

Chapter 8 - Department Support Services

Information Technology Use

800.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

800.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Irvine Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

800.2 POLICY

It is the policy of the Irvine Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

800.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

Irvine Police Department

Policies

Information Technology Use

The Department shall not require a member to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

800.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or watch commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

800.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

800.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

Irvine Police Department

Policies

Information Technology Use

800.4.3 INTERNET USE

Internet access provided by or through the Department should be limited to acceptable department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

800.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

800.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

800.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

Irvine Police Department

Policies

Information Technology Use

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

CAD and System Mechanics

801.1 CAD PREMISE HISTORY

Designated communications personnel have the ability to enter data into the Special Situation file in CAD, which alerts dispatchers and field personnel of important information related to a specific address.

A “Dispatch Premise History Request” form shall be completed and submitted to a dispatch supervisor for any requests for information to be entered in the CAD Special Situation file.

Premise History entries shall only be used for such information as:

- Emergency Contact Information
- Stored Chemicals
- Dangerous or Armed Subjects
- Explosive Family 415 situations
- Narcotic Activity
- Any Officer Safety Issues
- Subjects 918V / 5150
- Locations designated by Regulatory Affairs as “No Response” for alarms
- Restraining or Emergency Protective Orders

Any other information deemed pertinent for field personnel.

Include the entry date, the expiration date and the initials of the personnel making the entry in CADDDBM.

801.2 AUDIO RECORDING REQUESTS

If any department employee requests a copy of an audio tape, they must complete a request. The primary responsibility of audio recording request processing will be the function of the Irvine Police Department Records Bureau, however, Communications Supervisors may be called up to assist with these requests.

Once the copy of the audio recording is made and forwarded to the requesting employee, any requests handled by Communications personnel will be kept in the “Tape Log Book,” maintained in the supervising dispatcher’s office. Email and other requests for audio recordings should also be printed and kept in the logbook.

Records of audio recordings are kept for 2 years. If any department employee requests a hold be placed on a recording beyond 2 years it must be booked into evidence.

Communications Bureau

802.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of the Communications Bureau. It addresses the immediate informational needs of the Department in the course of its normal daily activities and during emergencies.

802.2 POLICY

It is the policy of the Irvine Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability providing continuous communication between the Communications Bureau and department members in the field.

802.3 COMMUNICATIONS BUREAU SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of the Communications Bureau, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for the Communications Bureau.

Access to the Communications Bureau shall be limited to Communications Bureau members, the watch commander, command staff and department members with a specific business-related purpose.

802.4 RESPONSIBILITIES

802.4.1 COMMUNICATIONS BUREAU SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Communications Bureau Supervisor. The Communications Bureau Supervisor is directly responsible to the Support Services Division Commander or the authorized designee.

The responsibilities of the Communications Bureau Supervisor include, but are not limited to:

- (a) Overseeing the efficient and effective operation of the Communications Bureau in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
 1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of Communications Bureau information for release.
- (f) Maintaining the Communications Bureau database systems.
- (g) Maintaining and updating the Communications Bureau procedures manual.

Irvine Police Department

Policies

Communications Bureau

1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
 2. Ensuring dispatcher compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
- (i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

802.4.2 ADDITIONAL PROCEDURES

The Communications Bureau Supervisor should establish procedures for:

- (a) Recording all telephone and radio communications and playback issues.
- (b) Storage and retention of recordings.
- (c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).
- (d) Availability of current information for dispatchers (e.g., watch commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
- (e) Assignment of field members and safety check intervals.
- (f) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
- (g) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).
- (h) Protection of radio transmission lines, antennas and power sources for the Communications Bureau (e.g., security cameras, fences).
- (i) Handling misdirected, silent and hang-up calls.
- (j) Handling private security alarms, if applicable.
- (k) Radio interoperability issues.

802.4.4 SUPERVISING PUBLIC SAFETY DISPATCHERS

Supervising Public Safety Dispatchers (SPSD) report to the Communications Bureau Supervisor. The responsibilities include that of a dispatcher listed below and of the SPSP that include, but are not limited to:

- (a) Organizes, coordinates, and leads public safety dispatch center activities as a working supervisor during assigned shifts. Provides direction to dispatchers in the handling of emergency situations to assure department procedures are followed and standards are met.

Irvine Police Department

Policies

Communications Bureau

- (b) Monitors and documents employee performance. Assigns individual goals and objectives and monitors to ensure completion. Prepares and presents employee evaluations. Investigates complaints.
- (c) Develops and designs work schedules, maintaining set minimum staffing levels. Reviews and approves time off requests.
- (d) Contacts off-duty employees and make necessary adjustments in shift schedules to fill vacancies.
- (e) Develop and provide training and guidance to new dispatch personnel. Assists qualified personnel to train new employees.
- (f) Monitors the progress of both trainer and trainee. Provides on-going legal and procedural training updates to dispatchers.

802.4.4 DISPATCHERS

Dispatchers report to the Supervising Public Safety Dispatchers. The responsibilities of the dispatcher include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
 - (a) Emergency 9-1-1 lines.
 - (b) Text to 911
 - (c) Business telephone lines.
 - (d) Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
 - (e) Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
 - (f) Other electronic sources of information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through the Communications Bureau, department and other law enforcement database systems (CLETS, DMV, NCIC).
- (d) Monitoring department video surveillance systems.
- (e) Maintaining the current status of members in the field, their locations and the nature of calls for service.
- (f) Notifying the watch commander or field supervisor of emergency activity, including, but not limited to:
 - 1. Vehicle pursuits.
 - 2. Foot pursuits.
 - 3. Assignment of emergency response.

Irvine Police Department

Policies

Communications Bureau

802.5 CALL HANDLING

This Department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in the Communications Bureau, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

802.5.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The watch commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

802.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

Irvine Police Department

Policies

Communications Bureau

802.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs and current location.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Communications Bureau Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

802.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Irvine Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

802.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

802.7 DOCUMENTATION

It shall be the responsibility of the Communications Bureau to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.

Irvine Police Department

Policies

Communications Bureau

- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

802.8 CONFIDENTIALITY

Information that becomes available through the Communications Bureau may be confidential or sensitive in nature. All members of the Communications Bureau shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

802.9 TRAINING AND CERTIFICATION

Dispatchers shall receive training consistent with minimum standards established by POST (Penal Code § 13510).

802.10 UNIFORM POLICY

Communications personnel will follow the Uniform Regulations policy related to uniforms and appearance. Exceptions and/or additions to that are detailed below.

New employees will be issued:

- 1 long sleeve shirt
- 2 short sleeve shirts
- 2 pants
- Female employees may also opt for 1 pant and 1 skirt
- Belt
- Sweater and/or Jacket

Neckties - When wearing a long sleeve shirt, female dispatchers may wear crossbow ties, if so desired. Ties may only be worn with long sleeve shirts.

Skirts and Pants - Skirts and pants will be navy blue in color, tailored to fit the dispatcher. Skirts shall be approximately knee length and pants will touch the shoe laces or top of the shoe.

Nylons - Nylons shall be of a natural skin color, sheer black or sheer white, with no noticeable patterns or designs.

Irvine Police Department

Policies

Communications Bureau

At the successful completion of probation, employees can request a soft uniform,

- One 5.11 polo shirt
- One 5.11 pant

802.10.1 PERSONAL APPEARANCE STANDARDS

Employees shall adhere to the grooming standards as outlined in the Personnel Appearance Standards policy. This section addresses facial hair, jewelry, body art, and piercings. Employees shall have their hair in a fashion considered to be well groomed and not extreme in fashion or appearance. Unnatural or unusual hair color will not be allowed. This includes hair extensions and/or hair attachments.

802.10.2 WEARING OF CIVILIAN ATTIRE

Wearing of civilian clothing will be permitted in the dispatch center when circumstances present themselves, i.e. pregnancy, medical condition (accompanied by a doctor's note) or other instances where the request has been submitted through the chain of command and approved by the Bureau Supervisor or Supervising Dispatcher.

Communications personnel will follow the Uniform Regulations policy related to plain clothes attire. If maternity uniforms are issued to employees, they will be worn, unless prior supervisory approval has been received. All other uniform guidelines and restrictions will apply.

802.11 WORK HOURS AND MEAL BREAKS

Dispatchers will work shifts and hours as assigned by the department to maintain adequate staffing levels in the Communications Bureau.

Part-time call-takers and/or dispatchers may be scheduled to augment staffing levels, as necessary.

Any communications supervisor may reduce or increase minimum staffing levels; based on information they have available to them.

Generally, dispatchers will be entitled to one 30-minute meal break and two 15-minute breaks during their shift. Dispatchers are encouraged to take their breaks outside of the Communications Center. Dispatchers are paid for their lunch time and therefore need to be accessible to return if needed. Food will be allowed in the Communications Center when workload and/or staffing prevent dispatchers from leaving the center. Beverages will only be allowed in covered containers.

Communications personnel reporting late will be required to forward an tardy/absence form to a supervisor, stating the reason for the tardiness, prior to the end of their shift.

802.12 PART-TIME EMPLOYEES

General seniority for part-time employees will be based upon their start date in the part-time communications program.

Irvine Police Department

Policies

Communications Bureau

Part-time employees will be excused from a shift they are scheduled to work if a sickness or emergency exists, as any full-time employee would be.

Part-time employees shall not work over 39 hours per week, unless extenuating circumstances exist and only with supervisory approval.

The scheduling supervising dispatcher will publish all available hours on a monthly basis, when possible. Part-time dispatchers will volunteer for time in Schedule Express and will be assigned based on seniority. Supervision retains the right to re-evaluate and/or re-structure the process by which hours are assigned or distributed.

In order to facilitate this sign up process, dispatch will be notified via text and email when hours are posted in Schedule Express. Part-time dispatchers must then volunteer for their desired time. If the part-time dispatcher does not volunteer before hours are to be assigned, the part-time dispatcher will be passed up and those hours will be made available to the next part-time dispatcher in order of seniority or to full time staff.

Part-time dispatchers should be cognizant of the number of hours they have signed up to work and notify dispatchers and supervision of their limit when being recruited for fills. This process and limit applies to both time off fills and last minute fill situations.

If a part-time dispatcher is unable to work hours they signed up for, it is their responsibility to repost their hours in Schedule Express for a fill.

In order to maintain their proficiency, part-time employees will be required to work an average of 24 hours per month. It will be the responsibility of each dispatcher to meet this requirement. An exemption to the above may be granted due to vacations, extended sick leave, and/or any other reason approved by supervision. The minimum hour requirement is intended to ensure dispatchers maintain acceptable skill level. If the minimum hours are not worked supervisors will evaluate their perishable skills. It is the employee's responsibility to notify a supervisor in writing when they are unavailable to work the required minimum hours per month. Part-time employees who show a pattern of not meeting this requirement may be subject to discipline, up to and including termination.

It will be the responsibility of each part-time dispatcher to monitor the number of hours they sign up to work and ensure that they do not exceed their yearly-allotted hours.

Part-time dispatchers may not sign up for special event overtime or grant funded events.

802.13 SHIFT ROTATION

Communications personnel will work rotating shifts.

Communications shift assignments are selected on a seniority basis by full-time hire date in dispatch. Seniority for Supervising Dispatchers will be based upon their promotion date.

No Public Safety Dispatcher or Supervising Public Safety Dispatcher may work more than three consecutive shifts (12 months) on the same shift.

Irvine Police Department

Policies

Communications Bureau

Based on the needs of the department, the Communications Bureau Supervisor and/or the Business Services Administrator has the authority to override this decision

The default shift assignments for Supervising Public Safety Dispatchers are:

Sunday/Monday/Tuesday (alternate Wednesday)

Thursday/Friday/Saturday (alternate Wednesday)

Modifications to these work days can be made with mutual agreement by the supervisors and with approval by the Communications Bureau Supervisor and/or Business Services Administrator.

Supervision maintains the right to assign communications personnel to their shifts.

802.14 TIME OFF REQUESTS

- CTO and Personal Leave

Full-time dispatchers may accumulate and/or be granted the use of CTO and personal leave time in accordance with the Irvine City Employee's Association (ICEA) Memorandum of Understanding.

- Holidays

Full-time dispatchers may be granted holiday time off in accordance with the Irvine City Employee's Association (ICEA) Memorandum of Understanding. Holiday time off requests will be granted on a seniority basis by hire date in dispatch, regardless of classification. Staffing levels on holidays will be determined by Command Staff and requests for the holiday off will be granted in order of seniority.

Employees may be ordered off on holidays. If no employee requests the holiday off, it may be assigned, also based on inverse seniority and prior holiday off assignments.

- Vacations

Full-time dispatchers will accrue and be granted use of vacation time in accordance with the Irvine City Employee's Association (ICEA) Memorandum of Understanding. Annually, communications personnel will sign up for vacation for the following year. Vacations will be granted based upon full-time hire date in communications. Vacation sign-ups will be for a 12-month period (January to January shift change).

Only one dispatcher (including supervising dispatchers) will be allowed off on an annual vacation, requiring mandatory fills, during the time period from December 15th through January 3rd of each year. Other requests for time off will be considered during this time period, however, it will be the employee's responsibility to find any necessary fills. Dispatchers are encouraged to consider pre-approved vacations posted before selecting their shifts/days off to prevent conflicts and allow for holidays off.

- Vacation sign-ups will be done in order of seniority.

Irvine Police Department

Policies

Communications Bureau

- Vacation requests for full-time personnel that will require mandatory fills must be for a minimum of 36 hours and must be submitted when the monthly schedules are requested by the scheduler.
- Only one dispatcher, per shift (days or nights), including supervisors, will be approved for mandatory vacation at the same time. The department maintains the right to deny vacations due to staffing and/or training needs. The employee will not be subject to draft on their days off immediately preceding or following an approved mandatory vacation.
- The department will fill behind two blocks of time taken off as vacation each year. It will be the dispatcher's responsibility to arrange fills for any additional blocks of time taken during the same calendar year.
- Requests for Time Off.

Dispatchers shall submit an absence request online. For advance notice, the scheduling supervisor will determine if a fill is required and post the appropriate time for fills with all monthly overtime. For last minute requests, any supervisor may approve the request and post it to dispatch personnel.

- Filling Time Off Requests

Fills to accommodate time off will be published first to part-time dispatchers before being made available to full-time dispatchers. {In order to provide for supervisory coverage, time off requests for supervising dispatchers may be published to other supervising dispatchers before being made available to part-time or full-time dispatchers}

A dispatcher who no longer wants overtime that he or she volunteered for but was not assigned, should delete their availability/request in Schedule Express.

802.15 SICK LEAVE REPORTING PROCEDURE

- Reporting

Communications personnel shall follow the Sick Leave policy regarding reporting sick for work, use of sick time and the sick leave management program.

- Sick Leave Fills

Communications personnel notified of an absence will complete an absence slip indicating the date and time notified. The supervisor will check the duty schedule for the affected shift to insure that minimum staffing levels will be met. If a fill is necessary, it shall be their responsibility to fill the shift appropriately, using the draft system, when necessary.

802.16 DRAFT SYSTEM

A draft system has been established to fill vacant shifts caused by illness, mandatory vacations, mandatory trainings and meetings, vacancies, and/or unexpected circumstances. Full time dispatchers can expect the possibility of being drafted to work for unexpected vacancies or

Irvine Police Department

Policies

Communications Bureau

mandatory fill situations and will only be exempt from a draft during mandatory vacation, mandatory training schools or extended sick leave.

The draft system is designed to allow for some degree of fairness to all dispatchers, however any full time dispatcher may be drafted at any time to meet the needs of the department. This system is not intended to restrict the activities of off-duty personnel or require off-duty personnel to make themselves available.

As stated in policy specific to hours worked, "Absent emergency operations, members should not work more than 16 hours in one day (24 hour) period or except in very limited circumstances members should have a minimum of 5 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines." When a draft in Communications is necessary, however, Communications employees will be given a minimum of eight (8) hours off before being required to return for duty. If a dispatcher is scheduled to fill a shift vacancy on an overtime basis and arrives to work to find they are not needed, they shall receive 2 hours of premium overtime.

Drafting Personnel

If a draft fill is required, the supervisor, or most senior dispatcher on duty, shall take the following steps in this order:

- All OT hours are counted as draft credits (not just mandatory hours).
- PT PSA will be given 2 days to volunteer.
- Mandatory OT shifts be made available for volunteers for one week.
- The remaining mandatory OT shifts will be sent out for a second round of sign-ups with the potential draftee listed, based on draft credits for the month.
- After all mandatory hours have been assigned, non-mandatory time will then be posted for volunteers.
- Shifts will be posted on Schedule Express. An email and text notification will be sent to notify you of the posted hours. Mandatory hours will be posted for seven days prior to assignment.
- Any supervisor shortage (direct or indirect) will be offered to supervisors to fill. The exception would be if we are still at minimum staffing (no fill needed or authorized).
- Part time personnel will have two days advanced noticed to sign up for overtime.
 - (960 yearly part time limitations) = 36 hours per pay period (hours adjusted based on use)
 - Part timers CANNOT exceed 40 hours in any one week
- In the event two employees volunteer for a mandatory shift, the shift will be assigned to the employee that is able to take the entire block rather than a portion of the block. If two employees volunteer for the entire block of time, the normal shift distribution

Irvine Police Department

Policies

Communications Bureau

rules will be used to determine who will receive the shift. Seniority and employee classification do not take priority over filling the entire shift.

- Non-mandatory overtime shifts will then be assigned to dispatch personnel on a first come, first serve basis regardless of full or partial volunteers.
- Outside PS personnel can volunteer for overtime and will be assigned, as long as no other dispatcher has volunteered. Outside help will be assigned based solely on seniority.
- The mandatory drafts will be assigned and an email notification will be sent within a few days of the assignment of hours, so employees are made aware of the draft and can repost to get it covered.

LAST MINUTE FILL Draft Procedure

The primary goal of drafting behind a last minute fill is to cover minimum staffing in the Communications Center. The following procedure will be followed to draft an employee behind a call-out:

1. The supervisor will send out a page asking for any volunteers.
2. The employee whom offers the most coverage will be drafted (regardless if working a regular or OT shift) not exceeding 16 hours a day and having at least 8 hours between shifts. If hourly coverage would be same between all employees, see #3 and #4.
3. The employee with the least amount of draft credits. If employees are equal in credits, the employee with least overall seniority will be drafted.
4. Employees on an overtime shift will be drafted as last resort.

Any last minute sick fills need to be made by calling into the Communications Center and speaking with the supervisor on-duty. Requests for volunteers should be sent by the supervisor on-duty unless there isn't a supervisor working, and then should be handled by the most senior dispatcher on the floor.

If a non-mandatory time off request is less than 4 days away, it is the employee's responsibility to ask the on-duty supervisor to send out one overtime request (page) and the employee can send out an email if they choose.

If outside personnel volunteer for the overtime a second message should be sent to dispatch staff indicating that the hours will be assigned to outside staff unless the time is volunteered for by a dispatcher within an hour.

Additional Notes:

- During concert season, concert hours will be posted with shift overtime. This is provided we were notified before the monthly hours have been posted. If not, they fall under last minute fill procedures.
- Part-time employees cannot work concerts, special events, or DUI check points but they may fill a position in the room and a full-time dispatcher already on duty can work the event.

Irvine Police Department

Policies

Communications Bureau

- Extra hours for part-time personnel need to be approved in advance by the scheduling supervisor designee.
- Please refer to the DRAFT Procedure for the Communications Division Number C002
- The only way to volunteer for posted overtime is to check Schedule Express. It is available to access 24/7 if the employee chooses to volunteer for overtime.

802.17 USE OF CELLULAR PHONE

In the event of any radio interference, all wireless communications devices brought into the Communications Center shall be turned off.

Members of the Communications Bureau, while on duty, shall not make or receive telephone calls within the Communications Center using wireless communications devices.

Communications trainees shall not use any personal wireless communications device while on duty.

Communications personnel shall not use any personal wireless communications device while working the primary radio position.

At no time, shall personal wireless communications devices be plugged into department computers.

Communications supervisors may restrict personal wireless communications devices in the event it interferes with any dispatch duties.

802.18 ON-DUTY EMPLOYEE INJURIES

Communications employees shall adhere to the Occupational Disease and Work-Related Injury policy, when reporting incidents that occur while on-duty.

In the event of an on-the-job injury, the injured employee will immediately notify the Communications Bureau Supervisor, Supervising Dispatcher or the on duty Watch Commander. The employee will be directed to one of the approved medical treatment locations. In the event of a severe injury, paramedics will be called for emergency care and the employee will be transported to the nearest hospital.

The employee's signature must be obtained on this form and submitted to the Human Resources Liaison within one (1) working day. A copy of this form must be given to the injured worker. A "Receipt for the Employee's Claim for Worker's Compensation Benefits Form" should be completed and distributed only if the injured employee chooses not to sign the "Employee's Claim" form (DWC-1).

If an employee receives a minor injury (i.e. first aid) and chooses not to seek medical treatment, a Declination of Medical Evaluation/Treatment form must be completed, along with a Supervisor's Report of Injury and Employee's report of Injury.

Distribution of Forms:

Irvine Police Department

Policies

Communications Bureau

Copies of these reports will be forwarded to the Human Resources Liaison.

If an employee suffers moderate or serious injuries as a result of an on-the-job accident, the Supervising Dispatcher or Watch Commander will notify the Bureau Supervisor, Business Services Administrator and Human Resources Liaison. It will be the responsibility of the Business Services Administrator to notify the the Support Services Division Commander.

Jeanne Clery Campus Security Act

803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) as well as applicable California Education Code requirements.

803.2 POLICY

The Irvine Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Irvine Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution's website.

It is the policy of the Irvine Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Irvine Police Department and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

803.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the Irvine Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into written agreements as appropriate with local law enforcement agencies to (Education Code § 67381.1):
 1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
 - (a) This includes identification of the responsibilities for sexual assault, hate crimes and Part 1 violent crime investigations (e.g., willful homicide, forcible rape, robbery or aggravated assault as defined in the FBI's Uniform Crime Reporting (UCR) Handbook), and establishing the specific geographical boundaries of each agency's responsibility, including maps as necessary (Education Code § 67381).
 2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).

Irvine Police Department

Policies

Jeanne Clery Campus Security Act

3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).
 4. Notify the Irvine Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).
 5. Notify the Irvine Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
- (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
- (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
- (f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

803.3.1 ADDITIONAL REQUIREMENTS

The Chief of Police or the authorized designee will also (Education Code § 67386):

- (a) Assist the institution with the development of policies and procedures relating to sexual assault, domestic violence, dating violence and stalking involving a student whether it occurred on- or off-campus including:
1. The differences between standards of proof and defenses in criminal investigations and administrative or disciplinary matters.
 2. Victim-centered protocols including privacy protection, responses to reports, interviews, investigations, required notifications and participation by victim advocates and other supporting individuals.

Irvine Police Department

Policies

Jeanne Clery Campus Security Act

- (b) Assist, as appropriate, with trauma-informed training for campus personnel involved in investigating and adjudicating sexual assault, domestic violence, dating violence and stalking cases.
- (c) Assist, as appropriate, in the development of the institution's comprehensive prevention and outreach programs addressing sexual violence, domestic violence, dating violence, and stalking.
- (d) Ensure that any reported Part 1 violent crime, sexual assault or hate crime described in Penal Code § 422.55 (whether it occurred on- or off-campus), is reported as soon as practicable to any local law enforcement agency with investigation responsibilities pursuant to a written agreement with the Irvine Police Department or the institution (Education Code § 67380).
 - 1. The identification of the victim shall be withheld, unless the victim consents to being identified after being informed of the right to have his/her personally identifying information withheld. If the victim does not consent to being identified, then the alleged assailant shall not be identified unless the institution determines that the alleged assailant represents a serious or ongoing threat to the safety of the students, employees or the institution, and the immediate assistance of the Irvine Police Department is necessary to contact or detain the assailant (Education Code § 67380).
 - 2. If the institution discloses the identity of the alleged assailant to the Irvine Police Department, the institution must immediately inform the victim of that disclosure (Education Code § 67380).

803.4 RECORDS COLLECTION AND RETENTION

The Senior Crime Analyst is responsible for maintaining Irvine Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
 - 1. Murder
 - 2. Sex offenses, forcible or non-forcible
 - 3. Robbery
 - 4. Aggravated assault
 - 5. Burglary
 - 6. Motor vehicle theft
 - 7. Manslaughter
 - 8. Arson

Irvine Police Department

Policies

Jeanne Clery Campus Security Act

9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
 10. Dating violence, domestic violence and stalking
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
 - (c) The statistics shall be compiled using the definitions in the FBI's UCR system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 42 USC § 13925(a); 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur in the following places (20 USC § 1092(f)(12); 34 CFR 668.46(c)(5)):
 1. On campus.
 2. In or on a non-campus building or property.
 3. On public property.
 4. In dormitories or other on-campus, residential or student facilities.
 - (d) Statistics will be included by the calendar year in which the crime was reported to the Irvine Police Department (34 CFR 668.46(c)(3)).
 - (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
 - (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).
 - (g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

803.4.1 COMPILING RECORDS FOR DISCLOSURE REQUIREMENTS

The Senior Crime Analyst is also responsible for compiling the following to allow the institution to comply with its disclosure requirements under Education Code § 67380:

- (a) All occurrences reported to the Irvine Police Department and all arrests for crimes that are committed on campus that involve violence, hate violence, theft, destruction of property, illegal drugs, or alcohol intoxication.
- (b) All occurrences of noncriminal acts of hate violence reported to the Irvine Police Department for which a written report is prepared.

Irvine Police Department

Policies

Jeanne Clery Campus Security Act

803.4.2 CRIME LOG

The Records Supervisor is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

- (a) The daily crime log will record all crimes reported to the Irvine Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Department.
- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
 1. Disclosure of the information is prohibited by law.
 2. Disclosure would jeopardize the confidentiality of the victim.
 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

803.5 INFORMATION DISSEMINATION

It is the responsibility of the Support Services Division Commander to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e); 34 CFR 668.46 (g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to:
 1. Crime statistics and the policies for preparing the crime statistics.
 2. Crime and emergency reporting procedures, including the responses to such reports.

Irvine Police Department

Policies

Jeanne Clery Campus Security Act

3. Policies concerning security of and access to campus facilities.
4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including
 - (a) Procedures victims should follow.
 - (b) Procedures for protecting the confidentiality of victims and other necessary parties.
5. Enforcement policies related to alcohol and illegal drugs.
6. Locations where the campus community can obtain information about registered sex offenders.
7. Emergency response and evacuation procedures.
8. Missing student notification procedures.
9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

Protected Information

804.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Irvine Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

804.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Irvine Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

804.2 POLICY

Members of the Irvine Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

804.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

Irvine Police Department

Policies

Protected Information

804.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Irvine Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

804.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

804.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Bureau to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

804.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Irvine Police Department

Policies

Protected Information

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

804.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

804.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

804.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

804.7.1 COMPUTER TERMINAL SECURITY

Computer terminal equipment capable of providing access to automated criminal offender record information is located within Public Safety to preclude access by unauthorized persons. Information system devices shall be positioned in such a way as to prevent unauthorized individuals from accessing and viewing CORI. Screen protectors shall be used if the monitor is in view of unauthorized individuals.

No employee shall be authorized to operate computer terminal equipment with access to CORI until the operator has completed the appropriate training.

Irvine Police Department

Policies

Protected Information

804.7.2 DESTRUCTION OF CORI

When any document providing CORI has served the purpose for which it was obtained, it shall be destroyed by crosscut shredding.

Each employee shall be responsible for destroying the CORI documents they receive.

804.8 TRAINING PROGRAM

All personnel authorized to process or release CORI shall be required to complete a training program prescribed by the Agency CLETS Coordinator. The Training Bureau shall coordinate the course to provide training in the proper use, control, and dissemination of CORI.

804.9 PENALTIES FOR MISUSE OF RECORDS

Penal Code §§ 11140 and 11144 make it a misdemeanor to furnish, buy, receive, or possess Department of Justice rap sheets without authorization by a court, statute, or case law.

Title 11, California Administrative Code § 702 provides that authorized persons or agencies violating the Regulations Regarding the Security of Criminal Offender Record Information in California may lose direct access to CORI maintained by the California Department of Justice.

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of policy.

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of policy.

Each suspected incident of unauthorized or improper use of CORI, or failure to take physical security measures to protect CORI, will be investigated by the Office of Professional Standards. Violations will result in action which may include disciplinary action, criminal penalties and/or financial liability for the cost of improper use.

804.10 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).

On-Call Procedures

805.1 REQUEST TO CONTACT CITY PERSONNEL

Upon receiving a request to contact personnel or other staff, communications personnel will check the on call list on the Intranet -> Resources -> On Call Roster.

805.1.1 CALLING OFF-DUTY PERSONNEL

When calling off-duty personnel, dispatchers will first call the residence of the on- call employee. If they cannot be reached by phone at home, they should then be notified via cell phone. A list of department issued cell phones is listed on the Intranet -> Phonebooks -> Telephone Directory -> Cell Phone List.

The dispatcher handling the call-out request shall complete an event entry mask with the event type, "CALL" so that notification and response of on-call personnel can be documented. This will also allow for further documentation, if needed at a later time.

805.2 NOTIFICATION OF COMMAND PERSONNEL

As it relates to the Major Incident Notification policy, notification should be made to a field supervisor and a command staff watch commander.

For Detective, MAIT, or SWAT resource requests, the field supervisor may contact the supervisor of these units directly, however, if feasible, notification should be made with a command staff watch commander as well.

Records Bureau

806.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Irvine Police Department Records Bureau. The policy addresses department file access and internal requests for case reports.

806.2 POLICY

It is the policy of the Irvine Police Department to maintain department records securely, professionally, and efficiently.

806.3 RESPONSIBILITIES

806.3.1 RECORDS SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Records Supervisor. The Records Supervisor shall be directly responsible to the Support Services Division Commander or the authorized designee.

The responsibilities of the Records Supervisor include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Bureau.
- (b) Scheduling and maintaining Records Bureau time records.
- (c) Supervising, training, and evaluating Records Bureau staff.
- (d) Maintaining and updating a Records Bureau procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
 - (a) Homicides.
 - (b) Cases involving department members or public officials.
 - (c) Any case where restricted access is prudent.

806.3.2 RECORDS BUREAU

The responsibilities of the Records Bureau include but are not limited to:

- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.

Irvine Police Department

Policies

Records Bureau

1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:
 1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
 2. Suspected hate crimes (Penal Code § 13023).
 3. Complaints of racial bias against officers (Penal Code § 13012; Penal Code § 13020).
 4. Civilian complaints made against officers (Penal Code § 832.5; Penal Code § 13012).
 5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
 - (a) The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Updating the Automated Firearms System to reflect any firearms relinquished to the Department and the subsequent disposition to the DOJ pursuant to Penal Code § 34010 (Penal Code § 29807).
- (h) Entering into the Automated Firearms System information about each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, or under observation within seven calendar days of the precipitating event (Penal Code § 11108.2).
- (i) Maintaining compliance with the state and DOJ reporting requirements regarding the number of transfers of individuals to immigration authorities and offenses that allowed for the transfers (Government Code § 7284.6(c)(2)).
- (j) Validation - Confirm records are complete, accurate, and still active or outstanding.

806.3.3 RECORDS BUREAU PROCEDURE MANUAL

The Records Supervisor should establish procedures that address:

- (a) Identifying by name persons in reports.
- (b) Classifying reports by type of incident or crime.
- (c) Tracking reports through the approval process.
- (d) Assigning alpha-numerical records to all arrest records.

Records Bureau

- (e) Managing a warrant and wanted persons file.

806.4 CONFIDENTIALITY

Records Bureau staff has access to information that may be confidential or sensitive in nature. Records Bureau staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Bureau procedure manual.

806.5 DETERMINATION OF FACTUAL INNOCENCE

In any case where a person has been arrested by officers of the Irvine Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be served on the prosecuting attorney of the county having jurisdiction over the offense. The Superior Court should promptly contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). Factual innocence means the accused person did not commit the crime.

Upon receipt of a written opinion from the prosecuting attorney affirming factual innocence, the Records Bureau should forward the petition to the Investigations Bureau Lieutenant for review. After such review and consultation with the City Attorney, the Investigations Bureau Lieutenant and Records Supervisor shall decide whether a finding of factual innocence is appropriate.

Upon determination that a finding of factual innocence is appropriate, the Records Bureau Supervisor shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California DOJ and other law enforcement agencies (Penal Code § 851.8).

The Records Bureau Supervisor should respond to a petition with the Department's decision within 45 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

806.6 ARREST WITHOUT FILING OF ACCUSATORY PLEADING

The Support Services Division Commander should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

- (a) The individual is issued a certificate describing the action as a detention.
- (b) All references to an arrest are deleted from the arrest records of the Department and the record reflects only a detention.
- (c) The California DOJ is notified.

Records Maintenance and Release

807.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

807.2 POLICY

The Irvine Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

807.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule including:
 1. Identifying the minimum length of time the Department must keep records.
 2. Identifying the department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).
- (g) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.
- (h) Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.
- (i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.
- (j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department's website.

Irvine Police Department

Policies

Records Maintenance and Release

807.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

807.4.1 REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to the following (Government Code § 6253):

- (a) The Department is not required to create records that do not exist.
- (b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver's license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).
- (c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.
 - 1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).
 - 2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.
- (d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).
- (e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for

Irvine Police Department

Policies

Records Maintenance and Release

the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

- (f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

807.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Social Security numbers (Government Code § 6254.29).
- (c) Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).
 - 1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.
 - 2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.
- (d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).
 - 1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.

Irvine Police Department

Policies

Records Maintenance and Release

2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).
- (e) Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 6254.4.5.
- (f) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).
 1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).
- (g) Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.
 1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Attorney, or the courts pursuant to Penal Code § 1054.5.
- (h) Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).
- (i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).
- (j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).
- (k) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.
- (l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).
- (m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).
- (n) Records relating to the security of the department's electronic technology systems (Government Code § 6254.19).

Irvine Police Department

Policies

Records Maintenance and Release

- (o) A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).
- (p) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).
- (q) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).

807.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

807.7 RELEASED RECORDS TO BE MARKED

The face page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

807.8 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Supervisor shall ensure that the required notations on local summary criminal history information and police

Irvine Police Department

Policies

Records Maintenance and Release

investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

807.9 SECURITY BREACHES

The Records Supervisor shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual's first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology
- Unique biometric data

807.9.1 FORM OF NOTICE

- (a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:
1. The date of the notice.
 2. Name and contact information for the Irvine Police Department.
 3. A list of the types of personal information that were or are reasonably believed to have been acquired.
 4. The estimated date or date range within which the security breach occurred.

Irvine Police Department

Policies

Records Maintenance and Release

5. Whether the notification was delayed as a result of a law enforcement investigation.
 6. A general description of the security breach.
 7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.
- (b) The notice may also include information about what the Irvine Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).
- (c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):
1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.
 2. When the breach involves an email address that was furnished by the Irvine Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

807.9.2 MANNER OF NOTICE

- (a) Notice may be provided by one of the following methods (Civil Code § 1798.29):
1. Written notice.
 2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.
 3. Substitute notice if the cost of providing notice would exceed \$250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:
 - (a) Email notice when the Department has an email address for the subject person.
 - (b) Conspicuous posting of the notice on the department's webpage for a minimum of 30 days.
 4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.

Irvine Police Department

Policies

Records Maintenance and Release

- (b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

807.10 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or in which the use of force by an officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 6254(f)(4)).

The Custodian of Records should work as appropriate with the Chief of Police or the Office of Professional Standards supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

807.10.1 DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed as follows if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source:

- (a) Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident.
- (b) Delay of disclosure may continue after the initial 45 days and up to one year if the Department demonstrates that disclosure would substantially interfere with the investigation.
- (c) Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 6254(f)(4)).

807.10.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 6254(f)(4)):

- (a) During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.
- (b) When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the

Irvine Police Department

Policies

Records Maintenance and Release

disclosure. The Custodian of Records should work with the Chief of Police in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

807.10.3 REDACTION

If the Custodian of Records, in consultation with the Chief of Police or authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 6254(f)(4)).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 6254(f)(4)).

807.10.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):

- (a) The person in the recording whose privacy is to be protected, or his/her authorized representative.
- (b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.
- (c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 6254(f)(4)).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(A)).

Property and Evidence

808.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

808.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping, property for destruction, and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Property booked into Property and Evidence for temporary storage/custody on behalf of the owner. Owner information must be known and included on the property tag.

Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm.
- Personal property of an arrestee not taken as evidence.
- Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons)).

Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

808.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or secured temporary bike cage or hazardous cabinets. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The release of property should be documented in the officer's report.

808.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.

Irvine Police Department

Policies

Property and Evidence

- (b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
- (c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (d) Place the case number in the upper right hand corner of the bag.
- (e) The original property form shall be submitted with the case report.
- (f) When the property is too large to be placed in a locker, the item may be placed in the temporary bike cage located outside next to the Property and Evidence public entrance.

808.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately and shall include a completed property tag. The weight/amount of drugs shall be listed and lab request submitted, if required, by the Orange County Crime Lab. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately.

808.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the watch commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Fireworks that are considered stable and safe and needed for evidence shall be collected and stored by the bomb squad.

If fireworks are not to be retained as evidence, the handling officer is responsible for transporting the fireworks to the Fire Department.

Fixed ammunition may be collected and booked in with property.

808.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air dried by CSI prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the Property and Evidence Technician. If the owner of license plate is known, a found property report shall be written and license plate(s) shall be booked into Property. Otherwise, no formal property booking process is required. Property personnel will deliver license plates to the DMV as needed.
- (c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the Property and Evidence Technician, or placed in the bicycle storage area until a Property and Evidence Technician can log the property.

Irvine Police Department

Policies

Property and Evidence

- (d) All cash shall be counted in the presence of another officer or supervisor and initialed by both. The watch commander shall be contacted for cash in excess of \$1,000 for special handling procedures.
 - 1. Currency must be packaged in a pre-labeled white "9X11" currency envelope.
 - 2. Amount should be verified by a supervisor.
 - 3. Booking officer and supervisor complete the envelope and sign with date.
 - 4. Envelope needs to be sealed with tape, date, initialed and a completed property tag attached to outside of envelope.
 - 5. Currency in the amount of \$1,000 or more needs to be secured in the Watch Commander safe by supervisor or brought directly to Property and Evidence during normal business hours for immediate booking.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping/found property in the normal manner.

808.3.5 RELINQUISHED FIREARMS

Individuals who relinquish firearms pursuant to the provisions of Penal Code § 29850 shall be issued a receipt that describes the firearm, the serial number or other identification of the firearm at the time of relinquishment (Penal Code § 29810).

Relinquished firearms shall be retained for 30 days, after which time they may be destroyed, retained, sold or otherwise transferred, unless (Penal Code § 29810):

- (a) A certificate is issued by a judge of a court of record or the District Attorney stating the firearms shall be retained; or
- (b) The convicted person provides written notice of an intent to appeal the conviction that necessitated the relinquishment; or
- (c) The Automated Firearms System indicates that the firearm was reported lost or stolen.
 - 1. In such event, the firearm shall be restored to the lawful owner as soon as it is no longer needed as evidence, the lawful owner has identified the weapon and provided proof of ownership, and the Department has complied with the requirements of Penal Code § 33850 et seq.

808.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

- (a) Narcotics and dangerous drugs
- (b) Firearms (ensure they are unloaded and booked separately from ammunition and magazine)
- (c) Property with more than one known owner

Irvine Police Department

Policies

Property and Evidence

- (d) Paraphernalia as described in Health and Safety Code § 11364; biohazard (hypodermic needles or syringes)
- (e) Fireworks
- (f) Contraband
- (g) Bloody/soiled articles

808.4.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs in a suitable envelope/bag available for its size. Knife boxes should be used to package knives or any other sharp/dangerous items(s), and syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of each package. A description of the contents of each package shall be provided on the property tag.

808.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in an evidence locker. Prior to packaging and if the quantity allows and at the discretion of the officer, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in a 9x12 envelope or appropriate size; depending on quantity available in the evidence booking room. The booking officer shall initial and date the sealed envelope. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the bag or envelope. The chain of evidence shall be recorded on the back of this tag.

808.5 RECORDING OF PROPERTY

The Property and Evidence Technician receiving custody of evidence or property shall attach a bar code label to the property tag recording his/her names, a property ID number, the date and time the property was received and where the property will be stored.

Any changes in the location of property held by the Irvine Police Department shall be noted in the property chain of custody.

808.6 PROPERTY CONTROL

Each time the Property and Evidence Technician receives property or releases property to another person, he/she shall enter this information on the reverse side of property tag. Officers desiring property for court shall contact the Property and Evidence Technician at least one day prior to the court day. Property and Evidence shall provide officer with a court property release form. This form shall be completed only if the evidence is logged into court as an exhibit; at which point the bottom copy of form must remain with evidence at all times. The top copy of form shall be returned by officer to Property and Evidence.

Irvine Police Department

Policies

Property and Evidence

808.6.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence tag shall be completed to maintain the chain of evidence. No property or evidence is to be released without first receiving written authorization from an investigative supervisor or detective. Found property and property for safekeeping can be released by Property and Evidence without written authorization from Detective.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to CSI.

808.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the property tag and electronically in the records management system and the request for laboratory analysis.

The Property and Evidence Technician releasing the evidence must complete the required information on the property tag. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies. The original copy of the lab form will remain with the evidence and the copy will be returned to the Property and Evidence unit for filing in their records.

808.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property tag, stating the date, time and to whom it was released. This shall also be documented in the records management system.

The Property and Evidence Technician shall obtain the signature of the person to whom property is released. Any employee receiving property shall be responsible for such property until it is returned to property or released to another authorized person or entity; chain of custody must be updated upon transfer.

The return of the property should be recorded on the property tag and in the property management system, indicating date, time, and the person who returned the property.

808.6.4 AUTHORITY TO RELEASE PROPERTY

The Investigations Bureau shall authorize the disposition or release of all evidence coming into the care and custody of the Department.

808.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing Investigative supervisor or detective and must conform to the

Irvine Police Department

Policies

Property and Evidence

items listed on the property form or must specify the specific item(s) to be released. Release of all property shall be documented on the property release form.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction handled by an auction company. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in related reports.

A Property and Evidence Technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property release form. After release of all property entered on the property tag, the tag shall be forwarded to the Records Bureau for filing with the case. If some items of property have not been released the property tag will remain with the Property and Evidence Section. Upon release, the proper entry shall be documented in the Property management system.

Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

The Property and Evidence Section should work with the assigned detective to make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

808.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

Irvine Police Department

Policies

Property and Evidence

808.6.7 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS

Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm, the Property and Evidence Technician shall return the weapon to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met unless the firearm is determined to be stolen, evidence in a criminal investigation or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).

808.6.8 RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18090).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, he/she is entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18090).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18090 and the Irvine Police Department determines him/her to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18090).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

808.6.9 RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS

Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

- (a) If a petition for a hearing regarding the return of the weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the weapon shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33865.
- (b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the weapon is not retained as evidence, the Department shall make the weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ which conforms to the provisions of Penal Code § 33865.
- (c) Unless the person contacts the Department to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870, firearms not

Irvine Police Department

Policies

Property and Evidence

returned should be sold, transferred, destroyed or retained as provided in Welfare and Institutions Code § 8102.

808.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property and Evidence Technician shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received.

808.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)
- Related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)
- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680(e))

808.7.2 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than \$15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money

Property and Evidence

representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

808.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Property and Evidence Section shall work with the Investigations Bureau to ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor and Attorney General
- (d) Any sexual assault victim
- (e) An Investigation Bureau supervisor

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the assigned detective, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigation Division supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Investigation Division supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

808.8 INSPECTIONS OF THE EVIDENCE ROOM

- (a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
- (c) An annual audit of evidence held by the Department shall be conducted by the Office of Professional Standards.

Restoration of Firearm Serial Numbers

809.1 PURPOSE AND SCOPE

The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

809.2 PROCEDURE

Any firearm coming into the possession of the Irvine Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

809.2.1 PRELIMINARY FIREARM EXAMINATION

- (a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.
- (b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.
- (c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.
- (d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

809.2.2 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

Irvine Police Department

Policies

Restoration of Firearm Serial Numbers

809.2.3 OFFICER RESPONSIBILITY

The Property and Evidence Technician receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence. This should be done by ensuring an officer or detective initiates the request.

809.2.4 DOCUMENTATION

Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

809.2.5 FIREARM TRACE

After the serial number has been restored (or partially restored) by the criminalistics laboratory, the handling detective should notify SIU to complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in Falling Waters, West Virginia or enter the data into the ATF eTrace system.

809.3 BULLET AND CASING IDENTIFICATION

Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.

Animal Services

810.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

810.2 POLICY

It is the policy of the Irvine Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

810.3 ANIMAL SERVICES RESPONSIBILITIES

Animal services are generally the primary responsibility of Animal Services and include:

- (a) Animal-related matters during periods when Animal Services is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Services is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

810.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine the appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
 - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

Irvine Police Department

Policies

Animal Services

2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

810.5 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed and properly disposed of by the responding member.

When handling deceased animals, members should attempt to identify and notify the owner of the final disposition of the animal.

810.6 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a veterinarian and notice shall be given to the owner pursuant to the requirements of Penal Code § 597.1.

810.6.1 VETERINARY CARE

The injured animal should be taken to a veterinarian as follows:

- (a) During normal business hours, the animal should be taken to the Irvine Animal Care Center for treatment.
- (b) If after normal business hours, the animal should be taken to the authorized Veterinary Emergency and Critical Care Services Clinic.
- (c) An exception to the above exists when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.

Each incident shall be documented and, at minimum, include the name of the reporting party and veterinary hospital and/or person to whom the animal is released.

If Animal Services is not available, the information will be forwarded for follow-up.

810.6.2 INJURED WILDLIFE

Injured wildlife should be set up at the Irvine Animal Care Center overnight and made as comfortable as possible. If the animal is irremediably suffering, dispatch should follow the call out procedure for an ASO after hour response.

810.6.3 RESCUE OF ANIMALS IN VEHICLES

If an animal left unattended in a vehicle appears to be in distress, members may enter the vehicle for the purpose of rescuing the animal. Members should (Penal Code § 597.7(d)):

Irvine Police Department

Policies

Animal Services

- (a) Make a reasonable effort to locate the owner before entering the vehicle.
- (b) Take steps to minimize damage to the vehicle.
- (c) Refrain from searching the vehicle or seizing items except as otherwise permitted by law.
- (d) Leave notice on or in the vehicle identifying the location where the animal has been taken and the name and Department of the member involved in the rescue.
- (e) Make reasonable efforts to contact the owner or secure the vehicle before leaving the scene.
- (f) Take the animal to an animal care facility, a place of safekeeping or, if necessary, a veterinary hospital for treatment.

810.7 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to Penal Code § 597 et seq. (cruelty to animals, failure to care for animals).

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

810.8 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

810.9 STRAY DOGS

If a stray dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate animal care facility.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

810.10 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the watch commander will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

810.11 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality-of-life issues.

Irvine Police Department

Policies

Animal Services

810.12 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor. Every effort should be made to transport injured, domestic animals to the contract veterinarian. It should be noted that the contract veterinarian is open 24/7 and holidays.

810.13 ANIMAL SERVICES OFFICERS AND CONDUCTED ENERGY DEVICES (TASER)

PC 830.9 grants some police powers to Animal Services Officers (ASO) provided they have been properly trained. Among other devices and tools issued to ASOs, a Conducted Energy Device (Taser) has been added to their inventory. Less Lethal control devices are instruments which may be used to restrain, control, and/or subdue and otherwise uncontrollable, vicious animal in a manner designed to minimize the possibility of danger and/or serious injury to both the ASO and the animal involved.

ASOs are not authorized to use the Conducted Energy Device (Taser) on humans for any reason other than self-defense if faced with a potentially violent individual(s) where they cannot immediately call Police Officers for assistance or safely remove themselves from the situation.

Crime Analysis

811.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

811.2 DATA SOURCES

Crime Analysis collect, organizes, analyzes and interprets crime and incident data to evaluate past performance and identify criminal activity patterns and trends for operational deployment, tactical intervention, strategic planning and management analysis. Crime Analysis relies on detailed and accurate crime/incident reports. The crime analysis function shall in turn provide and assist operational units with assembling data and information sufficient for analysis, planning and daily problem solving.

The crime analysis process shall be organized on five primary levels: data collection, data collation, analysis, report dissemination and feedback/evaluation.

- (a) Data Collection: The crime analysis function shall identify all essential information requirements for analytical and reporting responsibilities. The unit shall communicate these requirements and coordinate data recording and reporting procedures as necessary with the Chief and Command Staff.
 1. Crime data requirements include:
 - Classification of crime
 - Date and time of occurrence
 - Time of police response
 - Location of occurrence and demographics
 - Victim and target characteristics
 - Criminal suspect name/alias
 - Criminal suspect characteristics
 - Suspect vehicle
 - Modus Operandi
 - Physical evidence
 - Stolen property record
 - Responding officer/investigator

Irvine Police Department

Policies

Crime Analysis

- Arrests/charges
- Case closures
- 2. Crime analysis data is extracted from many sources including, but not limited to:
 - Offense/Incident reports
 - Field Interview cards
 - Parole and Probation records
 - Computer Aided Dispatch data
 - Arrest Reports
 - Supplemental Reports
 - Property Reports
 - Traffic Data
- (b) Data Collation: From the data elements and sources, crime analysis personnel shall compile data into organized formats for subsequent comparison and analysis. Data shall be arranged so the relationships between data elements may be established. In addition, a system for ready retrieval of stored information shall be established.
- (c) Analysis: Analysis of crime-related data and information shall be focused in four primary areas: Crime pattern detection, crime-suspect correlations, crime forecasts and resource allocation.
 1. Crime pattern detection shall be used to identify similarities among crimes that may be used for improved deployment and related purposes. At a minimum, analyses in relationship to geographic and offense patterns shall be correlated with suspect information, vehicle, M.O. and related files to establish investigative leads and tactical recommendations.
 2. Crime suspect correlations shall be performed where indicated to establish specific relationships between suspects and offenses. Suspect identifiers may be drawn from career criminal files, M.O. files, suspect vehicle files, field interrogation reports, arrest records and alias files where appropriate.
 3. Daily and weekly crime pattern reports shall be used in addition to other data to identify established or developing crime patterns. Where the quantity and consistency of information is available, target areas or locations shall be identified to assist in tactical and patrol deployment.
 4. Crime analysis personnel may provide data and analyses support resource allocation, performance evaluation and efficiency assessments. This information shall be sufficient for decision making in the following areas and as otherwise directed by the agency chief executive:
 - Staffing in relationship to service demands and related priorities
 - Determining patrol areas

Crime Analysis

- Allocating personnel
 - Mode of patrol and number of officers assigned to specific units
 - Assessing workload imbalances
 - Evaluating response times
 - Determining apprehension probabilities
 - Service times
- (d) Report Dissemination: The timeliness and format of crime analysis reports is vital to the usefulness of information generated. To that end, such reports should:
1. Be tailored to meet the particular requirements of patrol, investigative and administrative personnel;
 2. Arrive in a timely manner that allows a reasonable time for officers to develop and implement countermeasures and response strategies for the problem at hand;
 3. Present in an objective manner that distinguishes conclusions from theories and indicates the degree of reliability of report conclusions; and
 4. Make recommendations for combating identified problems.
- (e) Feedback and Evaluation: Feedback from operational units in response to crime analysis unit reports and studies is essential to evaluate and improve the utility of this agency function and the effectiveness of various agency strategies, programs and tactics.

811.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

811.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the

Irvine Police Department

Policies

Crime Analysis

development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

Media Protection

812.1 PURPOSE AND SCOPE

The intent of the Media Protection Policy is to ensure the protection of Criminal Justice Information (CJI) until such time as the information is either released to the public via authorized dissemination (e.g. within a court system or when presented in crime reports data), or is purged or destroyed in accordance with applicable record retention rules.

The scope of this policy applies to any electronic or physical media containing FBI Criminal Justice Information (CJI) or CLETS information while being stored, accessed or physically moved from a secure location from the Irvine Police Department. This policy applies to any authorized person who accesses, stores, and/or transports electronic or physical media. Transporting CJI outside the agency's assigned physically secure area must be monitored and controlled.

Authorized Irvine Police Department personnel shall protect and control electronic and physical CJI while at rest and in transit. The Irvine Police Department will take appropriate safeguards for protecting CJI to limit potential mishandling or loss while being stored, accessed, or transported. Any inadvertent or inappropriate CJI disclosure and/or use will be reported to the Irvine Police Department Agency CLETS Coordinator (ACC), or our Local Agency Security Officer (LASO). Procedures shall be defined for securely handling, transporting and storing media.

812.2 STORAGE AND ACCESS

Controls shall be in place to protect electronic and physical media containing CJI while at rest, stored, or actively being accessed. "Electronic media" includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. "Physical media" includes printed documents and imagery that contain CJI.

To protect CJI, Irvine Police Department personnel shall:

1. Securely store electronic and physical media within a physically secure or controlled area. A secured area includes a locked drawer, cabinet, or room.
2. Restrict access to electronic and physical media to authorized individuals.
3. Ensure that only authorized users remove printed form or digital media from the CJI.
4. Physically protect CJI until media end of life. End of life CJI is destroyed or sanitized using approved equipment, techniques and procedures.
5. Store all hardcopy CJI printouts maintained by the Irvine Police Department in a secure area accessible to only those employees whose job function require them to handle such documents.
6. Take appropriate action when in possession of CJI while not in a secure area:
 - (a) CJI must not leave the employee's immediate control. CJI printouts cannot be left unsupervised while physical controls are not in place.

Irvine Police Department

Policies

Media Protection

- (b) Precautions must be taken to obscure CJI from public view, such as by means of an opaque file folder or envelope for hard copy printouts. For electronic devices like laptops, use session lock use and/or privacy screens. CJI shall not be left in plain public view.
 - 1. When CJI is at rest (i.e. stored electronically) outside the boundary of the physically secure location, the data shall be protected using encryption. Storage devices include external hard drives from computers, printers and copiers used with CJI. In addition, storage devices include thumb drives, flash drives, back-up tapes, mobile devices, laptops, etc.
 - 2. When encryption is employed, the cryptographic module used shall be certified to meet FIPS 140-2 standards.
- 7. Lock or log off computer when not in immediate vicinity of work area to protect CJI. Not all personnel have same CJI access permissions and need to keep CJI protected on a need-to-know basis.
- 8. Establish appropriate administrative, technical and physical safeguards to ensure the security and confidentiality of CJI.

812.3 TRANSPORTING

Controls shall be in place to protect electronic and physical media containing CJI while in transport (physically moved from one location to another) to prevent inadvertent or inappropriate disclosure and use. "Electronic media" means electronic storage media including memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card.

Dissemination to another agency is authorized if:

- 1. The other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or
- 2. The other agency is performing personnel and appointment functions for criminal justice employment applicants.

Irvine Police Department personnel shall:

- 1. Protect and control electronic and physical media during transport outside of controlled areas.
- 2. Restrict the pickup, receipt, transfer and delivery of such media to authorized personnel.

Irvine Police Department personnel will control, protect, and secure electronic and physical media during transport from public disclosure by:

- 1. Limiting the collection, disclosure, sharing and use of CJI.
- 2. Limit access to CJI to only those people or roles that require access.
- 3. Securing hand carried confidential electronic and paper documents by:

Irvine Police Department

Policies

Media Protection

- (a) Only viewing or accessing the CJI electronically or document printouts in a physically secure location by authorized personnel.
- (b) For hard copy printouts or CJI documents:
 - 1. Package hard copy printouts in such a way as to not have any CJI information viewable.
 - 2. That are mailed or shipped, agency must document procedures and only release to authorized individuals. **DO NOT MARK THE PACKAGE TO BE MAILED CONFIDENTIAL.** Packages containing CJI material are to be sent by method(s) that provide for complete shipment tracking and history, and signature confirmation of delivery.

812.4 ELECTRONIC MEDIA SANITIZATION AND DISPOSAL

The agency shall sanitize electronic media prior to disposal or release for reuse by unauthorized individuals. All data is sanitized using software, tools, or techniques to overwrite each disk sector of the machine with zero-filled blocks. Electronic drives are degaussed or overwritten at least three times with disk cleaning software. Inoperable electronic media shall be destroyed via shredding under supervision. The Irvine Police Department shall ensure the sanitization or destruction is witnessed or carried out by authorized personnel. Physical media shall be securely disposed of when no longer required, using formal procedures.

812.5 BREACH NOTIFICATION AND INCIDENT REPORTING

The Irvine Police Department shall promptly report incident information to appropriate authorities as described below. Information security events and weaknesses associated with information systems shall be communicated in a manner allowing timely corrective action to be taken. Incident-related information can be obtained from a variety of sources including, but not limited to, audit monitoring, network monitoring, physical access monitoring, and user/administrator reports.

812.6 ROLES AND RESPONSIBILITIES

In the event that CJI is improperly disclosed, lost, or reported as not received, the following procedures shall be followed:

- 1. Irvine Police Department personnel shall notify their supervisor and an incident report must be completed and submitted within 24 hours of discovery of the incident. The submitted report is to contain a detailed account of the incident, events leading to the incident, and steps taken in response to the incident.
- 2. The supervisor will communicate the situation to the ACC to notify of the loss or disclosure of CJI records.
- 3. The ACC will ensure the CJIS System Agency Information Security Officer is promptly informed of security incidents.

Irvine Police Department

Policies

Media Protection

812.7 PENALTIES

Violation of any of the requirements in this policy by any authorized personnel may result in disciplinary action up to and including termination. Violations may also result in criminal prosecution and/or civil liability.