Industry Station Unit Orders

• Station Order 001 - Station Orders

This order defines Station Orders, which shall guide the performance of personnel assigned to Industry Station.

Organization
These orders establish procedures that are unique to Industry Station. They are generally interpretations of Department policies and procedures as they specifically apply to operations at this station.

Responsibilities
Station Orders shall be submitted to Operations for approval by the Station Commander.

The Operations Office shall cause Station orders to be reviewed on a regular basis for the purpose of updating/deleting pertinent information.

Upon approval of a Station Order by the Station Commander, the Operations Office shall cause publication, distribution, and codification of said order.

Suggestions for Improvement
All personnel assigned to Industry Station are encouraged to make suggestions to their supervisors for improvement in operations which they perceive as needed to improve efficiency and effectiveness. Supervisors shall review these suggestions and forward them to the individual responsible for that particular aspect of the station's operation.

The individual ultimately receiving the suggestion shall research the subject and, if appropriate, implement the suggestion through proper channels. If the suggestion is not to be acted upon, the individual shall reply to the author, in writing, why the suggestion will not be implemented. A copy of that reply and the corresponding suggestion shall be routed to the Station Commander for informational purposes.

• Station Order 002 - Handling Non-Warrant Felony Arrests Requests by Other Agencies

Currently, there is no specific Department policy or procedure addressing how to handle non-warrant felony arrests made for another law enforcement agency. Example: A telephonic request by a police department with suspect information (just occurred crime - ongoing investigation) and requesting we make an arrest/detention. Generally the agency responds and takes custody of the suspect from us.

The manner in which we proceed is derived by inference from the "arrests" section (4-04/080.00) of the case assignment and reporting chapter of the Department Manual. Making such an arrest technically falls under the category of "probable cause" based on belief from information supplied by a reliable source (i.e., another peace officer).

STATION POLICY AND PROCEDURE

It shall be the policy and procedure of Industry Station that the on-duty Watch Commander shall be notified when a request for a non-warrant felony arrest is made by another law enforcement agency. The Watch Commander will verify the request with the handling agency and determine if an arrest can be made.

When an arrest is made, the handling deputy will formally document the incident by writing a “reasonable cause arrest” report based on the circumstances of the arrest. An original station file number will be assigned to the report and the arrestee shall be booked and released to the custody of the agency which requested the arrest.

• Station Order 003 - Overtime Authorization and Approval

The proper management of the monthly station overtime allotment is the responsibility of all supervisors and managers assigned to this command. Accordingly, the following procedures for the authorization and approval of overtime are established. These procedures are established in the furtherance of Departmental Overtime Guidelines (Departmental Manual of Policy and Procedures, Section 3-02/280.00).

PATROL OVERTIME

Vacancy Overtime - Watch Commanders shall carefully review the in-service sheet for the following shift to ascertain if overtime is required to fill vacancies due to sick call-ins, anticipated major problems, etc. Where known deficiencies exist in contract city contract time, every attempt should be made to fill any vacancy arising from on-duty resources. Officer safety shall receive the highest priority and necessarily will require the utilization of vacancy overtime.

Late Report/Arrest - All overtime to be worked to complete late reports and/or arrests shall be authorized by the Watch Commander prior to being worked. The Watch Commander will evaluate the time required to complete the report. Time shall be authorized in two-hour increments. This will be entered in the “Supervisor Pre-Approving” section on the overtime slip and also signed by the Watch Commander in this section. The Watch Commander must print his/her name and initial alongside the name. If additional time is necessary, the requesting deputy shall take the report being written to the Watch Sergeant for review. Additional overtime may be approved in two-hour increments. Consideration should be given to deferring the remaining portions if a prima facial case is already reflected.

Requests by personnel for overtime for late reports shall be granted only after a determination is made that the report cannot be deferred. Further, Watch Sergeants shall closely monitor deputies on overtime to ensure that the reports are completed within the allotted time. Requests for extension of the authorized time shall be closely scrutinized. With respect to training officers and trainees, it is not necessary that the training officer remain with the trainee when the trainee is competent to write the particular report involved. Upon completion of the overtime, the Watch Sergeant, after reviewing the overtime report, shall sign in the space marked “Supervisor’s Signature.”

DETECTIVE BUREAU OVERTIME

All overtime worked by station detectives shall be on a pre-authorized basis, approved by the Detective Bureau Lieutenant or, in his absence, the Watch Commander.

COURT OVERTIME

All court appearances or on-call time shall be approved by the Court Liaison Sergeant.

When a deputy appears in court, the overtime slip shall be filled out at the court and submitted to the Court Deputy, accompanied by a time-stamped subpoena or facsimile. The Court Deputy shall sign as the authorizing officer and them submit the overtime slips to the Court Liaison Sergeant, who will sign as the approving supervisor.

When a deputy receives a notice for an on-call subpoena, he will, as soon as possible, initial the subpoena book and pick up the subpoena to be eligible for the on-call overtime. Additionally, an overtime slip shall be completed prior to the on-call date, except for the ending time. The ending time will be entered by the Court Liaison Deputy, who will also authorize the overtime. Final approval will be done by the Court Liaison Sergeant, who will sign as the supervisor.

TRAINING OVERTIME

Training shall be accomplished insofar as possible during regular duty hours. Any overtime for training shall have the prior approval of the Training Lieutenant.

GENERAL GUIDELINES

All claims for overtime shall be submitted within 24 hours of the conclusion of the activity which necessitated the working of overtime.

Personnel authorizing or approving overtime shall ensure the accuracy of the overtime slip.

Overtime worked reports without proper authorization and approval shall be returned to the employee for correction.

• Station Order 004 - Storage of Motor Vehicles by Private Persons

This directive shall set the guidelines to be adhered to when this station is notified by a citizen of a “completed” vehicle storage. Also, this procedure shall be followed when this station is requested by a private person to “assist” in the storage of a vehicle from private property.

When we are notified of a “completed” vehicle storage by a private person, the employee receiving the notification shall advise the person storing the vehicle of his responsibility to notify the registered owner of the vehicle, in writing, per Sections 22658(a), 22852, and 22853 of the California Vehicle Code. The employee shall then, simultaneously, query the Stolen Vehicle System to determine if the vehicle is stolen, repossessed, or stored.

When we are requested by a private person to “assist” in storing a vehicle from private property, the employee receiving the request shall ask the following of the private person responsible for storing the vehicle:

1. The private person responsible **acknowledges** that he/she is aware of their civil liability and he/she

will assume full responsibility regarding the removal of the vehicle, and or

2. The private person **acknowledges** that the private property is properly posted per Section 22658(a) CVC and that the vehicle is in violation of the posting, and/or
3. The private person **acknowledges** that they have lawfully repossessed the vehicle.

After receiving any or all of the above acknowledgments, the employee then will complete a City of Industry Station's Private Party Storage/Vehicle Repossession report. This report will be completed and a file number shall be drawn. Upon receiving an URN, the employee then shall give the report to a station secretary who shall enter the vehicle into the Stolen Vehicle System (SVS) as "stored" or "repossessed." Once the vehicle is entered into SVS, the report, along with the attached entry into SVS, shall be approved by the Watch Sergeant and then placed in the appropriate station file.

A photocopy of the approved City of Industry Station's Private Party Storage/Vehicle Repossession report shall be made and given to the Watch Deputy for tracking of Section 28 CVC. The Watch Deputy is responsible for being in compliance with this Vehicle Code section.

Refer to Station Order Number 13.

• Station Order 005 - Use of Vehicles by Station Clergy and Civilian Volunteers

The purpose of this directive is to establish guidelines under which members of the station clergy and civilian volunteers may use county vehicles.

Citizens from the community make a substantial commitment of time and effort to the station and the Department. These dedicated volunteers donate thousands of hours each year in the performance of a myriad of tasks inside and outside the station.

Another group providing a valuable service to the community and the station is the clergy. They often perform activities on behalf of the station and, in some cases, the Department. They provide counseling to people referred by patrol, speak to groups of individuals on our behalf, seek resources for our programs, or they may recruit additional members of the clergy to assist the station. As their use by us grows, the demands for them to be in the community will hopefully grow also.

Therefore, when appropriate, civilian volunteers and the station clergy may have access to our fleet. They shall make their request through the Watch Commander or, in the absence of the Watch Commander, the Watch Sergeant. The particular event will dictate if the need is for a marked or an unmarked car. The responsibility for that decision rests with the Watch Commander.

County Counsel rendered an opinion giving us the basis for allowing such use when the individual(s) is/are acting within the course and scope of their assigned duties.

When volunteers or members of the station clergy request to use a county vehicle, the Watch Commander will:

- Determine the nature of the request
- Determine the destination and time of usage
- Assure that the driver has a valid driver's license and has completed the required "Drivers Training for Volunteers" course
- Provide them with an "Out of Service" banner for the light bar (banners are kept in the Watch Sergeant's office)

Also, the guidelines below will be discussed with the requesting person(s):

- They shall only drive a marked unit with an "Out of Service" banner over the light bar.
- They shall plan their route to and from their destination(s) in a direct course to minimize travel.
- They shall not include any activity not related to the Department while using a county vehicle.
- They shall not take any action that gives the appearance of police enforcement.
- They shall not use the radio, except in an emergency.
- They shall immediately report any type of collision, vehicle damage, or vehicle problems to the Watch Commander or the Watch Sergeant.
- They shall inspect the vehicle prior to driving it and report any dents, paint transfers, or other damage to the Watch Commander or the Watch Sergeant.

A list of civilian volunteers who are qualified to drive county vehicles will be maintained by the station's Volunteer Coordinator and an updated copy provided to the Watch Commander on a yearly basis.

Civilians who use county vehicles must always clear its use with the Watch Commander at the time they pick up the car, regardless of any prior approval that may have been granted.

Watch Commanders will always consider the needs of the station and ensure a sufficient number of vehicles are available for field duties. This need will always superseded their use for special assignment duties.

• Station Order 006 - Sick Call-in Ledger

To assess and monitor the use of sick time, a Personnel Sick Call-in Ledger will be maintained in the Watch Commander's office. Contained therein will be a page for each employee. This form calls for "Reason for Absence," "Day of Week," "Shift," and "Closest RDO." Its use will provide a record of sick calls, enabling supervisors to quickly recognize possible abuses.

At the time the Watch Commander makes out the Telephonic Notification Absence Request, he will enter the information in the ledger. At a glance, he can review that employee's record of sick calls and if the reason provided, or pattern, appears questionable, it can be brought to the employee's attention. Random verification will be made, including telephone and house calls, and, upon request, a doctor's statement.

Absence requests other than sick calls will not be included in this record.

• Station Order 007 - Stypmann Hearings and Impound Hearings

There are two types of hearings that will be conducted by a person of the rank of lieutenant regarding storage of impounded vehicles. A lieutenant may not hear the hearing(s) who directed the storage of the vehicle. Hearings may be conducted on all three shifts, seven days a week. All hearings will be recorded in the Stypmann/Impound log book in the Watch Commander's office. The logs will be maintained for one year.

"Stypmann" hearings are required because of a 1977 Federal Court case, Stypmann et. al. vs. City and County of San Francisco. These hearings are required if requested by the vehicle's owner when their vehicle was stored because of an arrest, or parking violation. Hearings can also be requested when a vehicle is impounded per California Vehicle Code Section 14602.6, when a vehicle is impounded because the driver had a suspended or revoked license, or has never been issued a license. **This section does not apply to a person whose driver's license has expired.**

A notice is mailed to the registered owner by the patrol secretary, advising them of the available hearing. A hearing, which must be requested within ten days of the storage, should be conducted within 24 hours of the request. A "Stypmann" hearing is not required for recovered stolen vehicles, vehicles held as evidence, or "other impounds" (refer MPP 5-01/080.00). The manual mandates that a lieutenant hold a "Stypmann" hearing.

Impound Hearings

Impound hearings for vehicles impounded re: unlicensed drivers or drivers with suspended or revoked licenses are required, if requested, since the 1995 enactment of 14602.6 CVC (30-day impound).

Documentation of Stypmann and Impound Hearings

- Log both types of hearings in the Watch Commanders's hearing log book.
- Review station URN files and the hearing log before any hearing to determine if the requestor already had a hearing and ascertain the result of that hearing.
- After the hearing, the lieutenant shall note the finding on a memorandum (SH-AD-32) documenting the reason the vehicle was released or held. This memorandum shall be placed in the station file(s) under the appropriate URN number.

Release Procedures

Stored vehicles do not require a "Release of Vehicle Hold" for the owner to pick up their car.

Impounded vehicles require a "Release of Vehicle Hold" (SH-CR-94) only if the vehicle is to be released before the 30-day time period expires. The lieutenant shall inform the registered owner of the decision to release the vehicle before the 30-day time period and:

- Give copy of the “Release of Vehicle Hold” to the registered owner so the tow company will release their vehicle.
- Have the station secretary remove the car from SVS as impounded.
- Put a copy of the “Release of Vehicle Hold” in the station file.
- Put Hearing Lieutenant’s memorandum in the station URN file.

Improperly Stored or Impounded Vehicle

If the Hearing Lieutenant determines that the Department is responsible for the towing and storage fees, he shall:

- Call the tow company and arrange the release of the vehicle without charge to the owner.
- Request the tow company send the bill to the station.
- Complete SH-AD-599 to document the reason Fiscal Services should pay the fees.
- Forward the bill and SH-AD-599 to Industry Station Operations.

Appeal by Vehicle Owner

If the owner disagrees with the Hearing Lieutenant’s decision that the towing/storage fees are not the county’s responsibility, he may file a “Claim for Damages,” by filling out either the county claim form (AS 58-1) or the Department claim form (SH-AD-672).

Vehicles Impounded as Evidence

In cases where vehicles are towed and impounded as evidence such as:

- The registered owner is not the suspect of the crime and their vehicle is impounded so Scientific Services can process the vehicle for prints, recovery of bullets, etc.

The Department will pay, upon request by the vehicle’s owner, the costs of towing and storage to complete the evidence search.

The Hearing Lieutenant shall:

- Telephone the tow company and have them release the vehicle and bill the station. This will suffice to affect the immediate release of the vehicle to the owner without charge.
- Prepare a SH-AD-599 (with towing and storage bill attached) indicating why it is a proper County charge and submit it to Industry Station Operations.
- If the registered or legal owner of the vehicle has already paid the towing and storage fees for the release of the car, ensure that the tow company reimburses the legal owner. Prepare a SH-AD-599 (with towing and storage bill attached) indicating why it is a proper County charge and submit it to

Industry Station Operations.

- After the hearing, the Hearing Lieutenant shall note the finding on a memorandum (SH-AD-32), documenting the reason the vehicle was held. This memorandum shall be placed in the station URN file(s) under the appropriate URN number.

Early Release of Vehicles Impounded for 30-Days

At the discretion of the Hearing Lieutenant conducting a Stypmann Hearing, special consideration may be given to registered owners and the vehicle may be released before 30 days under, but not limited to, the following circumstances:

- The driver was not the registered owner and the registered owner made a **reasonable effort** to determine that the driver was licensed.
- The driver was an employee driving a company vehicle and the employer could not have reasonably known the employee's license status.
- When the lien holder is an auto dealer, bank, lending institution, or rental company, the owner or agent of the company must sign a "Release Agreement" before the early release of the vehicle. It is also suggested that the "Release Agreement" form is signed by the agent or owner in person at the station rather than by fax copying. Identification should be inspected and the agent/owner's authenticity guaranteed.

• Station Order 008 - Deferred Reports

This order sets forth policy and procedures for deferring reports.

Deferment Guidelines

The responsibility for deferring reports rests with the Watch Sergeant. The decision to defer a report or authorize its completion on overtime is largely judgmental. Every deferred report shall be recorded in the Watch Sergeant's URN Log First reports are normally deferred to avoid the unnecessary expenditure of overtime. This may be done, however, only when the efficient and effective operation of the Department will not be impaired. The following guidelines are established to assist in determining whether a report is to be deferred:

The following types of reports may normally be deferred:

- Reports involving minor incidents, with or without workable information.
- Reports involving crimes against property, if there is no workable information and if the loss is not substantial.

- Non-injury traffic collisions, including hit-and-run with property damage only.
- Any other reports that, from the circumstances, do not appear to require immediate follow-up, i.e., misdemeanor cite-out arrests, drunk arrests released pursuant to 849(b)2 PC, Etc.
- **Teletype broadcasts will not be deferred and will be completed and approved by the Watch Sergeant prior to the end of shift.**

The following types of reports shall not be deferred:

- Felony arrests (on-duty detective personnel may be conferred with, and upon their concurrence, a felony in-custody may be deferred).
- CHP-180 forms
- Missing juveniles and adults
- Traffic collisions resulting in a felony arrest(s)
- Reports involving major crimes with workable information or unusual circumstances

Completion Time

Normally, deferred reports should be completed by the next day by the end of the deputy's shift. If a deputy will be off on RDO's or scheduled personal leave time (V, SP, etc.), consideration should be given to the impact created as a result of the report being deferred for more than one day. If the scheduled time off, for example, falls on a weekend or holiday, then, in all likelihood, the report can be deferred for that period. Most minor incidents can also be deferred for a few days without negative impact.

PROCEDURE FOR DEFERRING REPORTS

Deputies' Responsibility

Deputy personnel requiring overtime to complete reports shall advise the Watch Sergeant prior to the end of shift and obtain prior approval from the Watch Commander. If overtime is authorized, the report shall be completed in the most expedient fashion without unnecessary delay.

When deputy personnel defer reports, a photocopy of the completed face page shall be submitted to the Watch Sergeant for evaluation. The upper right-hand corner of the photocopy shall be marked "deferred." The original face page shall not be marked as deferred.

Deputy personnel shall submit a deferred report by the date and time indicated by the Watch Sergeant. If for some reason the report cannot be completed as scheduled, i.e., excess work load, illness, etc., the deputy is responsible for advising the Watch Sergeant so that adjustments can be made and the log can be updated.

• Station Order 009 - Property and Evidence Handling Procedures

Basic procedures for property and evidence handling are set forth in the “Property and Evidence Chapter” of the Policy and Procedures Manual, Section 5-04/000.00 through 5-04/130.25. All personnel shall be familiar with and conform to these procedures.

In addition, the following procedures clarify and further detail property and evidence handling at Industry Station. Station personnel shall also be familiar with and conform to these procedures.

RESPONSIBILITIES Appropriate property and evidence handling is the responsibility of all station personnel. Additional specific responsibilities are as follows:

Watch Commander’s Responsibilities

- Maintain proper evidence and property handling on their respective shifts.
- Assure that patrol personnel receive appropriate training on the handling of property and evidence.
- Accurate completion of safe ledger entries, and packaging and labeling of items stored in the safe.
- Verification of articles and money placed in the safe. Watch Commanders must sign first initial and last name across the back flap of all envelopes.
- Maintaining an orderly safe.
- Control of keys to permanent property storage areas. **NOTE:** During hours that the Property Room is not open, the keys shall be kept in a sealed envelope in the station safe. Any breaking of the seal requires an entry in the Watch Commander’s log. The keys will be resealed after each use, and the seal signed by the Watch Commander.
- The day shift Watch Commander shall prepare deposits of bail money and assure timely deposits of bail money and collected fees, as well as disposition of property in the safe and monthly audits of safe contents and safe ledger.
- At the end of shift, the Watch Commander shall inspect the entries made in the master ledger during that shift for completeness, accuracy, and correctness. The Watch Commander shall direct any necessary corrections and sign his/her name after the last entry of that shift to verify the inspection was done.

Watch Sergeant’s Responsibilities

- Control of the interim property storage keys (inside and outside).
- Opening and placing property into the interim storage lockers.
- Promptly relocking interim storage lockers as soon as property has been placed therein.
- Assuring that proper entries are made in the Master Ledger. Sergeants shall countersign each of the Mater Ledger entries with employee number and signature, and shall inspect the inside evidence locker at least once each shift.
- Reviewing property and evidence packaging and labeling to assure compliance with procedures.

- Reviewing reports to assure that evidence and property are properly described and that the storage locations are recorded.
- Conducting detailed evidence and property handling training of patrol personnel, with appropriate refresher training as indicated.
- The Detective Operations Sergeant shall have the specific responsibility for timely disposition and periodic audits of property and evidence.

Jailer's Responsibilities

- Safekeeping of money (under $400) and property not retained by prisoners. Bulk property should be kept at least 30 days before entering into the evidence computer.
- Assuring that any prisoner money over $400 or valuables stored in the safe accompany the prisoner when transferred or released. Where this is not possible, such money or valuables shall be forwarded to the new jail location, via Transportation Bureau, as soon as possible after notification or transfer.

Detective Commander's Responsibilities

- Frequent monitoring and review of the property and evidence handling procedures.
- Conduct formal quarterly audits of evidence and property, including audits of the Master Property Control Ledger.
- Submitting written reports to the Unit Commander detailing any non-compliance with property and evidence handling procedures found during review or audits.
- Monitoring the training and supervision of the station Evidence Control Officer and a designated alternate.
- Assuring that detective personnel receive appropriate training on the handling of property and evidence.
- Assuring the periodic and timely transfer of property and evidence to Central Property.
- Authorizing and supervising any destruction of evidence or property at the station.

Early Morning Watch Deputy's Responsibilities

- Preparation of Miscellaneous Fees deposits.

Station Evidence Control Officer's Responsibilities

- Daily transferring of property and evidence from interim evidence storage to permanent station storage areas with appropriate recordation in the Master Ledgers.
- Maintaining physical control of the keys to the property and evidence storage areas while on duty and turning in these keys to the Watch Commander when leaving.
- Weekly review of the Safe Ledger for the accumulation of **"held in trust"** money (other than bail and

fees) and preparation of appropriate deposit slips as needed.

- Recording names of handling investigators on property labels and ensuring labels correctly describe attached property.
- Monthly transfers of property to Central Property.
- Immediately reporting any discrepancies in the property and evidence handling procedures to the Detective Commander.
- Daily review of "Interim Property Removal Forms" to ensure proper clearance of evidence taken to court, etc.
- Additional responsibilities as detailed in the Policy and Procedures Manual.

ACCESS TO PROPERTY STORAGE AREAS No one shall enter any station property storage area unless actually conducting business related to property storage. Access to the permanent inside and outside storage areas during the off-duty hours of the Evidence Control Officer must be authorized by the Watch Commander.

The Watch Commander shall authorize such access **only in emergent situations and shall personally supervise this activity.**

STORAGE LOCATIONS Property and evidence shall be stored as follows:

Prisoner's personal property and money (under $400) shall be sealed and stored in the jailer's safe drawer, with the following exceptions:

- Money When a prisoner is booked with over $400, all money in excess of that allowed to be retained by the prisoner (up to $40) shall be stored in the safe.
- Jewelry or other prisoner personal property items believed to be of high value shall, at the discretion of the Watch Commander, be stored in the safe. Otherwise, such items shall be put into an envelope and sealed with the remainder of the prisoner's personal property.
- Bulk property such as suitcases, backpacks, and sleeping bags will be stored in the jail interim property store room while the prisoner is in custody at the station. These items will be labeled.

NOTE: An appropriate notation shall be made on the booking slip when any prisoner money or property is stored in the safe or storage room. Such money shall accompany the prisoner, if transferred. Bulky items will not be accepted by Transportation or Custody units and will remain at the station.

- Money All other money shall be stored in the safe, including counterfeit money, coins, and foreign money.
- Jewelry All jewelry believed to be of high value shall be stored in the safe.
- Valuables Any other item believed to be of high value shall, with the authorization of the Watch Commander, be stored in the safe. Examples would include stamp collections, stocks, and bonds.
- Narcotics All narcotics and paraphernalia shall be packaged appropriately and initially stored in the

Narcotics Drop Safe (mailbox) located in the hallway next to the Watch Commander's office.

- Hypodermic syringes The seizing deputy shall take two photos of the syringe(s) in the presence of the Watch Sergeant. The URN shall be visible in the photo. The photos shall then be handled as normal patrol evidence, with the name of the deputies and witnessing sergeant listed in the report. The syringes shall be deposited in the red "Sharps" container in the inside evidence storage room.
- Blood, Urine, and Sexual Assault Kits shall be stored in the inside interim property storage room, placed in the refrigerator, and initials placed on the labels.
- Bulky Items Items too large to be stored in the inside interim storage room shall be stored in the outside interim storage room (bicycle locker). Examples include bicycles, bulky appliances, vehicle parts, tires, etc.
- Perishable Items Every attempt shall be made to immediately return perishable items to their rightful owner. Some perishable items may be retained in the inside or outside interim evidence storage rooms with the authorization of the Watch Commander. Disposal of perishable items shall be authorized by the Watch Commander or the Detective Commander. Photographs should be taken prior to the disposal of perishable items.
- Combustible items or potentially hazardous materials shall not be stored in either the inside interim or permanent property storage areas. These items will be placed in the outside hazardous materials locker located next to the outside property room door. Items such as firecrackers shall be placed in the outside interim property storage room; however, they will be kept away from the other property.
    - Explosives shall not be stored at the station. Arson/Explosives Detail shall be contacted immediately for disposal.
    - Guns and fixed ammunition shall be stored in the inside interim property storage room.
    - Other regular evidence and property shall be stored in the inside interim property storage room.
    - Exceptions and unusual items shall be stored in a location as authorized by the Watch Commander. Central Property may be of assistance in locating storage areas for unusual items such as large quantities of meat, etc. Central Property can also provide portable safe cabinets for secure storage of large amounts of jewelry, coins, or other bulky items requiring storage in a safe.

EXAMINATION OF PROPERTY All property shall be examined before being placed in storage at Industry Station. Sealed boxes, knapsacks, suitcases, and other packages shall be opened and the contents inventoried.

AUTOMATED EVIDENCE ENTRIES Automated evidence entries shall be made into the automated "Epic" program -- see attached procedures/samples. This will generate three labels for each entry: one label for a designated area of the SH-R-49, one label for the safe or master ledger, and one label for the evidence itself. Start with suffix identifier 001 and subsequent items would increase numerically to 002, 003, etc. See Appendix A and B.

PROPERTY PACKAGING AND LABELING Whenever possible, all property and evidence shall be placed in a plain manila envelope with a metal clasp. All property and evidence shall be labeled. The only exceptions

are detailed in this section.

Use of Plastic Bags. Evidence and property (other than prisoner's personal property) shall not be sealed in a plastic prisoner's property bag. This includes money. Large, clear plastic trash bags may be used to package multiple small items of evidence or property under the same URN number, such as clothing and linens. The property label shall be completed and securely affixed to the outside of the plastic bag. Bags will not be sealed.

- Prisoner's money or valuables retained in the safe shall be placed in an appropriate size manila envelope bearing the "prisoner's property" stamp which will be completely filled in. Other prisoner's property placed in the safe will be tagged and recorded in the safe ledger under the appropriate file or booking number.
- Prisoner's personal bulk property shall be labeled. Other prisoner's personal property which is sealed in the appropriate plastic prisoner's property bag shall not be labeled.
- Marking of evidence shall be completed as detailed in Policy and Procedures Manual, Section 5-04/020.25. Also see Appendix A.
- Method of Affixing Property Label (Refer to Policy and Procedures Manual, Section 5-04/020.20.) The method varies, depending on the storage location.
    - Property shall be labeled in such a manner that the label will not be separated from the item. If the item has no surface to which an adhesive label will adhere, a tag may be tied to it, then the property label affixed to the tag.

Safe Storage Items. All money and valuables stored in the safe shall be placed in a clasp envelope with a completed property/evidence label affixed on the outside. The Watch Commander shall sign his name cross the flap of the envelope and then seal only the flap with clear tape.

ITEMS REQUIRING SPECIAL HANDLING. Special packaging, labeling, or handling is required for particular items as follows:

- Serialized property shall have a teletype listing it as evidence, found, or recovered attached to that piece of property.
- Handguns and ammunition can be packaged together. All handguns shall be placed in a "clasp" envelope. Envelopes containing guns or ammunition shall be labeled.
- Rifles and long guns shall be labeled and ammunition will be packaged separately.
- Open knives, pieces of glass, or other sharp objects shall be wrapped securely with paper and then placed in a "clasp" envelope. For safety, the contents shall be written outside.
- Open alcoholic beverage containers. A two-ounce sample shall be placed in a vial and the remainder of the contents of the open container destroyed. The vial shall be affixed to the empty container. Alcoholic beverage containers shall be not placed in an envelope.
- Urine samples shall not be placed in any type of envelope. The label information on the bottle shall be completed with the pink label on top and the yellow label around or covering the pink label. A completed file number is required. The initials of the person sealing the evidence must be overlapping the tape and evidence container.
- GSR Test. The required information shall be completed on the outside of the envelope, including the

charge. The initials of the person sealing the evidence must be overlapping the tape and evidence container.

- Sexual Assault Kits. The required information shall be completed on the outside of the envelope. The initials of the person sealing the evidence must be overlapping the tape and envelope flap.
- Narcotics and paraphernalia shall be placed in pre-printed narcotics envelope. The required information shall be completed on the outside of the envelope. The packaging deputy shall close and seal the envelope.
    - PCP shall first be placed inside a “Kapak” plastic bag, sealed, and then placed inside a narcotics “clasp” envelope, as described above. Only PCP shall be placed in Kapak bags.
    - Marijuana plants may be folded before placing in a paper envelope. Damp roots and mud shall be removed prior to packaging (photos may be taken prior to removing roots). Large seizures of marijuana shall be packaged in large paper bags. The bats shall be sealed and small air ventilation holes made in the paper. A narcotics envelope shall be completed and affixed to the outside of the large bag with scotch tape. See Policy and Procedures Manual, Section 5-04/120.00 through 5-04/120.35 for further narcotics information.
- Film Rolls of film that are to be sent to the lab for developing **shall not** be entered into the evidence ledger. An SH-R-258 form (blue form) shall be filled out and stapled to the outside of a 6"x9" envelope. Place this into the blue lab box located in the inside evidence room to be sent to the Crime Lab.

LEDGER ENTRIES

The following information applies to the Safe and Master Property Ledgers. Specific information for each ledger is detailed below. See Appendix B.

- Ink -- All entries shall be made in indelible ink.
- “URN SEQ. No.” Column Enter sequential only. Booking numbers shall be used in this column when storing prisoner’s money or other personal property belonging to prisoners.
- Property Description - Affix computer printed label here. Items shall not be described as gold, silver, diamonds etc., but as yellow metal, while metal, clear stones, etc.
- Original storage codes shall be used to represent the original storage locations. Use one of the following:
    - P/I - Patrol, Inside
    - P/O - Patrol, Outside
    - N - Narcotics Depository
    - R - Refrigerator
    - H - Haz-Mat Locker
- Employee number and signature (last name) shall be written in the appropriate columns by the person who records the entry.
- The Watch Sergeant shall write his employee number and last name signature in the appropriate columns on the final line of the property description. The signature of the Watch Sergeant indicates that he has verified the contents to be placed in storage and checked the ledger entry, the envelope, and the

label for accuracy.

- Two blank spaces shall be left in the "Property Description" column after the last property item entry, including entries at the bottom of the page. This permits additional notations such as cross-referencing to be made then or at a later date.

  If an entry must be continued to the following page, this will be indicate din the "Property Description" column on the last line and on the first line of the following page. The entering deputy shall place his employee number and signature on the first line of each page used for continued entries. The Watch Sergeant shall sign at the bottom of each page of a continued entry.

- Errors - If an error is made, a disposition shall be made and the last name of the person making the disposition signed. White-outs, erasures, obliterations, or deletions of any type shall not be made.
- Cross-Referencing - Cross-referencing between the Safe and Master Ledgers is required whenever items under the same URN are recorded in both ledgers. (Example: If money and a gun are taken as evidence, the entry in the Safe Ledger for money must be cross-referenced to the entry in the Master Ledger for the gun, and vice versa.

  If additional evidence is recovered on a later date under the same URN number, and an earlier listing of evidence has been made in either the Safe or Master Ledger, both the original and latter entries shall be cross-referenced to each other.

- Partial Release of Property or Money- If only a portion of evidence or property that has been listed on one line in either ledger is released, then the remaining items or amount shall be re-entered as a new entry. Both the original and the new entry shall be cross-referenced to each other.

SAFE LEDGER - Any time an item of evidence or property is deposited in the Watch Commander's safe, it is imperative that each section of the safe ledger is filled out completely and correctly.

Procedures applicable only to entries made in the Safe Ledger are as follows:

- Original Storage and Storage Change Columns- All entries in the Safe Ledger shall have an "S" in the "ORIGINAL STORAGE" column. In addition, one of the following entries shall be made in the "STORAGE CHANGE" column:
  - INT - Money to be held intact as evidence. Also referred to as Type "A" money. This includes counterfeit money.
  - INT/C - Collectible Items (Currency or coin with a value greater than that negotiable on its face.)
  - DT - Money to be deposited - referred to as "held in trust" (evidence not necessary to be held intact, bail, bicycle, or fingerprint fees, found money, etc.). Also referred to as Type "B" money.
  - Pk - Prisoner's Money (prisoners booked with over $400 cash and prisoner's personal property).
  - VAL - Items of monetary value (jewelry, stamp collections, etc.).
  - MISC - Any other items (documents, special papers, administrative entries, etc.).
- The Watch Commander shall write his employee number and last name signature in the appropriate columns on the final line of the property description. The signature of the Watch Commander indicates that he has verified the contents to be placed in storage and checked the ledger entry, the property, and the label for accuracy. The Watch Commander shall place the property in the safe.

- Monies - All money, including coins, shall be counted and the amount verified by the Watch Commander.

TEMPORARY REMOVAL OF EVIDENCE OR PROPERTY - Whenever property is temporarily removed from any property storage location for court or any other purpose, a "PROPERTY INTERIM REMOVAL RECORD" form shall be completed in duplicate. The removing deputy retains the original, and the Evidence Control Officer maintains the copy.

- Items or Money Temporarily Removed from the Safe - If the envelope has been opened, the Watch Commander receiving the property back shall rectify or recount the contents and reseal the envelope prior to placing the item in the safe.
- The "PROPERTY INTERIM REMOVAL RECORD" form copy shall be retained in the safe until the item is returned. Upon return or notification that the item has been retained by the court, the Watch Commander shall assure that the remainder of the form is completed and the form forwarded to the Evidence Control Officer for placement in the URN file.
- Items Stored Other than in the Safe - A "PROPERTY INTERIM REMOVAL RECORD" shall b completed (no counter signature of the Watch Commander is required) and retained by the Evidence Control officer in an arch file. The deputy returning the property shall complete the disposition portion. The form shall then be filed in the URN file by the Evidence Control Officer.
- Evidence taken for a court appearance shall be removed from the station only on the date of the appearance and returned on the same date.
- If the property is "taken into evidence" by the court, the Interim Removal Record should be signed by the court clerk and returned to the Evidence Control Officer for entry in the ledger and filing in the URN file.

RELEASE OF PROPERTY - Once an item has been recorded in either the Safe or Master Ledger, appropriate paperwork must be completed when the item is released or otherwise disposed of. Wherever possible, such property shall be released only by the station Evidence Control Officer during regular business hours. In the rare instance where property that is recorded in a ledger is released at other times, a "RECEIPT FOR PROPERTY" form (Sh-CR-19) shall be completed in duplicate. Both copies shall be forwarded to the station Evidence Control Officer for handling, and after recording in the ledger, will be filed in the URN file. Completion of the form is self-explanatory.

NOTE: A person of the permanent rank of lieutenant or above must sign an authorization on the receipt when a firearm is released -- **NO EXCEPTIONS**.

• Station Order 010 - Court Liaison Plan

The purpose of this directive is to establish a court liaison plan which will:

- Provide an effective method of serving subpoenas upon unit personnel.
- Ensure the prompt court appearance of subpoenaed personnel.
- Ensure the testimony of unit personnel is professional and credible.
- Provide for the proper management and verification of court overtime.

- Hold each responsible employee accountable for any non-compliance.

It is intended that the directive supplement, rather than replace, existing departmental policies and procedures with respect to subpoenas and court appearances. A broad overview of departmental policy is provided, with key points reinforced or clarified. It also provides additional direction where needed and formalizes other procedures that have been observed as a matter of custom. Because this document is intended to serve as a primary source of direction for court-related issues, a significant part is duplicated from other sources. If any part of this directive is found to be in conflict with any Region or Department policy, or MOU, that conflict shall be resolved by observing the latter.

POLICY

General Responsibilities

Court Liaison Lieutenant

The Court Liaison Lieutenant shall be responsible for the ongoing management of the court liaison operation and for overseeing the daily performance of the Court Liaison Sergeant and staff. The lieutenant shall be responsible for ensuring that all unit personnel comply with the provisions of this directive, as well as any and all related departmental policy.

Court Liaison Sergeant

The Court Liaison Sergeant shall be directly responsible for actively supervising the unit's court liaison operation and for ensuring compliance with this directive and all related policy. The sergeant shall directly supervise the daily activities of the court liaison staff and shall be available for liaison purposes. Additionally, it shall be the responsibility of the Court Liaison Sergeant to:

A. Oversee the activities of station personnel with respect to all court appearances.
B. Establish and maintain effective liaison with key personnel in the courts, including judicial officers, members of the District Attorney's Office, and members of the Public Defender's Office. The sergeant shall meet at frequent intervals with head deputy district attorneys, identifying and resolving any actual or potential problems related to court appearances and/or credibility of testimony.
C. Regularly monitor daily court appearances to:
    1. Ensure subpoena compliance and verify attendance.
    2. Ensure compliance with Department policy regarding dress and grooming standards.
    3. Audit the testimony of unit personnel to ensure that it is credible and professional.

    Any problems encountered in this area shall be documented and followed up on and shall be reflected in the Monthly Court Liaison Report. Any training-related issues will be promptly communicated, through channels, to the training staff.

D. Approve all court overtime and ensure that the subpoena compensation system is effectively

administered. Any discrepancies in the reporting of court overtime shall be identified and appropriate corrective action taken.

E. Ensure that station personnel receive training regarding court appearance standards and expectations, and ensure that each member is aware of his or her responsibilities as specified in this plan.
F. Assist the Court Liaison Lieutenant with the preparation of the Monthly Court Liaison Report.
G. Ensure that the following systems are being maintained and properly utilized:
    1. Contact log
    2. Log for non-appearance of employee witnesses.
    3. District Attorney complaint process.
    4. Subpoena tracking system.
    5. Compiling, printing, and posting of the five-day court list.
    6. Five-day list for verification of service and acknowledgment.
H. Be familiar with all court procedures and initiate or recommend changes when appropriate.

E.M. Watch Commander

The early morning Watch Commander will call all personnel who have failed to acknowledge receipt of a subpoena for that day. These calls should occur between 0500 and 0600 hours.

Patrol Sergeants

Sergeants shall review the content of all arrest reports to ensure that only patrol deputies who are essential for case prosecutions are subpoenaed. Where possible, in routine misdemeanor arrests, the arresting officer shall conduct or witness the searches, tests, or interviews so that only he/she need be subpoenaed to testify in court (3-01/280.10).

Subpoenas and Acknowledgment Forms will be maintained in a three-ring binder (Subpoena Binder) in the watch sergeant's office. Patrol sergeants shall be responsible for bringing the Subpoena Binder to shift briefings and checking the folder for subpoenas to be issued to deputies in attendance at that briefing. If a deputy in attendance has a subpoena in the folder, the sergeant shall serve the deputy and ensure that the deputy receiving the subpoena signs and dates the Subpoena Acknowledgment Form. The sergeant shall ensure the return of the signed Acknowledgment Form, prior to the end of briefing, and complete the form by signing the "Subpoena Served By" blank, including employee number. The completed Subpoena Acknowledgment Form is then to be put in the space provided in the Subpoena Binder for collection by the Court Liaison Officer.

Note: Deputies shall not self serve from the Subpoena Binder. A sergeant, or acting sergeant, shall affect service.

Court Deputies and Investigators

Court deputies and investigators shall be responsible for requesting subpoenas for only the minimum number of deputies required to testify. Investigating officers in charge of a case shall be responsible for ensuring that prosecution witnesses are subpoenaed and served, and aware of their required court appearance.

Court Liaison Officer

The station Court Liaison Officer (CLO) shall be responsible for:

A. Subpoena control:
   1. Receiving and processing all incoming subpoenas and documenting a trail of possession and service, including entering all subpoenas received in the Subpoena Tracking System listing the required information.
   2. The Court Liaison Officer will separate the subpoenas and file a copy in a permanent file and the original copy, along with the Subpoena Acknowledgment Form, alphabetically, by shift, in the Subpoena Binder for the field sergeant to take to briefing.
   3. Coordinating subpoena service for civilian witnesses.
   4. Receiving, recording, and filing all subpoena acknowledgments.
   5. Maintaining the automated Subpoena Tracking System.
   6. Posting and distribution of the “Daily Court Appearance List” on a daily basis. Faxing copies of lists to witness coordinators to show acknowledgments.

B. Coordination of on-call court cases between the courts and station personnel:
   1. Maintaining the on-call control log.
   2. Making frequent checks throughout the day to ascertain the status of all on-call cases. Call the day before to verify the current case status.
   3. Promptly notifying station personnel when they are no longer on-call. It is the deputy’s responsibility to check at 1200 hours to verify on-call status.

C. Maintenance of the Court Liaison Log

   A court liaison log shall be established and maintained which will provide a record of the following:

   1. Communications to and from the District Attorney’s Office regarding changes in case information (e.g., rescheduled cases, cancellations, status changes from “must appear” to “on-call,” witness unavailability, etc.) as well as any notifications to or from subpoenaed employees regarding those changes.
   2. Reports or inquiries regarding the non-appearance of personnel in any case wherein a subpoena has been issued. The Court Liaison Sergeant shall conduct an inquiry in each such case and shall document his findings and report to the Court Liaison Lieutenant as appropriate. A recap of all such entries shall be included in the Monthly Activity Report.

3. Any inquiries or reports of problems from the District Attorney's Office.

   All such inquiries and problems shall require follow up by the Court Liaison Sergeant, who shall communicate the outcome to the District Attorney's Office, when appropriate. A recap of all such entries shall be included in the Monthly Activity Report.

D. Assisting in resolving conflicts when personnel are subpoenaed to appear during regularly scheduled vacations.

E. Being familiar with the contents of this directive and Sections 3-01/050.95 and 5-07/250.00 et. seq. of the Manual of Policy and Procedures, relating to court cases, court appearances, and the reporting of court overtime.

F. Promptly notifying the Court Liaison Sergeant or, in his or her absence, the Watch Commander of any problems, difficulties, or conflicts.

G. Reviewing all overtime slips for accuracy and forwarding them to the Court Liaison Sergeant for final approval.

H. The day before each court date, the Court Liaison Officer will review the court register to ensure that all subpoenas have been acknowledged. Subpoenas not acknowledged will be brought to the attention of the on-duty Watch Commander to be passed on to the early morning Watch Commander so that a phone call can be made to the appropriate deputy at home between 0500 and 0600 hours on the day of the subpoena.

Station Personnel

Station personnel shall be responsible for:

A. Checking their mailboxes at the beginning and end of each shift and reading any notifications related to court appearances. Personnel shall check their e-mail at the beginning and end of their shift when on duty.

B. Receiving and immediately acknowledging all subpoenas issued to them.

   Note: "Special Assignment Deputies" (La Puente/Industry SAOs, Asian Crime, YAL, VIDA, Crim Prevention, Town Sheriffs, etc.), shall daily check with the Watch Sergeant for any unserved subpoenas.

C. Routinely checking the "Daily Court Appearance List" to determine if any subpoenas are pending. During court liaison business hours, the subpoena register will remain in the possession of the Court Liaison Officer. After hours, the subpoena register will be returned to the Watch Sergeant's office.

D. Promptly notifying the Court Liaison officer of any subpoenas received from any source other than the CLO.

E. Notifying the CLO **as soon as possible** whenever a case is trailed or continued. If after 1630 hours, leave a message on the Court Liaison voice mail line, (626) 934-3017.

F. Punctual compliance with all subpoenas and any subsequent oral instructions from the judicial officer

having jurisdiction of the case.

G. Ensuring that any and all necessary evidence is delivered to court for their case.

H. Being thoroughly familiar with their case and testifying in a professional, credible manner.

I. Notifying the training staff and the Court Liaison Sergeant without delay whenever any training conflicts with a scheduled court appearance.

J. Personally contacting the handling Deputy District Attorney regarding any inability to comply with a subpoena, or any request for a variance (e.g., being placed on call). The employee shall then advise the Court Liaison Sergeant and provide the name of the handling deputy district attorney who authorized the change, as well as the case name and number.

NOTE: If a subpoena is issued by a private attorney, permission to be excused or placed on-call must be obtained from that private attorney, NOT A DEPUTY DISTRICT ATTORNEY.

J. Notifying the Court Liaison officer, via memorandum or e-mail, at least two weeks in advance of any changes or **variances** in any regularly scheduled vacation (e.g., additional "F" days, swaps, etc., which would alter the days of the absence). The memo or e-mail will include starting and ending dates of the scheduled absence.

K. Immediately notifying the Court Liaison Officer whenever the status of a case has been changed from MUST APPEAR to ON-CALL, or vice versa, and for providing the CLO with the name and title of th person authorizing the change.

L. Shall be familiar with the contents of this direction and Sections 3-01/050.95 and 5-07/250.00 et. seq. of the Manual of Policy and Procedures, relating to court cases, court appearances, and the reporting of court overtime.

M. Ensuring that when issuing a routine traffic citation, only one deputy's name appears on the citation when possible.

NOTE: When making notifications to, or communicating with, the Court Liaison Officer, the preferred methods are e-mail, phone call, memorandum, or personal contact. Do not rely on voice mail without follow up, and do not write messages on, or attach them to, overtime slips.

SUBPOENA PROCESSING, SERVICE, AND ACKNOWLEDGMENT

It will be the policy of this command to guarantee the appearance of all subpoenaed personnel when such subpoenas are received at least five days prior to the appearance date (barring scheduled vacations or unforseen circumstances).

Subpoenas received less than five days prior to the appearance date will be handled on a case-by-case basis and every effort will be made to ensure the deputy's appearance in court; however, if the deputy is unavailable, the subpoena will be returned to the court by the Court Liaison Officer, notifying the court that we were unable to make a timely service.

The CLO shall time stamp all incoming subpoenas upon receipt if possible.

When subpoenas are received by the CLO, the CLO shall determine if there is sufficient time to effect service and if there is sufficient time for personnel to comply with the subpoena. In making this determination, the CLO shall be guided by the provisions of Penal Code Section 1328. If there is insufficient time for service and/or compliance, the CLO shall return the subpoena to the issuer with the reason for non-service. If this becomes necessary, the following steps shall be taken:

A. The CLO shall immediately notify the Court Liaison Sergeant, who will make the final determination regarding acceptance or refusal.
B. Immediate notification shall be made to the investigating officer if one is assigned and known.
C. Immediate notification shall be made to the issuer.
D. Written documentation shall be made in the form of a log of any such subpoena received and what steps were taken. Any subpoena received less than five court days prior to the hearing date shall also be logged, whether served or not served.

If there is sufficient time for compliance, the CLO shall attach an acknowledgment slip to the subpoena and place it in the Subpoena Binder for service by shift patrol sergeants to the person being subpoenaed.

If the employee has transferred, the CLO shall correct the address, if known, and return the subpoena to the issuer. The CLO shall also make every effort to notify the CLO or supervisor at the employee's new unit of assignment and forward a copy of the subpoena to the new unit.

If unable to serve a subpoena, the CLO shall notify the Court Deputy, Witness Coordinator, or the investigating officer, as appropriate.

Station personnel receiving a subpoena shall immediately sign the attached Acknowledgment Form and return it to the issuing sergeant or CLO.

Acknowledgment Forms not returned within five business days of issuance or of the appearance date shall be forwarded to the employee's supervisor or Watch Commander who will ensure that personal service is effected.

The day before each court date, the Court Liaison Officer will review the court register to ensure that all subpoenas have been acknowledged. Subpoenas not acknowledged will be brought to the attention of the on-duty Watch Commander to be passed on to the early morning Watch Commander so that a phone call can be made to the appropriate deputy at home between 0500 and 0600 hours on the day of the subpoena.

COURT APPEARANCES

Must Appear

A. Personnel who received a "Must Appear" subpoena must appear at the designated time and place, adequately prepared to testify, unless excused by the handling Deputy District Attorney *personally* or *via a member of the Court Liaison staff.*

B. Personnel shall allow sufficient time to time-stamp in and arrive at the designated place prior to the designated appearance time.

C. Personnel shall make their presence known to the assigned Deputy District Attorney, or person in charge, upon arrival in the courtroom or designated location.

D. All subpoenas shall be considered MUST APPEAR unless specific instructions are given for ON-CALI status. If there is ever any doubt, confirm the status with the CLO.

E. Personnel who are unable to comply with a subpoena because of an illness or personal emergency shall:

1. Notify the assigned Deputy District Attorney prior to the time the case is called. This notification is the personal responsibility of the person subpoenaed, not that of the Court Liaison officer.

2. Notify the Court Liaison Sergeant providing the name of the Deputy District Attorney notified, as well as the case name and number.

3. If personnel are unable to comply with either of the above, they shall communicate the required information to the on-duty Watch Commander, who will take the necessary steps to ensure that these notifications are made.

F. Scheduled court appearances shall always be given priority over training, RDOs, or other scheduled time off.

1. Although a scheduled vacation technically cannot supersede a subpoena, the courts are generally very flexible with law enforcement provided that they have been given sufficient notice of vacation dates.

2. Therefore, when preparing complaint reports, deputies shall list their vacation dates at the bottom of the face page, between their name and I.D. number. When additional deputies are referred to in the body of the report, their vacation dates shall also be listed.

   Example: John Smith (vac. 6/05) #123456

3. Sergeant approving reports shall ensure that vacation dates are included. If there is no scheduled vacation pending, write “(vac. none)” or “(vac. 0).”

G. Whenever personnel receive multiple subpoenas for the same date with conflicting appearance times, they shall notify the CLO and the appropriate Deputy District Attorney(s) regarding their priority of appearance(s), and they shall be guided by the following:

1. Federal Court shall have priority over State Court.
2. Juvenile cases shall have priority over adult cases.
3. Felony cases shall have priority over misdemeanor cases.
4. Misdemeanor cases have priority over infractions (most traffic cases).

H. Whenever subpoenaed personnel encounter any conflicts regarding court appearances, it is their

responsibility to ensure that the conflict gets resolved. This may mean contacting the training office to have training rescheduled or contacting the D.A.'s office when two superior court cases conflict, etc. When in doubt, the Court Liaison Sergeant or other supervisor should be consulted. Remember, it is still the responsibility of the subpoenaed person to ensure that the conflict is appropriately resolved.

I. Whenever a case is trailed or continued or a deputy receives other oral instructions from the court regarding any court appearance, the deputy shall communicate that information to the CLO without delay. The CLO shall then update the daily court appearance list with this information.

J. Personnel appearing in response to a subpoena during a time other than their regular working hours shall time-stamp in on their subpoena upon arrival to the subpoenaed destination, and, after excused, time-stamp out prior to leaving the location.

Court Appearances While Assigned to Field Duty

Frequently our responsibilities in the field and our obligation to appear in court are competing for the same time slot. Similarly, the desk's need to effectively manage field resources often conflicts with a field deputy's responsibility for being in court. However, by observing the following simple procedures, both field and desk personnel can fulfill their responsibilities with minimal disruption to operations.

A. When a deputy has a court appearance on a particular day, he shall, at the beginning of his/hr shift, give the desk advance notice by means of an MDT message (e.g., "FYI, I have court in Pasadena at 0830.")
B. Then, when ready to leave his/her area to go to court, the deputy shall enter an "obs" in the MDT to reflect the court appearance.
C. If any question arises on behalf of the desk or the field deputy as to whether the deputy will proceed to court or remain in the field, the watch deputy shall immediately notify the watch commander, who will make that determination. Only a serious emergency or very compelling circumstances should prevent a deputy from attending court.
D. Any time an on-duty deputy is delayed or prevented from attending court because of field conditions, the watch commander shall personally notify the deputy district attorney handling the case and explain why the deputy cannot be in court. This shall then be documented in the Watch Commander's Summary Report.

ON-CALL STATUS

Station Personnel Procedures

A. All requests for on-call status shall be made by the person subpoenaed (NOT THE CLO) directly to whomever issued the subpoena, usually the district attorney's office. If granted on-call status, the following information shall be provided to the CLO prior to 1600 hours on the last court day prior to the specified appearance date:
    1. Name of Deputy D.A. granting on-call status.
    2. Case information.

B. Personnel receiving an on-call subpoena, or who have been placed on call, shall:

1. Ensure that the CLO has a phone number where the person on-call will be immediately available. Personnel desiring to use pagers or answering machines may do so, provided that they re-contact the CLO within 15 minutes of a page or answering machine message to confirm receipt of the message. Remember, when on-call, personnel are REQUIRED to be available by phone. This means that it is up to those on-call to keep their line clear and make sure that their equipment works. **It is the responsibility of the person on-call to make sure that the CLO can reach them while they are on-call.**
2. Maintain a response time of one hour or less.
3. Be adequately prepared to testify when called.

C. Deputies advised in court that their case is being trailed, etc., and/or placed on-call by the District Attorney must provide the Court Liaison Officer with the required status change information immediately.

D. On the date of the court case, deputies must contact the Court Liaison Officer by 1200 hours to be advised of the case status. If the court case is still pending, the deputy will remain on-call until notified otherwise by the Court Liaison Officer or appropriate unit supervisor, or at the end of the court day (1530 hours).

E. On-call cases frequently trail for up to 10 days. However, personnel shall not automatically consider themselves on-call for 10 days unless specifically instructed to do so by the CLO or the District Attorney. If so instructed directly by the District Attorney, or the Court, this information must be provided to the CLO without delay.

F. Deputies having worked the previous EM or PM overlap shift who wish not to be contacted unless needed for court must leave a memo, or e-mail, for the CLO advising of the request. The deputy need not call the Court Liaison officer at 1200 hours. The Court Liaison Officer will generate a disposition slip and return it to the concerned deputy. However, deputies who avail themselves of this option must still contact the CLO prior to 1600 hours to obtain case disposition information.

G. Requests for on-call compensation may not be approved for any personnel not on the On-Call Control Log when case information is not provided to the CLO as required in MPP Section 5-07/270.05 (as listed above). Therefore, it is important that the CLO be promptly advised of any status changes.

H. Deputies shall prepare on-call overtime slips indicating the starting time, ending time, court case number, court, and defendant, and submit to Court Liaison for processing and approval.

Court Liaison Officer Procedures

A. When the CLO is notified of changes in the status of an on-call subpoena, the CLO will enter it in the On-call Control Log.

B. Subpoenas issued initially as “on-call” will automatically be entered in the On-call Control Log by the CLO.

C. The CLO shall track the status of on-call cases as described in Section 5-07/270.10 MPP, including contacting the District Attorney’s Office by 1200 hours to determine the status of on-call cases. When

the status of a case changes, the CLO will notify the concerned personnel at once.

D. Unless notified sooner, personnel shall contact the CLO by 1200 hours on the court date to be advised of case status. The CLO will also notify on-call personnel by the end of the court day, whether to remain on-call the following day.

ACCOUNTABILITY

All personnel will be held responsible for appearing in court in response to subpoenas.

A. **Court Liaison Officer:** In all instances when a court provides notice that one of our personnel failed to respond, was late, or when he/she could not be reached while on an on-call status, the Court Liaison Officer shall attempt to ascertain whether there was a valid reason (e.g., conflicting subpoenas, vacation, emergencies, etc.). Where no valid reason can be ascertained, the Court Liaison Officer shall prepare a notification and submit it to the Court Liaison Sergeant for follow up.
B. **Court Liaison Sergeant:** When a notification is received from the Court Liaison Officer regarding an attendance problem, the Court Liaison Sergeant shall conduct an inquiry to ascertain the circumstances. If no valid reason is presented, the Court Liaison Sergeant shall take appropriate action (e.g., notation in the Performance Log, counseling, unit-level investigation, etc.).

EVIDENCE PICKUP AND RETURN

When ordered by the court or the District Attorney's Office to bring evidence to court, the handling deputy will comply with the request.

Narcotics

A. Personnel who will need copies of narcotic evidence for a court appearance shall notify the Narcotics Unit not less than two court days prior to the appearance date.

B. Copies of narcotics evidence may be picked up from the Narcotics Bureau daily, beginning at 0800 hours.

Regular Evidence

Regular evidence must be requested from the station property custodian beginning at 0700 daily. If property is over 90 days old, the evidence must be requested at least three days prior to the court date. Evidence returned after duty hours of the property custodian shall be placed in the interim station evidence locker.

COURT OVERTIME PAY

Must appear

For each court appearance resulting from a subpoena, all personnel from the rank of deputy through lieutenant are eligible for a minimum of three hours overtime, which **includes** compensation for all travel and evidence pickup. Additionally, overtime shall be granted for all time actually spent in court that exceeds two hours. No additional overtime shall be granted for subpoenas that overlap or coincide in reporting times. "Court overtime minimum" does not apply for court appearances that occur as an extension of regular duty time.

Upon arrival at court and upon leaving, personnel shall legibly time stamp their subpoena in the court clerk's office or the Court Services office. Because each of our local courts has at least two time stamps, signatures by the Deputy District Attorney or other official will not be accepted. Only a time stamp "IN" and a time stamp "OUT" will be accepted to verify court appearance times. A single time stamp will only qualify you for "minimum" overtime. If, for any reason, there is no time stamp available at a particular location, attach a memo explaining same to any overtime slip submitted. Include the name of the Deputy District Attorney, or the person you reported to, in the memo.

On-Call

A minimum of two hours half-time compensation, including travel to court, will be granted to an employee who receives an on-call subpoena, provided the on-call status is not canceled prior to the date of the subpoena. However, additional compensation will not be granted for "on-call" subpoenas which are issued for the same or overlapping time periods as "must appear" subpoenas.

Time Increments

All overtime shall be earned, credited, and paid in 15-minute increments.

Overtime Worked Report (Court)

Overtime slips shall contain the following information for statistical reporting:

1. Testimony:
    - i.e., Did not testify
    - i.e., Testified
    - Time on stand (i.e., 20 minutes)
2. Conference time with District Attorney (if any)
3. Witness pickup (if applicable)
4. **Time-stamped subpoena attached**

Personnel submitting an Overtime Worked Report shall do so no later than the end of their next scheduled shift. Late reporting of overtime will not affect payment for the time worked but may delay payment and will be in violation of this directive.

ATTIRE

Regardless of regular assignments, station personnel appearing before the courts shall dress either in full Class “A” uniform or appropriate business attire. Under no circumstances shall personnel appear before the court wearing jeans, sport shirts, knit shirts, or raid jackets.

MONTHLY REPORT

The lieutenant shall submit a monthly activity report to his captain which shall minimally include:

- Monthly overtime expenditures (on-call, “must appear,” and combined total cost),
- A synopsis and status of any district attorney inquiries and/or complaints, court audits conducted, and documentation of any issues that arise from the audits,
- Training issues and training provided (including trainee orientation),
- Court liaison staffing and personnel issues,
- Subpoena compliance issues (court attendance and punctuality, etc.),
- Contacts and meetings attended,
- Noteworthy cases (high profile or causing an unusual amount of overtime).

The report shall identify the people contacted during the inquiries and audits, and shall indicate the action taken to resolve problems and complaints. Monthly reports shall be retained by the unit for a period of at least one year.