Chapter 4 - Miscellaneous

CHAPTER 4 - MISCELLANEOUS

2005-11 VICTIMS REFUSAL TO PROSECUTE

2005-18 RESCINDED

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• 2005 - 11 VICTIMS REFUSAL TO PROSECUTE

PURPOSE OF ORDER

The purpose of this order is to establish a Bureau-wide policy and a standard form for documenting cases in which a victim refuses to cooperate with the prosecution of a suspect.

SCOPE OF ORDER

This order applies to all Bureau detectives responsible for investigating and filing cases.

ORDER

Despite investigative efforts, victims may, on occasion, refuse to prosecute a known suspect in a criminal case. Detectives who encounter a victim who either refuses to prosecute a known suspect or refuses to identify a suspect shall complete a "Victim's Refusal to Prosecute" form.

Detectives shall provide the victim with the form. If the victim refuses to sign, the detective shall note the refusal on the signature line. A sergeant shall then co-sign the form as a witness.

In either case, detectives shall submit the cases to the local filing District Attorney or other prosecuting agency for filing consideration or obtain a "D.A. Reject" on all refusals to prosecute.

The original form shall be kept in the case file, and the detective shall retain a copy in their investigative file.

Area lieutenants will periodically audit cases in which the victim refused to prosecute to ensure compliance with this directive.

• 2011 - 1 WIRELESS COMMUNICATIONS DEVICE INSIDE OF A CORRECTIONAL FACILITY

PURPOSE OF ORDER

To establish guidelines for all Bureau personnel regarding the use of cellular phones in a correctional facility (station jail, county jail, or court lock-up).

SCOPE OF ORDER

This order applies to all Bureau personnel.

ORDER

Possession of a wireless communication device, including but not limited to cellular telephone, voice over internet protocol (VoIP) phones, or wireless internet device, in a secured area is prohibited per Penal Code 4575 (a) PC.

Any person entering a correctional facility shall be prohibited from having any unauthorized items in their possession per *Custody Division Manual, Sections 3-01.090.00, Security of Personal Property.*

Any deviation from this unit directive shall only be permissible with the prior approval of the respective Assistant Sheriff.

• 2016 - 1 MOBILE FIELD INTERVIEW REPORT (FIR)

PURPOSE OF ORDER

The purpose of this order is to establish de-confliction procedures and facilitate the sharing of criminal intelligence amongst units within the Department regarding the use and printing of mobile-generated Field Interview Reports (FIRs). This order also includes guidelines for sharing FIRs with outside law enforcement agencies.

SCOPE OF ORDER

This order applies to all sworn Bureau personnel.

ORDER

The advancement of the Mobile FIR allows Department members to electronically author FIRs using their Department-issued smartphones, desktops, and Mobile Digital Computer. The electronic FIR is then evaluated and approved by a supervisor or designee, before criminal intelligence entry. Only evaluated and approved FIRs will pass through the virtual gatekeeper for entry into the CalGang System.

The electronic FIR serves an official “source document", which may replace the traditional paper FIR cards and will be admissible in court.

When investigators require a source document (FIR), they shall request a printed version from the FIR's authoring station (Bureau team, station detective supervisor if no OSS team is assigned, or OSJ for all custody facilities).

Only the following personnel are authorized to print from the FIR system:

- Sergeants and lieutenants with valid FIR accounts
- Cal Gang Help Desk administrators

With approval from the FIR's authoring station supervisor, a printed FIR (source document) may be produced. Requests and approvals for printed FIRs must be submitted via email to ensure chain of custody and approval from the FIR's authoring station. This process is critical to both the de-confliction of ongoing investigations and to ensure the effective sharing of criminal intelligence amongst law enforcement agencies.

• 2025 - 1 WARRANT SERVICE AND ENTRY TRAINING

PURPOSE OF ORDER

The purpose of this order is to establish periodic warrant service and entry training for members of Operation Safe Streets (OSS) Bureau and patrol station Special Assignment Officers (SAO) team personnel who assist with search warrant operations.

SCOPE OF ORDER

This order applies to all Bureau personnel.

BACKGROUND

Due to the ongoing Department-wide personnel shortage, and OSS Bureau teams being understaffed, patrol

station SAO team personnel are increasingly being utilized by OSS teams to augment their entry lineups during search warrant service operations.

Prior to conducting or participating in a search warrant service operation, Field Operations and Detective Bureau personnel must attend the Department's mandated **TAS I: Firearms Laser Training Update** and **TAS II: Intermediate Warrant Service Tactics Update** once every two years.

ORDER

OSS Bureau teams who rely on their respective patrol station SAO team for assistance during warrant service operations, shall jointly attend warrant service and entry training. Training can be administered by the Tactics and Survival Unit (TAS) or Special Enforcement Bureau (SEB).

All OSS and SAO team personnel attending this training will be documented on an APIS roster. OSS training unit will retain the rosters and will coordinate with OSS team sergeants to ensure all OSS and SAO team personnel stay current with this training.