

RULES AND REGULATIONS



Law Enforcement Code of Ethics

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder, and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize *the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . .law enforcement.*

**PACIFICA POLICE DEPARTMENT
POLICE AND ADMINISTRATIVE SERVICES DIVISIONS**

MANUAL OF RULES

INTRODUCTION

As the most visible symbol of the law, Pacifica Police Officers and employees must conduct themselves in a manner that inspires respect for the law. To be worthy of public trust, police authority must be exercised in a manner consistent with the highest principles of a free society.

The nation's political system is founded on the belief that certain rights are inalienable and that government may not deny or abridge these rights. The department "Manual of Rules" sets forth the limits of police conduct and the exercise of police power. The Rules and Regulations are designed to instill a high degree of public trust in the police while, at the same time, providing fair and reasonable standards of conduct for police officers and employees.

Whenever there are such written rules and regulations, there is also police professionalism. Police professionals view standards of conduct as positive ethical goals that are basic and fundamental elements of an effective professional organization. The Pacifica Police Department is a professional police agency staffed by individuals who cherish the highest standards of conduct and performance.

This manual is a reflection of these concepts and, when fairly applied, the rules and regulations confirm this commitment to ourselves and to our community.

Daniel Steidle
Chief of Police

PURPOSE

The purpose of this manual is to clearly articulate rules of expected individual conduct for all employees by:

1. Establishing levels of authority and responsibility for supervisory positions in the organization.
2. Defining expected rules of conduct and disciplinary possibilities.
3. Providing reasonable and necessary organizational guidelines for developing and maintaining public trust and confidence in the police
4. Encouraging personal and professional development by all department members.
5. Obtaining open, honest, and ethical community and department relations.
6. Seeking employee input and evaluation on processes and procedures that require appropriate change.

It shall be the duty and responsibility of each employee and member of the Pacifica Police Department to become thoroughly familiar with the Rules and Regulations, Policies and Procedures, General Orders, and other information officially distributed by the department.

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Chapter I

DEFINITIONS

125.00

ORGANIZATIONAL DEFINITIONS

The following definitions will govern terminology to be used in all communications and whenever reference is made to any organizational unit. They are presented here to provide uniformity and clarification of terminology commonly used when discussing the operations and organization of the Pacifica Police Department.

125.09

DEPARTMENT

The Pacifica Police Department.

125.18

DIVISION

Administrative Services, Field Operations and Investigations.

125.36

SECTION

A functional unit which may be a subunit of a division or under the immediate direction of the Police Chief. It may be commanded by any rank, depending on its size and the nature and importance of its function.

125.45

DETAIL

A subdivision of a division, section, or unit, the personnel of which are assigned to a specialized activity.

125.54

UNIT

Any number of members and/or employees of the department regularly grouped together under one head to accomplish a police purpose.

125.90

BEAT

A geographical area of variable size, comprised of report districts to which one or more officers are specifically assigned for patrol purposes.

125.99

REPORT DISTRICT

A geographical area administratively designated for purposes of investigation, supervision, patrol, and statistical analysis.

150.00

PERSONNEL DEFINITIONS

150.18

MEMBER, DEPARTMENT PERSONNEL, AND EMPLOYEE

Every person assigned to the department in any permanent or temporary classification. Includes officers, with full and limited peace officer authority, civilian employees and reserve officers.

150.20

OFFICER

Any member of the department possessing full peace officer authority.

150.27

COMMAND OFFICER

Members of the department holding the rank of captain or higher.

- 150.36 COMMANDING OFFICER
Any command officer in charge of an organizational division or bureau.
- 150.45 OFFICER IN CHARGE
Any employee below the rank of captain in charge of an organizational unit.
- 150.54 SUPERVISORY OFFICER
Employees of the department assigned to positions requiring the exercise of immediate supervision over the activities of other employees.
- 150.60 SUPERIOR OFFICER
A person holding a higher supervisory or command rank or position.
- 150.65 WATCH COMMANDER
Officer in charge of and responsible for a specific shift or watch.
- 150.77 SENIORITY
Seniority in the department is established first by rank and second by aggregate time served in rank with the department, whether on a regular assigned or temporary basis. In situations requiring decision or control where the officers are of equal rank, the senior officer will make the decision and exercise control unless otherwise directed by a higher-ranking command or supervisory officer.
- 150.88 PRECEDENCE
For purposes of seniority, the following is the precedence of ranks in descending order:
- Chief of Police
 - Captain of Police
 - Sergeant of Police
 - Corporal of Police
 - Police Officer
 - Reserve Police Officer

175.00 OTHER TERMINOLOGY

- 175.04 DEPARTMENT MANUALS
Reference guides specifying the rules and regulations governing the conduct of personnel and the operation of the department, as well as specifying departmental policy and procedures. Departmental General Orders will be incorporated into the appropriate department manual after a provisional period of operation. All manuals in force in this department are issued by authority of the Police Chief and carry the weight of a General Order. Compliance with the provisions of department manuals is required.

- 175.08 GENERAL ORDERS
Written directives at departmental, bureau or divisional level by the Police Chief. General Orders remain in full force and effect until amended, superseded or cancelled by the issuing authority.
Departmental general orders establish policy, procedure or regulations governing matters that affect the entire department. They are the most authoritative directive issued in the department and may be used to amend, supersede or cancel any other rule, regulation or order.
- 175.12 SPECIAL ORDERS
Written directives issued at departmental or divisional level by the Police Chief. They specify instruction governing particular situations. Special orders are automatically cancelled when their objectives are achieved. Departmental Special Orders are effective only within the division in which issued.
- 175.16 PERSONNEL ORDERS
Assignment for reassignment of a personnel within the department is accomplished by departmental personnel orders issued by the Police Chief.
- 175.20 MEMORANDA
Bulletins containing suggestions, notices or announcements of general interest issued at departmental or divisional level. Used to inform and update all employees on a wide variety of matters affecting the department.
- 175.24 INFORMATION BULLETIN
A bulletin issued regularly by the Training Section to inform and update employees with information applicable to the performance of their duties. The bulletins and their presentation act as a continuous training program and as a stimulus for further study.
- 175.32 CRIME SURVEY
An information bulletin issued periodically containing a report of criminal activity in the City of Pacifica in narrative, statistical, and comparative form.
- 175.36 TRAINING BULLETIN
Bulletins published by the Training Section designed to keep members of this department abreast of current police techniques and procedures. The information contained therein constitutes official departmental policy on the subject matter under consideration in the absence of other instructions to the contrary.
- 175.40 LAWFUL ORDER
Any written or oral directive issued by a supervisory officer to any subordinate or group of subordinates in the course of police duty that is not in violation of any law, ordinance or any departmental rule of regulation.

- 175.44 RULES/REGULATIONS
Departmental legislation consisting of detailed directives binding employees in terms of authority, responsibility, and conduct.
- 175.48 WATCH
A designated span of time within a 24-hour period during which personnel are actually engaged in the performance of their assigned duties.
- 175.52 WATCH PERIOD
A segment of the year designated for duty assignment purposes.
- 175.56 BEGINNING OF DAY AND WEEK
The department day for record purposes shall begin at 0001 hours and shall conclude at 2400 hours. The department week for record purposes shall commence at 0001 hours each Saturday.
- 175.64 INDICATION OF TIME AND DATE
All reports and intra-departmental correspondence requiring time indication shall be stated according to the 24-hour clock system. On correspondence going outside of the department, the date and time shall be indicated in the conventional manner.
- 175.68 RIGHT
In reference to conditions of employment, the term “right” shall designate those conditions specifically outlined by State or Federal law, City Ordinances or Memorandum of Understanding (e.g., Every full time permanent employee has a “right” to a specified annual leave).
- 175.72 PRIVILEGE
Employment conditions that are not “rights” but are granted at the convenience of the department.
- 175.76 SHALL/WILL
Indicate that the action required is mandatory.
- 175.80 MAY
Indicates that the action is permissive.
- 175.84 GENDER
The use of the masculine gender, in any directive or manual includes the female gender, when applicable.
- 175.88 ASSIGNMENT SCHEDULE
A schedule issued periodically indicating employees’ day and hours of work each month.
- 175.92 CHRONOLOGICAL REPORT NUMBER (CR)
A case number is assigned to an official case for the purpose of filing and retention. The CR number shall be shown by writing the last two digits of the year, followed by a four-digit assigned number. All CR numbers are assigned by Communications.

Chapter II

COMMAND AND SUPERVISORY RESPONSIBILITIES AND AUTHORITY

200.00 POLICE CHIEF

200.01 AUTHORITY

The Police Chief is the chief executive officer of the department and the final departmental authority in all matter of policy, operations, and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the department.

200.02 RESPONSIBILITIES

Through the Police Chief, the department is responsible for the enforcement of all laws and ordinances coming within its legal jurisdiction. The Police Chief is responsible for planning, directing, coordinating, controlling, and staffing all activities of the department, for its continued and efficient operations, for the enforcement of rules and regulations within the department, for the completion and forwarding of such reports as may be required by competent authority, and for the department's relations with the citizens of Pacifica, the city government, and other agencies.

212.00 DIVISION COMMANDER

212.01 AUTHORITY

A Division Commander is appointed from a supervisory rank by the Police Chief to provide administrative and executive assistance to the latter. Subject to the authority of the Police Chief, a Division Commander shall issue such orders and memoranda as may be necessary to promote the effective operations of all activities within his command.

212.02 RESPONSIBILITIES

Employees appointed to the position of Division Commander are ordinarily assigned to command a division of the department, but may be assigned additional duties by the Police Chief. A Division Commander, subject to direction by the Police Chief, shall be responsible for planning, directing, controlling, and coordinating all activities within his command. A Division Commander will report personally to the Police Chief at stated times and shall submit such reports relating to his command as may be required by the Police Chief.

224.00 COMMANDING OFFICER – AUTHORITY AND RESPONSIBILITIES

Subject to direction from higher command, a commanding officer has direct control over all members and employees within his command. In addition to the general and

individual responsibilities of all members and employees and supervisory officers, a commanding officer is responsible for the following:

224.14 COMMAND

The direction and control of personnel under his command to assure the proper performance of duties and adherence to established rules, regulations, policies, and procedures. Providing for continuation of command and/or supervision in his absence.

224.17 LOYALTY AND ESPRIT DE CORPS

The development and maintenance of esprit de corps, group sense of pride, honor, spirit, and loyalty to the department.

224.28 DISCIPLINE AND MORALE

The maintenance of discipline and morale within the command and the investigation of personnel complaints not assigned elsewhere.

224.42 INTERDIVISIONAL ACTION

The promotion of harmony and cooperation with other units of the department. Initiation of proper action in cases not regularly assigned to his command when necessary. Delay to inform proper unit might result in failure to perform a police duty.

224.56 ORGANIZATION AND ASSIGNMENT

Proper organization and assignment of duties within his unit to assure proper performance of departmental functions and those of his command.

224.70 REPORTS AND RECORDS

Preparation of required correspondence, reports, and maintenance of records relating to the activities of his command. Assurance that information is communicated up and down the chain of command as required.

224.84 MAINTENANCE

Assurance that quarters, equipment, supplies, and material assigned to his command are correctly used and maintained.

236.00 WATCH COMMANDER – AUTHORITY AND RESPONSIBILITIES

The Watch Commander, during his tour of duty, exercises the same authority and has the same responsibilities as a commanding officer. In the absence of the Watch Commander, the Corporal or the senior available member of the watch is in charge unless otherwise directed. In addition to the general and individual responsibilities of all employees, the Watch Commander is specifically responsible for the following:

236.20 GOOD ORDER

The general good order of his command during his tour of duty to include proper discipline, conduct, welfare, field training, and efficiency.

236.40 ROLL CALL
Conduct of prescribed roll calls, communication or other information at roll call, and inspection and correction of command as necessary.

236.60 REPORTING
Reporting as required and maintenance of such records as specified by higher authority.

236.80 PERSONNEL COMPLAINTS
Inquiry into personnel complaints against employees under his command in accordance with the provisions of this manual, appropriate General Orders and the Peace Officers Bill of Rights.

248.00 **FIELD OPERATIONS WATCH COMMANDER – ADDITIONAL AUTHORITY**
In the absence of those members of the department who regularly exercise such authority over the department, the Field Operations Watch Commander shall be designated as the ranking authority of the department. This authority and responsibility is not limited or confined to the watch commander's own section, but shall include supervision over and responsibility for all personnel in the department.

256.00 **SUPERVISORY OFFICERS – AUTHORITY AND RESPONSIBILITIES**
Supervisory officers are employees appointed in charge of one or more employees. In addition to the general and individual responsibilities of all employees, each supervisory officer is specifically responsible for the following:

256.14 SUPERVISION
A supervisory officer may be assigned to field or office duties. During his tour of duty, he must closely supervise the activities of his subordinates, making corrections where necessary and commending where appropriate.

256.42 DIRECTION
Supervisors must exercise direct command in a manner that assures the good order, conduct, discipline, and efficiency of subordinates. Exercise of command may extend to subordinates outside his usual sphere of supervision if the police objective or reputation of the department so requires or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily. If a supervisor requires a subordinate other than his own to leave a regular assignment, the supervisor so directing will inform the subordinate's own supervisor as soon as possible.

256.56 ENFORCEMENT OF RULES, ETC.
Supervisors must enforce departmental rules and regulations and ensure compliance with departmental policies and procedures.

256.70 INSPECTION
Supervisors are responsible for inspection of activities, personnel, and equipment under their supervision and initiation of suitable action in the event of a failure, error, violation, misconduct or neglect of duty by a subordinate.

256.84

ASSISTING SUBORDINATES

A supervisory officer shall have a working knowledge of the duties and responsibilities of his subordinates. He shall observe contacts made with the public by his subordinates and be available for assistance or instruction as may be required. Field supervisors shall respond to calls of serious emergencies, felonies in progress, assaults, and others unless actively engaged in a police incident. He should observe the conduct of the assigned personnel and take active charge when necessary.

Chapter III

RULES AND REGULATIONS FOR ALL EMPLOYEES

310.00

PROFESSIONAL CONDUCT AND RESPONSIBILITIES

310.02 STANDARD OF CONDUCT

Employees shall conduct their private and professional lives in a manner that does not reflect unfavorably on the individual or the department or in a manner that would impair job performance, police services or activities.

310.06 COOPERATION

Cooperation between ranks and units of the department is essential to effective law enforcement. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation within the department.

310.08 ASSISTANCE

All employees are required to take appropriate police action toward aiding a fellow peace officer exposed to danger or in a situation where danger might be impending.

310.14 GENERAL RESPONSIBILITIES

Within the City of Pacifica, employees, when on duty, shall take appropriate action to:

- Ensure that all persons regardless of race, religion, sex, sexual preference or age, enjoy equal protection of constitutional guarantees
- Protect life and property
- Prevent crime
- Detect and arrest violators of the law
- Enforce all federal, state, and city laws and ordinances coming within departmental jurisdiction, exercising such discretion as may be necessary to ensure justice for all concerned

310.16

DUTY RESPONSIBILITIES

Members of the department are always subject to duty although periodically relieved of its routine performance. While on duty, they shall, at all times, respond to the lawful orders of superior officers and other proper authorities as well as calls for police assistance from citizens. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the department does not relieve members of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires.

Employees assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

- 310.24 INSUBORDINATION
Failure or deliberate refusal of any employee to obey a lawful order given by a superior officer shall be insubordination. Ridiculing a superior officer or his orders, whether in or out of his presence, is also insubordination.
- 310.26 QUESTIONS REGARDING ASSIGNMENT
Employees in doubt as to the nature of their assignment shall seek such information from their supervisors by going through the chain of command.
- 310.28 KNOWLEDGE OF LAWS AND REGULATIONS
Every employee is required to establish and maintain a working knowledge of all laws and ordinances in force in the City of Pacifica, and the rules, policies, and the general and special orders of the department. In the event of improper action or breach of discipline, it will be presumed that the employee was familiar with the law, rule or policy in question.
- 310.30 PERFORMANCE OF DUTY
All employees shall perform their duties as required or directed by law, departmental rule, policy or order, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities.
- 310.32 OBEDIENCE TO LAWS AND REGULATIONS
Employees shall observe and obey all laws and ordinances, all rules, regulations, and general or special orders of the department.
- 310.36 ESTABLISHING ELEMENTS OF VIOLATION
Experience of facts establishing a violation of law, ordinance, or rule is all that is necessary to support any allegation of such basis for a charge under this section. Nothing in this manual of rules prohibits disciplining or charging employees merely because the alleged act or omission does not specifically appear herein, in departmental orders, or in laws and ordinances within the cognizance of this department.
- 310.40 REPORTING VIOLATIONS OF LAWS, ORDINANCES, RULES OR ORDERS
Employees knowing of other employees violating laws, ordinances, rules of the department, or disobeying orders shall report same in writing to the Police Chief via official channels. If the employee believes the information is of such gravity that it must be brought to immediate personal attention of the Police Chief, official channels may be bypassed.
- 310.46 CONDUCT TOWARD SUPERIOR AND SUBORDINATE OFFICER AND ASSOCIATES
Employees shall treat superior officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty, and particularly in the

presence of other employees, or in public, officers should be referred to by rank.

- 310.48 CRITICISM OF ORDERS
Employees shall not publicly criticize instructions or orders they have received.
- 310.50 MANNER OF ISSUING ORDERS
Orders from superior to subordinate shall be in clear and understandable language, civil in tone, and issued in pursuit of departmental business.
- 310.52 UNLAWFUL ORDERS
No command or supervisory officer shall knowingly issue any order that is in violation of any law or ordinance or departmental rule or regulation.
- 310.54 OBEDIENCE TO UNLAWFUL ORDERS
Obedience to an unlawful order is never a defense for an unlawful action; therefore, no employee is required to obey any order that is contrary to federal or state law or city ordinance. Responsibility for refusal to obey rests with the employee. He shall be strictly required to justify his action.
- 310.56 OBEDIENCE TO UNJUST OR IMPROPER ORDERS
Employees who are given orders they feel to be unjust or contrary to departmental rules and regulations must first obey the order to the best of their ability and then may proceed to appeal as provided below. (Section 310.62)
- 310.58 CONFLICTING ORDERS
Upon receipt of an order conflicting with any previous order or instructions, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders will be countermanded only when reasonably necessary for the good of the department.
- 310.62 REPORTS AND APPEALS – UNLAWFUL, UNJUST, IMPROPER ORDERS
An employee receiving an unlawful, unjust or improper order shall, at first opportunity, report in writing to the Police Chief through official channels. This report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time. Extra departmental action regarding such an appeal shall be conducted through the office of the Police Chief.
- 310.70 GIFTS, GRATUITIES, FEES, REWARDS, LOANS, ETC., SOLICITING
Employees shall not under any circumstances solicit any gift, gratuity, loan or fee where there is any direct or indirect connection between the solicitation and their departmental membership or employment.

- 310.71 ACCEPTANCE OF GIFTS, GRATUITIES, FEES, LOANS, ETC.
Employees shall not accept either directly or indirectly any gift, gratuity, loan or fee or any other thing of value arising from or offered because of police employment or any activity connected with said government. Employees shall not accept any gift, gratuity, loan, fee or other thing of value, the acceptance of which might tend to influence directly or indirectly, the actions of said employee or any other employee in any matter of police business, or which might tend to cast an adverse reflection on the department or any employee thereof, except that, with the approval of a Division Commander or Watch Commander, items may be accepted that may be consumed by all employees and are intended that may be consumed by all employees and are intended for such use by the offering person. Acceptance of gifts to the entire department, such as cookies and cakes that are made available to all personnel shall not constitute a violation of this section. (City Administrative Policy #16)
- 310.72 OTHER TRANSACTIONS
Every employee is prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to his attention or which arose out of his departmental employment, except as may be specifically authorized by the Police Chief.
- 310.76 DISPOSITION OF UNAUTHORIZED GIFTS, GRATUITIES, ETC.
Any unauthorized gift, gratuity, loan, fee, reward, or other thing falling into any of these categories coming into the possession of any employee shall be forwarded to the office of the Police Chief together with a written report explaining the circumstances connected therewith.
- 310.80 FREE ADMISSIONS AND PASSES
Employees shall not solicit or accept free admission to theaters and other places of amusement for themselves or others, except in the line of duty.
- 310.81 ROUTINE POLICE WORK
No officer shall attempt to circumvent the performance of routine police work, or any other assignment within the province of police duties, merely because he regards such work as distasteful or menial.
- 310.82 TOUR OF DUTY
All members of the department must exercise great care in preparing any and all reports pertaining to their work during a tour of duty.
- 310.83 DAILY REPORT
No officer, whose duties require him to file a daily report, shall fail to maintain his daily report, a complete resume of his activities during his tour of duty. Permission to temporarily withhold any details of any investigation must be obtained from a superior officer.
- 310.84 PERFORMANCE OF DUTIES

Members of the department shall perform all their required duties in a prompt, proper, and energetic manner. Continued failure or neglect to do so after warning by a supervisor shall be considered as incompetency.

320.00 **GENERAL CONDUCT ON DUTY**

320.05 **PROHIBITED ACTIVITY ON DUTY**

Employees are prohibited from engaging in the following activities while on duty, with the exception as noted:

- Sleeping, loafing, idling
- Recreational reading (except at meals)
- Conduct of private business
- Drinking intoxicating beverages (except in the performance of a police duty, and then only with the specific consent of a commanding officer and never in uniform)
- Gambling, unless to further a police purpose and with prior approval
- Smoking in public buildings in accordance with city policy, and using snuff or chewing tobacco in public

320.10 **LOITERING**

All employees on duty or in uniform shall not enter taverns, theaters, or other public places except to perform a police task. Loitering and unnecessary conversation in such locations is forbidden. Employees off duty and not on official standby shall not loiter in department areas.

320.15 **ORGANIZATIONAL COURTESY**

When meeting in public, officers shall conform to normal courtesy standards and refer to each other by rank.

320.20 **NATIONAL COLORS AND ANTHEM**

Uniformed officers will render full military honors to the National Colors and Anthem at appropriate times. Employees in civilian dress shall render proper civilian honors to the National Colors and Anthem at appropriate times.

320.25 **ROLL CALL**

Unless otherwise directed, employees shall report to daily roll call at the time and place specified, properly uniformed and equipped. They shall give careful attention to orders and instructions.

320.30 **RELIEF**

All employees are to remain at their assignment and on duty until properly relieved by another employee or until dismissed by a competent authority.

320.40 **REPORTING**

All employees shall promptly submit such reports as are required by the performance of their duties or by competent authority.

320.50 ABSENCE FROM DUTY

Every employee who fails to appear for duty at the date, time, and place specified for so doing without the consent of competent authority is "absent without leave". Absences without leave must be reported in writing to the Police Chief.

320.55 INSPECTIONS

From time to time the Police Chief may call for full dress inspections of the department or any part thereof. Employees directed to attend such inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection is chargeable as "absence without leave".

320.57 PERSONAL APPEARANCE

At all times while on duty, unless expressly authorized by competent authority, all employees of the department shall be well groomed and clean in their person. All uniformed employees shall conform to the following additional standards of appearance:

1. Hair shall be kept neat, clean, and present a well groomed appearance without exaggerated puffiness or bushiness. Hair shall not be worn in a style that extends in length beyond the shirt collar.
2. Evenly trimmed mustaches are permitted.
3. Beards shall not be permitted (special assignments excluded with specific consent of the Police Chief).
4. Personnel with a medical condition, which precludes shaving, shall be required to present a written statement, signed by a medical doctor, verifying such condition.
5. All personnel will keep covered and are prohibited from exposing tattoos, brands or other body art anywhere on the body while on duty, in a uniform, or in civilian attire while representing the City of Pacifica Police Department. Tattoos, brands or other body art must be concealed by means that are natural and subtle, such as a small bandage or a long-sleeve uniform shirt. Exceptions may be made for designated activities such as defensive tactics training or undercover operations.
6. No jewelry or personal ornaments shall be worn by sworn, uniformed personnel on any part of the uniform or equipment, except those authorized by General Order #008, Uniform and Equipment Regulations and Specifications. Jewelry worn around the neck shall not be visible above the shirt collar. Employees are limited to one ring each. A wedding set shall be counted as one ring. The size shall not exceed that of a college ring. Employees may wear one wristwatch. The watch and the band shall be of neutral colors that do not conflict with the uniform (no fluorescent

or bright colors). No bracelets may be worn except for a medical bracelet. No other jewelry is permitted. Sworn, plainclothes personnel may wear visible jewelry if part of their official duties and with authorization of the Chief of Police.

320.60 TRAINING

All employees shall attend in-service training in the theory and practice of law enforcement at the direction of the Police Chief or commanding officer. Such attendance is considered a duty assignment.

320.65 PHYSICAL FITNESS FOR DUTY

All employees of the department shall maintain good physical condition so they can handle the strenuous physical contacts often required of a law enforcement officer.

320.70 CONSUMPTION OF INTOXICANTS

Employees shall not consume intoxicants while off duty to the extent that evidence of such consumption is apparent when reporting for duty, or to the extent that their ability to perform their duty is impaired. Employees shall not consume intoxicants while on duty unless necessary in the performance of a police task and then only with the specific permission of a commanding officer.

320.71 INTOXICATION

Employees shall not at any time be intoxicated while on duty.

320.75 INTOXICANTS ON DEPARTMENT PREMISES

Employees shall not bring into or keep any intoxicating liquor on department premises except:

- When necessary in the performance of a police task
- Packaged goods for temporary storage in locker spaces when the seals are unbroken

Liquor brought into departmental premises in the furtherance of a police task shall be properly identified and stored according to current policy.

320.95 ADDRESS AND TELEPHONE NUMBERS

Employees are required to have telephones in a place where they reside. Changes in address or telephone number shall be reported to the Office of the Police Chief, Records, and Communications sections within 24 hours of the change. This shall be done in writing and within the specified time, whether the employee is working or on leave. Addresses and telephone numbers of department personnel shall not be given out without consent of the person involved, unless otherwise required by law.

330.00 UNIFORMS AND EQUIPMENT

All employees of the department shall own and maintain in good order a regulation uniform. All articles of uniform shall conform to uniform regulations. Civilian clothing will not be worn with any distinguishable part of the uniform.

- 330.07 WEARING THE UNIFORM
Uniforms shall be kept neat, clean, and well pressed at all times. While wearing the uniform, employees shall maintain a military bearing, avoiding mannerisms such as slouching, shuffling, and hands-in-the-pockets.
- 330.14 MANNER OF DRESS ON DUTY
Normally, employees will wear the duty uniform on tour of duty; however, commanding officers may prescribe other clothing as required by the nature of the duty to which a particular employee is assigned. Civilian employees will wear and maintain an employee uniform when so directed by the Chief of Police.
- 330.21 CIVILIAN CLOTHING – AVAILABILITY
All personnel shall either have civilian clothing available on the premises of the police department or be able to respond in civilian clothing within 30 minutes to the police department so they may perform plainclothes duties as required.
- 330.28 CIVILIAN CLOTHING – MANNER OF DRESS
Employees permitted to wear civilian clothing during a tour of duty shall wear proper casual type clothing. Commanding officers may prescribe other types of clothing when necessary to meet a particular police objective.
- 330.35 EQUIPMENT
All equipment must be clean, in good working order, and conform to department specifications.
- 330.42 BADGE AND CAP SHIELD
No employee of any rank shall purchase a badge of an exact or similar design to that of a Pacifica Police Department badge, except upon written authorization of the Police Chief.

An on-duty employee shall wear or carry the badge issued to him or a privately purchased badge conforming to regulations.

An employee shall wear the issued cap shield when wearing a cap.
- 330.49 OFF-DUTY EQUIPMENT
Off-duty officers are not required to carry their firearm or other equipment, but may do so at their option. Exception: Off-duty officers shall use the utmost discretion in carrying concealed firearms into any public “on sale” place that sells or otherwise dispenses alcoholic beverages; or into any public or private party or gathering where the dispensing and consumption of alcoholic beverages is taking place. Reserve officers, regardless of level, shall not carry a firearm off duty.
- 330.56 REGISTERING EQUIPMENT WITH THE DEPARTMENT

Officers are required to register with the department the description and serial numbers of all firearms and handcuffs used in the course of employment.

- 330.63 FIREARMS – DISPLAY AND DISCHARGE
Officers shall never display firearms unnecessarily or draw them in any public place, except for inspection or official use. Officers are required to report any deliberate or accidental discharge of firearms (except routine target practice). This report is to be made according to current departmental procedures.
- 330.70 UNIFORM AND EQUIPMENT DAMAGE CLAIM
Any claim for damage to clothing, equipment, and eyeglasses caused by performance of duty shall be made in accordance with current departmental directives.
- 330.77 COMPENSATION FOR OTHER DAMAGES SUSTAINED ON DUTY
Employees who seek and/or receive any compensation or are in the process of negotiating a settlement for any injury or damage alleged to have occurred during the course and scope of their employment with the City of Pacifica, shall immediately notify the City of Pacifica of such compensation and/or negotiation. This section shall not apply to any compensation and/or negotiation between the employee and the City of Pacifica.

340.00 DEPARTMENT PROPERTY AND EQUIPMENT

Employees are responsible for the proper care of department property and equipment assigned to them. Damaged or lost property may subject the responsible employee to disciplinary action.

- 340.10 DAMAGED/INOPERATIVE PROPERTY OR EQUIPMENT
Employees shall immediately report to their commanding officer any loss of or damage to departmental property assigned to or used by them. The immediate superior will be notified in writing of any defects or hazardous conditions existing in any department equipment or property.
- 340.20 CARE OF DEPARTMENT BUILDINGS
Employees shall not mar, mark, alter, or deface any surface in any departmental building. No material shall be affixed in any way to any wall in departmental buildings without specific authorization from a watch commander.
- 340.30 NOTICES
Employees shall not mar, mark, alter, or deface any posted notice of the department. Notices or announcements shall not be posted on bulletin boards without permission of a division commander with the exception of the bulletin board designated for the use of the Police Officer Association. No notices of a derogatory nature will be posted at any time.
- 340.40 MANUALS MAINTENANCE

All employees issued manuals are responsible for their maintenance and will make appropriate changes or inserts as they arise.

- 340.50 SURRENDER OF DEPARTMENT PROPERTY
Employees are required to surrender all department property in their possession upon separation from service. Failure to return non-expendable items may cause the person to reimburse the department for the fair market value of the article(s).
- 340.60 DEPARTMENT VEHICLES, USE
Employees shall not use any department vehicle without the permission of a commanding officer. Department vehicles shall never be used for personal business or pleasure.
- 340.70 TRANSPORTING CITIZENS
Citizens will be transported in department vehicles only when necessary to accomplish a police purpose. Such transportation will be done only after notifying the watch commander and the communications dispatcher.
- 340.80 REPORTING ACCIDENTS
Accidents involving city personnel, property and/or equipment must be reported in accordance with uniform procedures adopted by the City Administration.
- 340.90 PRESUMPTION OF RESPONSIBILITY
In the event that city property is found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property or vehicle was responsible.

350.00 COMMUNICATIONS AND CORRESPONDENCE

- 350.07 RESTRICTIONS
Employees shall not:
- Use department letterhead for private correspondence
 - Send correspondence out of the department over their signatures without the general permission of the Police Chief
- 350.14 FORWARDING COMMUNICATIONS TO HIGHER COMMANDS
Any employee receiving a written communication for transmission to a higher command shall, in every case, forward such communication. An employee receiving a communication from a subordinate directed to a higher command shall endorse it indicating approval, disapproval or acknowledgement.
- 350.28 DEPARTMENT ADDRESS (PRIVATE USE OF)
Employees shall not use the department as a mailing address for private purposes.
- 350.56 RADIO DISCIPLINE

All employees of the department operating the police radio, either from a mobile unit or in the Communications Section, shall strictly observe regulations for operations as set forth in department orders and by the Federal Communications Commission.

350.84

DEPARTMENT BUSINESS CARDS

Two types are used. The city will furnish a personalized card to members of the rank of sergeant and above or other employees in specialized assignment who can justify such use. Other officers who wish cards imprinted with the individual's name at the employee's expense may do so with approval. The department furnishes a utility business card for use by all employees. It contains spaces for entering the employee's name. Nothing will be entered on any departmental business card that confers special consideration to the recipient. Such a card will be forwarded to the office of the Police Chief should an employee come into its possession, together with a report of how he obtained it.

360.00

DEATH AND INJURY NOTIFICATION

360.20

DEATH OR SERIOUS INJURY

When an employee is killed or seriously injured, either on or off duty, immediate verbal notification will be made to the Police Chief or the Field Services Division Captain in his absence. This will be followed by a written report no later than the following workday. Information shall include the date, location, cause, extent of injuries, and property damage. Serious injury in this instance means an injury which could result in death or disability.

360.40

NONSERIOUS INJURY

In cases where the injuries are other than a serious nature, a written report will be submitted the first workday following the incident including all the information required above. These reports are in addition to those accident and absence reports otherwise required.

360.60

DEATH OF EMPLOYEE

Any employee receiving notice of the death of any employee or retired employee shall notify the office of the Police Chief. The Police Chief shall be notified of such deaths regardless of the time of day or physical location of the Police Chief.

360.80

NOTIFICATION OF FAMILY

The family of an employee injured or killed on duty shall be notified immediately by the senior available officer of the division to which the injured or deceased employee was assigned.

370.00

INVESTIGATIONS, ARRESTS, AND DETENTIONS

370.05

COMMAND OF SCENE

At the scene of any crime, accident or other police incident, the ranking officer present shall assume command and direction of police personnel in a manner to assure the most orderly and efficient accomplishment of the police task. When two or more officers of the same rank are present

and one of these is assigned to the investigative section, that officer will be in charge. This provision is intended to provide for the coordination of the efforts of the several subordinate members who may be assigned to the incident; therefore, it is incumbent upon the ranking officer assuming such control to become acquainted with the facts and ensure that appropriate action is being taken or is initiated.

370.10 GENERAL RESPONSIBILITIES OF EMPLOYEES AT CRIME SCENES

The first officer to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

- Summoning of medical assistance and the administration of first aid as required to prevent further injury or loss of life
- Arrest of violator(s)
- Security of the scene

370.15 RESPONSIBILITIES OF ASSIGNED EMPLOYEES AT CRIME SCENES

The officers officially assigned to perform the preliminary or other investigation of an alleged crime or other incident are responsible for the duties enumerated in Section 370.10, as they may be necessary, and the completion of the preliminary or other investigation as directed. This shall include, but is not necessarily limited to the securing of statements and other information which will aid in the successful completion of the investigation and locating, collecting, and preserving physical evidence material to the issue.

370.20 RELIEF OF EMPLOYEES CONDUCTING PRELIMINARY INVESTIGATION

Upon the completion of the preliminary investigation, the assigned officer shall stand relieved, unless otherwise directed by an investigator, other officer specifically assigned to the investigation, or a superior officer.

370.25 IDENTIFICATION AS POLICE OFFICER

Except when impractical or unfeasible, or where the identity is obvious, officers shall identify themselves by displaying the official badge or identification card before taking police action.

370.30 ARRESTS

In making arrests, officers shall strictly observe the laws of arrest and the following provisions:

1. Only necessary restraint to assure safe custody and the safety of the officer shall be employed.
2. The arresting officer is responsible for the safety and protection of the arrested person while in his custody. He shall notify the

transportation officers of any injury, apparent illness or other condition that indicates the arrested person may need special care.

3. The arresting officer is responsible for the security of personal property in possession of the arrested person under his control at the time of arrest. Except for vehicles, this responsibility transfers to the transportation officers when they accept custody of the arrested person.

370.35 CUSTODY OF PRISONERS

Officers charged with the custody of prisoners shall observe all laws and departmental orders regarding this activity. Prisoners shall be kept securely, treated firmly and humanely, and shall not be subjected to unnecessary restraint.

370.40 TRANSPORTATION OF PRISONERS

Officers transporting prisoners shall do so in accordance with departmental policy:

1. Prisoners requiring medical attention shall be delivered to the appropriate emergency hospital, and the transporting officers shall be responsible for the security of the prisoner until properly relieved by a guard officer, unless otherwise directed by competent authority.
2. Prisoners and their property shall be surrendered at the jail to custodial officers or as otherwise directed by competent authority.
3. Any prisoner transported to a hospital in a private ambulance shall be accompanied and guarded by an officer, unless police exigencies dictate otherwise. In the latter case, a guard will be arranged for the prisoner as soon as possible.

370.45 USE OF PHYSICAL FORCE

Refer to General Order #099.

370.50 REPORTS AND BOOKINGS

No employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on the books, records or registers of the department.

370.55 PRESS RELATIONS AT CRIME SCENES

Insofar as is consistent with sound police practice, officers in control of a crime scene shall grant access and supply information regarding the incident to the working press. Whenever an officer feels that release of information or access to the scene is contrary to sound police practice, he shall refer the press to his immediate supervisor for further decision.

370.60 SECURITY OF DEPARTMENT BUSINESS

Employees shall not reveal police information outside the department, except as provided elsewhere in this manual or as required by law or competent authority. Specifically, information contained in police records, other information ordinarily accessible only to employees, and other persons known to the police are considered confidential. Silence

shall be employed to safeguard confidential information. Violation of the security of this type of information reflects gross misconduct.

370.65

COMPROMISING CRIMINAL CASES

Employees shall not interfere with the proper administration of criminal justice.

1. They shall not attempt to interrupt legal process except where a manifest injustice might otherwise occur and not participate in, or be concerned with any activity that might interfere with the process of law.
2. Except in the interest of justice, they shall not attempt to have any traffic citation or notice to appear reduced, voided, or stricken from the calendar.
3. Any employee having knowledge of such action and failing to inform his superior officer thereof shall be subject to charges.

370.70

ASSISTING CRIMINALS

Employees shall not communicate in any manner, directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise or other property unlawfully obtained.

370.75

RECOMMENDING ATTORNEYS AND BAIL BOND BROKERS

Employees shall not suggest, recommend, advise, or otherwise counsel regarding attorneys and bail bond brokers as a result of police business.

1. This does not apply when a relative of the employee seeks such advice.
2. In no case may such advice be given where a fee, gratuity, or reward is solicited, offered, or accepted from the attorney or bail bondsman.
3. Running or capping for an attorney or bail bondsman is gross misconduct.

370.80

ACTING AS BAILOR PROHIBITED

Employees cannot act as bailors for any person in custody, except relatives, and in no case where any fee, gratuity, or reward is solicited or accepted.

370.92

CIVIL COMPLAINTS BY EMPLOYEES

Employees who seek civil redress for injuries and/or damage alleged to have occurred during the course and scope of their employment shall comply with section 330.77.

380.00

PUBLIC ACTIVITIES

380.06

PUBLICITY

Employees shall not seek personal publicity in the course of their employment.

- 380.12 COMMERCIAL TESTIMONIALS
Department employees shall not, without the permission of the Police Chief, allow their names or photographs to be used in any commercial testimonial, which identifies their employment as a peace officer for or as an employee with the City of Pacifica.
- 380.18 PUBLIC APPEARANCE REQUESTS
All requests for public speeches, demonstrations, etc., regarding police related topics, will be routed to the Administrative Sergeant for approval and processing. These requests are also subject to the approval of the Police Chief. Employees directly approached for this purpose shall suggest that the party submit his request on the proper form. This section shall apply only to appearances on public time or for police related topics.
- 380.21 APPEARANCES ON ORAL BOARDS
An employee receiving a request to participate on any type of personnel or oral interview board shall instruct the requesting party to forward a written request to the Police Chief. The Police Chief will assign personnel in response to such requests.
- 380.24 OUTSIDE EMPLOYMENT
Prior to engaging in any outside business or employment, the employee shall submit a written request for permission to do so to their Division Commander. Refer to General Order #125.
- 380.36 MEMBERSHIPS IN ORGANIZATIONS
Except for the Armed Forces Reserve components enumerated in the California Veterans Code, employees shall not affiliate themselves with any organization or group, the constitution or bylaws of which in any way exacts prior consideration or which would prevent its members from rendering proper and efficient service to the department.
- 380.48 SUBVERSIVE ORGANIZATIONS
No employee shall knowingly become a member of or be connected with any organization that advocates the violent overthrow of the United States Government and/or the use of any illegal means to deprive any person of any right granted by the United States or California Constitution or law of the United States or the State of California.
- 380.54 POLITICAL ACTIVITY
No employee shall participate in any political activity that interferes with the performance of his duties. No officer shall participate in any political activity while on duty or in uniform.
- 380.60 CONDUCT TOWARDS THE PUBLIC
Employees shall be courteous and orderly in their dealing with the public. They shall perform their duties quietly, avoiding harsh, violent, profane or insolent language and always remain calm, regardless of provocations to do otherwise. Upon request, they are required to supply their names and badge or serial numbers in a courteous manner. They

shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other units of the department.

380.72

IMPARTIAL ATTITUDE

All officers, while charged with vigorous and unrelenting enforcement of the law, must remain completely impartial toward all persons coming to the attention of the department. Violations of the law are against the people of the state and not against the individual officer. All citizens are guaranteed equal protection under the law. Exhibiting partiality for or against a person because of race, nationality, gender, age, disability, sexual preference, political affiliation, religious preference or lack thereof, or social status is unofficerlike conduct. Similarly, unwarranted interference in the private business of others when not in the interests of justice is unofficerlike conduct.

380.78

CARING FOR LOST, HELPLESS, INJURED OR ILL PERSONS

Officers shall always be alert to assist lost, helpless, injured or ill persons. Failure or inability to render first aid (as trained by the department) in a competent manner is considered as serious neglect of duty.

380.84

AVAILABILITY WHEN ON DUTY

Officers on duty shall not conceal themselves except for some police purpose. They shall be immediately and readily available to the public during duty hours.

380.86

REPORTING AVAILABILITY TO COMMUNICATIONS SECTION

Field officers normally subject to assignment by the Communications Section shall immediately report their availability to the Communications Section by radio or, if justifiably detained, their location by telephone, at the beginning of each radio assignment. Radio equipped officers assigned to Patrol, Juvenile Services, and Investigative Services Division are deemed field officers for the purposes of this regulation.

380.90

RESPONDING TO CALLS

Officers shall respond without delay to all calls for police assistance from citizens or other officers. Emergency calls take precedence; however, all calls shall be answered as soon as possible consistent with normal safety precautions and vehicle laws. Failure to answer a call for police assistance promptly, without justification, is misconduct. Except under the most extraordinary circumstances, or when otherwise directed by competent authority, no officer shall fail to answer any land-wire or radio call directed to him. Communications will be informed when leaving the area.

390.00

JUDICIAL AND INVESTIGATIVE ACTIONS, APPEARANCES, AND TESTIFYING

390.10

COURT APPEARANCES

Attendance at a court or quasi-judicial hearing as required by subpoena is an official duty assignment. Permission to omit this duty must be

obtained from the prosecuting attorney handling the case or other competent court official. When appearing in Municipal Court, the employee shall wear the official uniform or either a suit with a tie or slacks, coat, shirt, and tie, but shall not carry his baton or portable radio. Officers shall present a neat and clean appearance, avoiding any mannerisms that might imply disrespect to the Court.

390.20 TESTIFYING FOR THE DEFENDANT

Any employee subpoenaed to testify for the defense in any trial or hearing, or against the city or department in any hearing or trial, shall notify his supervisor upon receipt of the subpoena.

390.40 DEPARTMENTAL INVESTIGATIONS – TESTIFYING

Employees are required to answer questions by or render material and relevant statement to a competent authority in a departmental personnel investigation when so directed in accordance with the Peace Officers Procedural Bill of Rights Act.

390.50 TRUTH AND HONESTY

At all times employees shall be truthful and honest whether under oath or not.

390.60 CIVIL ACTION INTERVIEWS

Civil action interviews involving employees, which arise out of departmental employment, shall be conducted according to current departmental directions.

390.70 CIVIL ACTION, COURT APPEARANCES – SUBPOENAS

An employee shall not volunteer to testify in civil actions connected with his employment and shall not testify in civil actions unless legally subpoenaed. If the subpoena arises out of departmental employment or if the employee is informed that he is a party to a civil action arising out of departmental employment, he shall immediately notify the Police Chief of the service or notification of the testimony he is prepared to give. Employees shall not enter into any financial understanding for appearances as witnesses prior to any trial, except in accordance with current directives. This section does not apply to matters that are not connected with city business.

390.80 CIVIL DEPOSITIONS AND AFFIDAVITS

Employees shall confer with their watch commanders before giving a deposition or affidavit on a civil case. If the watch commander determines that the case is of importance to the city, he shall inform the Police Chief through channels before the deposition or affidavit is given.

390.90 CIVIL CASES

Officers shall not serve civil process or assist in civil cases, except as required by law or where they may be personally involved. They shall avoid entering into civil disputes, particularly while performing their police duties, but shall prevent or abate a breach of the peace or crime in such cases.

Chapter IV

DEPARTMENTAL DISCIPLINE

409.00

WHO IS SUBJECT TO DISCIPLINARY ACTION

Any employee violating his oath of office and/or public trust by committing any offense which, if true, constitutes a violation of the laws or statutes of the United States, State of California, Ordinances of the City of Pacifica, rules, regulations, policies and/or procedures of the City of Pacifica and/or the Pacifica Police Department, including but not limited to General Orders and/or other directives of the Police Chief, or who disobeys any lawful order of a superior, or is incompetent to perform his duties, is subject to discipline.

409.10

PROGRESSIVE DISCIPLINE

Where appropriate supervisors, managers and administrators may, prior to taking punitive action, select non-punitive means in an attempt to modify and/or correct inappropriate behavior on the part of an employee. The following shall constitute non-punitive alternatives for purposes of discipline:

- Counseling
- Training
- Professional Assistance
- Oral or Written Admonishment

418.00

PUNISHMENT

Subject to the provisions of the Personnel Policy of the City of Pacifica, the Memorandum of Understanding, and, when necessary, the approval of the City Manager, the following may be assessed against any employee as punishment:

- Written Reprimand
- Suspension without pay
- Demotion
- Termination

427.00

DEPARTMENT AUTHORITY TO DISCIPLINE

Authority and responsibility for discipline rests with the Police Chief. Except for an "Oral Admonishment" and placing an employee on "Emergency Administrative Leave", which are not considered punitive, all action must be taken by the Police Chief and/or his designee.

Supervisors, managers and administrators may, with the approval of the Police Chief, take appropriate actions as set forth in section 409.10.

436.00

ADMINISTRATIVE LEAVE

The following personnel have the authority to place an employee on emergency administrative leave when such action appears in the best interest of the department.

- Any command officer as defined herein
- Any Sergeant or Corporal acting in the capacity of a Watch Commander

440.00

EMERGENCY INTERDIVISIONAL DISCIPLINARY ACTION

When the improper conduct of an employee of one unit is of a nature that immediate disciplinary action is required, the following action may be taken by a command or supervisory officer of another unit at once:

- Admonishment
- Emergency administrative leave until the next business day

440.40

INTERDIVISIONAL ADMONISHMENT

When the command or supervisory officer of one unit admonishes an employee of another unit, he shall notify the admonished employee's supervisor as soon as practical.

443.00

FOLLOW-UP ACTION FOR ADMINISTRATIVE LEAVE

An employee placed on emergency administrative leave shall report to the Police Chief at 0900 the next business day, unless otherwise directed by competent authority.

The command or supervising officer imposing the administrative leave and/or recommending the employee continue in such status shall also make himself available at the same time.

445.00

REPORTS OF DISCIPLINARY ACTION TAKEN OR RECOMMENDED

Whenever disciplinary action is taken or recommended (except for oral reprimand), a written report must be submitted immediately containing the following information:

- The name, rank, serial number, and present assignment of the person being disciplined
- The date(s) and time(s) of the misconduct and location(s)
- The section number(s) of this manual violated or common name of the infraction
- A complete statement of the facts of misconduct
- The punitive action recommended
- The written signature, serial number, and rank of the preparing officer, and his position in relation to the employee being disciplined

445.33

DISTRIBUTION OF REPORTS OF DISCIPLINARY ACTION RECOMMENDED

The report required by section 445.00 shall be distributed as follows:

- Original to the Police Chief via the chain of command
- Copy to the subject's commanding officer
- Copy in a sealed envelope to the employee involved

445.66

ENDORSEMENT AND FORWARDING OF DISCIPLINARY REPORTS

Each level in the chain of command must endorse and forward reports bearing on disciplinary matters received. Such endorsement may be one of approval, disapproval, or modification. No employee shall alter or cause to be altered or withdrawn any disciplinary report. Disciplinary reports shall be filed in accordance with current departmental directives.

454.00

INFORMING THE EMPLOYEE OF RECOMMENDED DISCIPLINE

If the employee who is the subject of any recommended disciplinary action is a peace officer, he/she shall be afforded all rights contained in the Peace Officer Procedural Bill of Rights Act prior to interrogation.

454.10

NOTICE OF PROPOSED DISCIPLINE

All employees shall be notified in writing of proposed discipline, as set forth in the Memorandum of Understanding, Personnel Rules of the City of Pacifica, judicial holdings, and/or legislative enactments, prior to any punitive action being taken, except where the employee is to receive a written reprimand or where an emergency situation calls for other measures.

454.20

NOTICE OF DISCIPLINARY ACTION

All employees shall be notified of the disciplinary action in writing and the employee's appeal rights as set forth in the Memorandum of Understanding, Personnel Rules of the City of Pacifica, judicial holdings, and/or legislative enactments.

463.00

APPEALS FROM PENALTIES

Appeals from penalties imposed as disciplinary measures may be taken as provided in the Memorandum of Understanding and the Personnel Rules of the City of Pacifica.

472.00

MISCONDUCT OBSERVED BY POLICE PERSONNEL

Whenever any command or supervisory officer observes or is informed of the misconduct of another employee which indicates the need for disciplinary action, he shall take authorized and necessary action and render a complete report of the incident and his actions to his commanding officer, who shall take authorized and necessary action and render a complete report of the incident and his actions to his commanding officer, who shall forward it as provided in Sections 445.33 and 445.66.

475.00

FAILURE TO TAKE CORRECTIVE ACTION

Failure of a supervisory officer to take proper action or recommended punitive discipline where appropriate shall be insubordination in addition to constituting neglect of duty.

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