, and with the utmost priority.



Deputy personnel shall thoroughly investigate all alleged abuse and neglect.

If the call was directed by a SCAR, there is no set number of times a call should be generated if the child is not at the location. The key is “due diligence.” The deputy can:

- Use department resources and run the information of the parents
- Call the phone numbers on the SCAR
- Check with the neighbors, schools, and the landlord
- Send a deputy at a different time of day
- Contact the reporting party
- Contact the Department of Children and Family Services (DCFS) social worker for updated case information

Actual physical examination of a child is mandatory if physical or sexual abuse is reported. All children residing in the home shall be examined and documented in either an incident report or SCAR Clearance Narrative/Check-Off Report (SH-R-626). Upon “suspicion” or “actual” abuse or neglect, whether emotional or physical in nature, an Incident Report (SH-R-49) shall be written.

If the child abuse call was not generated by a SCAR and the allegation is physical or sexual abuse, the deputy shall cross report to DCFS providing the date, time, incident number (tag), and Uniform Report Number (URN) of the incident. If the deputy believes the children would benefit from services offered by DCFS, the deputy may contact the DCFS hotline.

If the handling deputy determines no crime has occurred, the SCAR will be cleared by pulling an URN with a 419 statistical code, and the deputy shall complete the SCAR Clearance Narrative/Check-Off Report. If the handling deputy is unable to conduct a complete investigation during their shift (e.g. unable to make any contact, not everyone who resides in the home is contacted, etc.) the SCAR ALONG WITH AN EXPLANATION WILL BE PRESENTED TO THE WATCH COMMANDER BY THE HANDLING DEPUTY. THE WATCH COMMANDER WILL USE HIS/HER JUDGEMENT TO DETERMINE WHETHER TO COMPENSATE THE DEPUTY WITH OVERTIME OR REASSIGN THE SCAR. In the event overtime is not warranted, the deputy shall complete the SCAR Clearance Narrative/Check-Off Report without drawing an URN, and clear the call with a 416 statistical code. The deputy shall notify the watch deputy the SCAR will need to be re-dispatched. All paperwork, including the SCAR Clearance Narrative/Check-Off Report, with a completed narrative detailing what the deputy did, shall be returned to the SCAR tray located in the watch sergeant's office. A new call will be generated by the watch deputy each time a deputy responds to an

incomplete SCAR. The SCAR Clearance Narrative/Check-Off Report shall be filled out every time a deputy responds to a SCAR. For example, if deputies respond to a SCAR 15 times before finally completing the investigation, there should be 15 SCAR Clearance Narrative/Check-Off Reports attached to the SCAR when it is turned in to the watch sergeant for approval.

Due to the volatile nature of Domestic Violence Incidents, there is an inherent risk of physical and/or emotional abuse or neglect to all children residing, or present, in the home of the incident. Deputies responding to incidents of Domestic Violence shall make every attempt to assess and interview all children in the home for incidents of abuse. If a child hears or sees a Domestic Violence incident, the child shall be listed in the Incident Report, their statement included, and a notification to DCFS. If the child is touched (examples: in the victim's arms when the victim is injured, hit by flying objects, injured by suspect slamming a door, etc.), the child shall be listed in the Incident Report as a victim, their statement included, and a notification to DCFS shall be made. If children reside in the home but are **not** present during a Domestic Violence incident, or any other crime which occurred in the home, and the deputy believes the children would benefit from services offered by DCFS, the deputy may contact the DCFS hotline

When investigating a suspected child abuse crime, deputies should be cognizant of any other type of crime which may have occurred and not been reported (i.e. non-criminal domestic violence, battery, use of narcotics, etc). WIC 305 gives deputies the authority

to take a victim of child abuse into protective custody. DCFS shall be notified and is responsible for the placement of all children taken into protective custody by deputy personnel.

All notifications to DCFS shall be documented in the deputy's written report. The documentation shall include the name of the DCFS employee, and the time the notification was made.

## **JURISDICTION:**

Deputies should not rely on DCFS to conduct any part of their investigation.

If a deputy is interviewing a child and finds out the incident occurred in another jurisdiction, the deputy shall write a courtesy report.

**REFERENCES:**

Penal Code 11164 (Child Abuse and Neglect Reporting Act)

FOD : 03-004 (Child Abuse and Neglect Reporting Act)

MPP 4-06/023.00 (Child Abuse)

E-SCARS Procedures

Alejo v. City of Alhambra (1999) 75 Cal.App.4<sup>th</sup> 1180

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