PACIFIC GROVE POLICE DEPARTMENT
A: 580 PINE AVENUE, PACIFIC GROVE, CA 93950 P: (831) 648-3143 E: PGPDRECORDS@CITYOFPG.ORG

Operations Training Bulletin
2/21/19
Securing a Residence Pending a Search Warrant

Facts:
Officers who have probable cause to believe that evidence is currently located inside a certain residence will ordinarily seek a search warrant. However, many times we encounter situations where the evidence inside has the potential to be destroyed or that's its evidentiary value could be compromised before a search warrant is obtained. There are two ways in which Officers may secure a residence or any other structure. First, they may secure it from the outside by establishing a perimeter to ensure no one enters. The other option is to secure the premises from the inside by forcibly entering and conducting a protective sweep to ensure there are no other persons inside who could easily destroy the evidence.

To secure a residence from the inside constitutes both a search and seizure. Therefore, Officers must have probable cause to believe the following circumstances exist:

1. **Evidence Inside:** Officers can reasonably infer that evidence is inside the structure that could be compromised or destroyed.
2. **A person inside:** Either direct or circumstantial evidence that someone is inside. Circumstantial proof could include hearing footsteps inside, movement of curtains, or possibly seeing the suspect's car parked in the driveway.
3. **Motive to Destroy:** The person inside would have a motive to destroy the evidence if they knew that a search was imminent. This could include the sounds of commotion after the knock notice was given or knowledge that the occupants had become aware that a search was imminent.

Because securing from the outside constitutes a seizure, not a search, the requirements are much less demanding. Previous court decisions have indicated that securing a residence from the outside requires only reasonable suspicion, not probable cause.

Procedural Issues:
1. **Exit or Remain Inside:** It does not matter if Officers stay inside or outside while awaiting a search warrant. However, if they remain inside, they may not search or photograph anything or otherwise "exploit" their presence inside.
2. **Do not seize evidence in plain view:** If Officers observe evidence in plain view during the protective sweep; they should not seize it under the plain view rule. Instead, they should await the issuance of a search warrant.
3. **If an occupant wants to enter:** Officers should allow any occupant to enter for a legitimate purpose but may insist that they are accompanied unless there is good reason to prohibit it. If this happens, the Officer may literally stay at the occupants "elbows at all times".
4. **Diligence in seeking warrant:** A search warrant should be obtained diligently or otherwise the warrant could be thrown out after the fact.

5. **What to tell the Judge:** As a matter of ethical "full disclosure" an Officer who is writing a search warrant affidavit after the premises has been secured from the inside should inform the Judge that Officers have made a warrantless entry.
6. **When the search may begin:** Officers may begin the search when the warrant is issued and do not need to wait until it is brought to the scene.
7. **Notify Officers of Warrant Limits:** If a search begins after the warrant has been issued but prior to the arrival of the affiant on scene, they must notify searching Officers of the terms of the warrant so that they know where they can search and what evidence may be searched for.
8. **Independent Source:** Officers must prove that (1) the affidavit in support of the warrant did not contain any information that was obtained as the result of the warrantless entry **OR** (2) if such information was included, the probable cause for the warrant would have existed even if the information was deleted from the affidavit.
9. **Decision to Seek Warrant before entry:** Officers need to articulate in their report that they intend to seek the warrant **before** entry is made. This decision can be demonstrated by the following actions:
    a. Officer was writing the warrant or was en route somewhere to write the warrant before the premises was secured.
    b. Testimony
    c. Probable Cause plainly existed
    d. Seriousness of the crime: a crime so serious that is it likely the Officers would take special care to ensure that evidence was not suppressed for lack of a warrant.

Practices:

1. Once Officers have decided the need to make an entry before the search warrant had been obtained, they should notify Dispatch and make any announcements as they begin to clear the structure
2. Conduct a protective sweep of the residence. Any persons contacted should be detained and an FI shall be completed. Once it is determined they are not the scope of the warrant, and no other concerns exist to justify their detention, that person should be promptly released.
3. Await the issuance of the search warrant before searching. During this time Officers may begin designating roles (scribe, photos, searcher, etc.) until the warrant is obtained.
4. Once the warrant has been obtained, the affiant should contact Officers at the scene and notify them of the terms of the search warrant.
5. Officers should then take photographs and/or videos of the scene prior to searching.
6. At the completion of the search, Officers should leave a list of all items seized along with a copy of the search warrant face page.
7. Document the condition of the property after the search.
8. Thoroughly document the search warrant with focus on any procedural issues as noted above.

References:

Winter 2019 Point of View
Pacific Grove Police Department Policy 311
Pacific Grove Police Department Policy 608

Detective Paul Nagamine

PACIFIC GROVE POLICE DEPARTMENT
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"OUR COMMUNITY, YOUR POLICE"

Operations Training Bulletin
05/18/19
Domestic Violence Strangulation/Lethality Assessment

Facts:

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. Officers are tasked with investigating domestic violence crimes and documenting them accordingly.

Strangulation is directly linked to the new Senate Bills that have recently passed (Senate Bill 1331 and Senate Bill 40). Studies have proven that strangulation is one of the most lethal forms of domestic violence: unconsciousness may occur within seconds and death within minutes. Strangulation is, in fact, one of the best predictors for the subsequent homicide of victims of domestic violence.

Strangulation is impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck causing the obstruction of blood vessels and/or airflow in the neck resulting in asphyxia.

Based on a study from the Training Institute on Strangulation Prevention, 1 in 4 women will be a victim of domestic violence.

- 68% of Domestic violence victims will experience near fatal strangulation by their partner
- 70% of victims believed they were going to die while being strangled

Signs and symptoms:

- Neurological- Loss of memory, loss of consciousness, behavioral changes, loss of sensation, extremity weakness, difficulty speaking, fainting, urination, defecation, vomiting, dizziness, headaches.
- Eyes- Petechiae to eyeball, petechiae to eyelid, bloody red eyeballs, vision change, droopy eyelid
- Face- Petechiae, scratch marks, facial drooping, swelling
- Chest- Chest pain, redness, scratch marks, bruising, and abrasions
- Voice and throat- Raspy or hoarse voice, unable to speak, trouble swallowing, painful to swallow, clearing throat, coughing, nausea, drooling, sore throat, stridor (wheezing sound)
- Scalp- Petechiae, bald spots (from pulling hair), bump to head (from blunt force or falling)
- Ears- Ringing in ears, petechiae on earlobes, bruising or bleeding behind or in the ear
- Mouth- Bruising, swollen tongue or lips, cuts/abrasions, internal petechiae
- Neck- Redness, scratch marks, finger impressions, bruising (thumb or fingers), swelling, ligature marks
- Breathing- Difficulty breathing, respiratory distress, unable to breath
-

Victims may look and feel fine but there could be internal injuries or delayed complications. After strangulation victims can experience a delayed onset of symptoms usually within 72 hours and internal injuries could be serious or fatal.

Updated laws regarding response to Domestic violence calls:

Senate Bill 1331– Lethality Assessments

-This bill requires the Commission on Peace Officer Standards and Training to implement a training course for law enforcement in the handling of domestic violence complaints and to develop for officer response to domestic violence. The course is required to include procedures and techniques for assessing lethality or signs of lethal violence in domestic violence situations

Senate Bill 40- Domestic violence

-This bill requires a statement informing the victim that strangulation may cause internal injuries and encouraging the victim to seek medical attention. This bill, in addition to the information about whether weapons are involved, requires this information to include whether the incident involved strangulation or suffocation. In addition, this bill requires that incident report form to additionally include whether there were indications that the incident involved strangulation or suffocation, as specified.

Practice:

S = Scene & Safety – Ensure you and the victim are safe

T = Trauma – Ask what do you remember? See? Feel? Hear? Think?

R = Reassure & Resources – Reassure the victim that help is on the way and provide resources

A = Assess for strangulation or traumatic brain injury

N = Notes – Document your observations and put victim statement in quotes

G = Give victim advice about delayed consequences. Recommend they stay with someone the first 24 hours and monitor for signs and symptoms. Call 911 if difficulty breathing, trouble swallowing, swelling to your neck, pain to your throat, hoarseness or voice changes, blurred vision, continuous or severe headaches, seizure, vomiting or persistent cough

L = Loss of Consciousness – Victim may not remember. Ask about lapse of memory, change in location, urination or defecation

E = Encourage medical attention. Transport if pregnant or has life threatening injuries (difficulty breathing or swallowing, petechial hemorrhage, vision changes, loss of consciousness, urinated or defecated).

Once the scene has been determined to be safe, officers should refer to the domestic violence procedure check off list to ensure they are complying with mandates and policy regarding domestic violence.

Once all applicable items have been completed, the domestic violence procedure check off list should be scanned to the case. The green DV checklist (CALEA card) should be turned in to records.

References:

California Legislative Information
POST LD 25
Training Institute on Strangulation Prevention
Psychology Today
Pacific Grove Police Department Policy 310
https://www.strangulationtraininginstitute.com

Officer Acevedo

VICTIM ASSISTANCE PROGRAM

If you are a victim of a crime and need help, call the
Monterey County District Attorney's Victims' Assistance Unit

JEANNINE M. PACIONI, DISTRICT ATTORNEY

Offices located at:

Salinas: 142 W. Alisal St., Ste A
831-755-5072

King City: 250 Franciscan Way
831-385-8325

torney General's Office
VE POLICE DEPARTMENT

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Card and Resources

Section 28(b), confers certain rights to victims of

treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

2. **Protection from the Defendant** – To be reasonably protected from the defendant and persons acting on behalf of the defendant.

3. **Victim Safety Considerations in Setting Bail and Release Conditions** – To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

4. **The Prevention of the Disclosure of Confidential Information** – To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

5. **Refusal to be Interviewed by the Defense** – To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

6. **Conference with the Prosecution and Notice of Pretrial Disposition** – To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.

7. **Notice of and Presence at Public Proceedings** – To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post–conviction release proceedings, and to be present at all such proceedings.

8. **Appearance at Court Proceedings and Expression of Views** – To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post–arrest release decision, plea, sentencing, post–conviction release decision, or any proceeding in which a right of the victim is at issue.

9. **Speedy Trial and Prompt Conclusion of the Case** – To a speedy trial and a prompt and final conclusion of the case and any related post–judgment proceedings.

10. **Provision of Information to the Probation Department** – To provide information to a probation department official conducting a pre–sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

11. **Receipt of Pre-Sentence Report** – To receive, upon request, the pre–sentence report when available to the defendant, except for those portions made confidential by law.

12. **Information About Conviction, Sentence, Incarceration, Release, and Escape** – To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

13. **Restitution**
    A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
    B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
    C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. **The Prompt Return of Property** – To the prompt return of property, when no longer needed as evidence.

15. **Notice of Parole Procedures and Release on Parole** – To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

16. **Safety of Victim and Public are Factors in Parole Release** – To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

17. **Information About These 16 Rights** – To be informed of the rights enumerated in paragraphs (1) through (16).

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Additional Resources

The Attorney General does not endorse, have any responsibility for, or exercise control over these organizations' and agencies' views, services, and information.

Victim Compensation Board – Can help victims pay for: mental health counseling, funeral costs, loss of income, crime scene cleanup, relocation, medical and dental bills. **1-800-777-9229** *www.victims.ca.gov*

CA Dept. of Corrections and Rehabilitation, OVSRS – Provides information on offender release, restitution, parole conditions and parole hearings when the offender is incarcerated in prison. **1-877-256-6877** *www.cdcr.ca.gov/victim_services*

McGeorge School of Law – Victims of Crime Resource Center - Provides resources for victims by their geographic area along with information on victims' rights. **1-800-Victims (1-800-842-8467)** *www.1800victims.org*

National Domestic Violence Hotline – 1-800-799-7233 *www.thehotline.org*

Adult Protective Services County Information – (Elder abuse) 24 hour hotline numbers by county in California. *www.cdss.ca.gov/inforesources/County-APS-Offices*

National Child Abuse Hotline – Treatment and prevention of child abuse. **1-800-422-4453** *www.childhelp.org*

Rape, Abuse & Incest National Network – 1-800-656-4673 *www.rainn.org*

National Human Trafficking Resource Center Hotline – 24-hour hotline: **1-888-373-7888** *www.humantraffickinghotline.org*

The California Relay Service: For speech impaired, deaf or hard-of-hearing callers: Dial 711. TTY/HCO/VCO to Voice for English: 1-800-735-2929 and for Spanish: 1-800-855-3000. Voice to TTY/VCO/HCO for English: 1-800-735-2922 and for Spanish: 1-800-855-3000. Speech to Speech – English and Spanish: 1-800-854-7784.

Attorney General's Victims' Services Unit – Provides local victim/witness information, geographic resource information and appeal status to victims of crime. For more information, call **1-877-433-9069** or visit: *www.oag.ca.gov/victimservices*
For local Human Trafficking information, visit: *www.oag.ca.gov/human-trafficking*

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A 'victim' is defined under the California Constitution as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term 'victim' also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated. The term 'victim' does not include a person in custody for an offense, the accused, or a person whom the court finds would not act in the best interests of a minor victim." (Cal. Const., art. I, § 28(e).)

A victim, the retained attorney of a victim, a lawful representative of the victim, or the prosecuting attorney upon request of the victim, may enforce the above rights in any trial or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request. (Cal. Const., art. I, § 28(c)(1).)

Funding is made possible through the United States Department of Justice, Victims of Crime Act, 2016-VA-GX-0057

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224-150 (rev. 1/19)

DOMESTIC VIOLENCE

The Domestic Violence Coordinating Council of Monterey County

Post Office Box 2851
Salinas California 93902
http://www.co.monterey.ca.us/dvcc

It is a crime for any person to beat or assault another person! Has anyone including a spouse or partner (current or former) done any of these things to you?

- Hit you
- Threatened to hurt you
- Locked you up or held you against your will
- Raped, sexually assaulted or forced you to have sex
- Damaged your property
- Broken into your home
- Stalking

IF YOU ARE IN DANGER CALL 911:

A police officer will respond to your call and conduct an investigation of the abuse.

- Tell the police about the incident in detail.
- Tell them if there are witnesses to the abuse.
- Show them injuries, bruises & damaged property.
- Strangulation: If you suffered restricted blood flow to your brain or airflow to your lungs at the hands of your abuser, you have been strangled. Even if you suffered no external injuries, seek medical attention and always report strangulation to the police.
- Show them court documents such as a "No Contact Order," Restraining Order, or Emergency Protective Order.
- Ask the police to take pictures. If the police do not take pictures, it is very important to take pictures yourself; bruises may appear several days later. If you are in immediate danger, ask the police to issue an "Emergency Protective Order" to keep the abuser away.
- You have the right to have an advocate present during any subsequent interviews with law enforcement, District Attorney, or Defense Attorney pursuant to Penal Code Section 679.05.

DESPITE ARREST, THE ABUSER MAY BE RELEASED AT ANY TIME

- Above all, make sure that you and your children will be safe. Seek medical attention. Consider staying with friends or relatives for a few days. You can also contact a local shelter for temporary housing at a secret location, or for help in finding somewhere else to live.

ASK FOR HELP!

- Ask the police to stand by at your home while you get your things.
- If you have no money, apply for public assistance right away. You may be eligible for public assistance, food stamps, and Medi-Cal.

IF THE DISTRICT ATTORNEY BECOMES INVOLVED:

If the accused bails out of jail, you may need to obtain a restraining order. Contact the agencies listed under the "Resource" section of this handout. If the accused is released on bail, the District Attorney may request a court order keeping the accused from contacting you in any manner. This order will remain effective while the case is pending and may become a 3-10 year order. If you wish to obtain information about the custody status of the accused, or request a "No Contact Order," you should contact the Victim/Witness Assistance Program in the District Attorney's Office.

VICTIM/WITNESS PROGRAM

If you contact the Victim/Witness Assistance Program, they may be able to provide:

- Support and guidance through the court process.
- Help with your immediate needs after the crime.
- Referrals to local resources and services.
- Assistance with recovery of your "out of pocket" expenses, such as medical, mental health and wage loss.

SAFETY PLAN:

You may be victimized again in the near future. Having an escape plan can help you avoid such tragedy. If you find that you or your children are in danger from your partner, you must leave home and work out a plan which should include:

- Access to a hidden set of car keys.
- A hidden emergency fund, even if it is only one or two dollars stashed per week.
- A suitcase with a couple of changes of clothes for yourself and your children. Leave it with a trusted friend or hide it where your partner won't look. Include the following items:

RESTRAINING ORDERS

Under the "Resource" section you will find a list of agencies that can help you prepare and file restraining order documents to remove the abuser from your home, to keep the abuser away from you, or calling you, your family, work, children's school, and child care provider.

RESOURCES

SHELTERS

COMMUNITY HOMELESS SOLUTIONS	831-384-3388
Emergency Shelter (Salinas)	831-422-2201
YWCA (24-Hr Crisis Line)	831-372-6300
24-Hr Crisis Line	831-757-1001
Monarch Services	831-722-4532
Crisis Line	1-888-900-4232

RESTRAINING ORDER ASSISTANCE

California Rural Legal Assistance (CRLA)	
Salinas	831-757-5221
Toll free line	1-800-677-5221
Legal Services for Seniors	
Seaside	831-899-0492
Salinas	831-442-7700
YWCA	
Salinas	831-422-8602

COUNSELING, INFORMATION & REFERRAL

Community Human Services	
Family Service Center	831-757-7915
Runaway Youth 24-Hr Helpline	831-241-0914
Monterey County DA's Victim/Witness Program	
Salinas	831-755-5072
South County	831-385-8325
Probation Family Violence Unit	
Domestic Violence Unit	831-784-5799
Monterey County Rape Crisis Center	
24—Hour Hotline	831-375-4357
Monterey County Social Services	
Referrals	831-755-4650
Domestic Violence Services	831-755-4475
Family & Children's Services	831-755-4475
WIC	831-796-2888
YWCA	831-422-8602
Child Support Services	
24 hour statewide number:	1-866-901-3212
Toll-Free Information & Referral	**2-1-1**

Rev 11-19-2018 pjp

EPO-001 ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agency

LAW ENFORCEMENT CASE NUMBER

EMERGENCY PROTECTIVE ORDER *(See reverse for important notices.)*

1. **PROTECTED PERSONS** *(insert names of all persons protected by this Order)*: _____

2. **RESTRAINED PERSON** *(name)*: _____

Sex: ☐ M ☐ F Ht.: ____ Wt.: ____ Hair color: ____ Eye color: ____ Race: ____ Age: ____ Date of birth: ____

3. **TO THE RESTRAINED PERSON:**

a. ☐ **YOU MUST NOT** harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy any personal property of, disturb the peace of, keep under surveillance, or block the movements of each person named in item 1.

b. ☐ **YOU MUST NOT** contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.

c. ☐ **YOU MUST** ☐ stay away at least: ____ yards from each person named in item 1.

☐ stay away at least: ____ yards from ☐ move out immediately from *(address)*: _____

d. **YOU MUST NOT** own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition. If you have any firearms, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer.

e. **YOU MUST NOT** take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.

4. ☐ *(Name)*: _____ is given temporary care and control of the following minor children of the parties *(names and ages)*: _____

5. **THIS ORDER WILL EXPIRE AT THE CLOSE OF THE COURT BUSINESS DAY ON:** _____

INSERT DATE OF FIFTH COURT DAY OR SEVENTH CALENDAR DAY, WHICHEVER IS EARLIER. DO NOT COUNT DAY THE ORDER IS GRANTED

6. **TO THE PROTECTED PERSON:** If you need protection for a longer period of time, you must request restraining orders from the court in the county where you live:

(Name and address of court): _____

If you go to court to request restraining orders, take your copy of this form with you. If a juvenile petition is pending, file in that court.

7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

8. Judicial officer *(name)*: _____ granted this Order on *(date)*: _____ at *(time)*: _____

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are *(give facts and dates; specify weapons)*: _____

10. ☐ Firearms were: ☐ observed ☐ reported ☐ searched for ☐ seized

11. ☐ The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 3c.

12. ☐ The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 9. A custody order ☐ does ☐ does not exist.

By: _____ (PRINT NAME OF LAW ENFORCEMENT OFFICER) _____ (SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: _____ Telephone No.: _____ Badge No.: _____

PROOF OF SERVICE

13. Person served *(name)*: _____

14. I personally delivered copies of this Order to the person served as follows: Date: _____ Time: _____

Address: _____

15. At the time of service, I was at least 18 years of age and not a party to this cause. ☐ I am a California law enforcement officer.

16. My name, address, and telephone number are *(this does not have to be server's home telephone number or address)*: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

_____ (TYPE OR PRINT NAME OF SERVER) _____ (SIGNATURE OF SERVER)

Form Adopted for Mandatory Use
Judicial Council of California
EPO-001 [Rev. January 1, 2014]
Approved by DOJ

Family Code, §§ 6240–6275;
Penal Code, § 646.91
www.courts.ca.gov

********** VICTIM NOTIFICATION **********

(To be completed by Arresting Agency/Victim)

_____ _____

Arrestee's Name Booking Number

VICTIM'S NAME_____

TELEPHONE #1: _____ **TELEPHONE #2:** _____

ADDRESS _____

WORK ADDRESS _____

Arresting: Officer _____ **Agency**_____ **Date/Time** _____

TO THE VICTIM:

UPON RELEASE OF THE ARRESTEE, A GOOD FAITH EFFORT SHALL BE MADE TO NOTIFY YOU.

[ ] NOTIFICATION OF CONDITIONAL RELEASE RESTRAINING ORDER

The person arrested was charged with Penal Code 243(e)(1) or Penal Code 273.5. As a condition of release from jail, the arrestee cannot contact, molest, attack, strike, threaten, sexually assault, batter, telephone, or otherwise harass or disturb your peace. The arrestee must also stay 100 yards away from you, your home, and your work place. This Conditional Release Restraining Order will end on the date of the arrestee's arraignment. You may wish to consult an attorney about obtaining a permanent court restraining order.

[ ] NOTIFICATION OF EMERGENCY PROTECTIVE ORDER

The court has issued an Emergency protective Order. This Emergency Protective Order will end on the date stated in the order. You may wish to consult an attorney about obtaining a permanent court restraining order.

[ ] THERE IS NO CURRENT RESTRAINING ORDER IN EFFECT. You may wish to consult an attorney about obtaining one.

Pink = Jail (County/Releasing Agency)
Yellow = Arresting Officer
White = Victim

DOMESTIC VIOLENCE LETHALITY RISK ASSESSMENT FOR FIRST RESPONDERS

Commission on
Peace Officer Standards and Training (**POST**)
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

1. OFFICER	2. DATE	3. CASE#	4. ARRESTED ☐ YES ☐ NO

VICTIM INFORMATION	ABUSER INFORMATION
5. VICTIM NAME	9. ABUSER NAME
6. DOB	10. DOB
7. ADDRESS	11. ADDRESS
8. PHONE ( ) -	12. PHONE ( ) -

To the first responders: The Lethality Assessment should be administered to all victims of domestic violence to assess the level of danger and/or the severity of the situation. Law enforcement personnel or victim advocates should use their judgement to interpret the information which the victim provides. More "yes" answers to the Lethality Assessment questions indicate that the victim is more likely to experience continued violence, be severely injured, and/or killed. It is important to use the results of this assessment in a constructive way to help the victim plan for her/his safety and to make referrals to resources matching to the specific circumstances of the victim's situation. *We recommend this completed assessment be attached to the incident or crime report.*

To be read to the victim of domestic violence: "Domestic violence (DV) has many forms including physical, sexual, emotional and psychological abuse, stalking, and financial abuse. DV can be inflicted by a current or former partner. We are concerned about you because DV can affect your and your loved ones' (including your children) immediate safety, as well as short and long term physical and mental health. Furthermore, several risk factors have been associated with serious injury and homicide. We would like to ask you some questions about your current risks and history of abuse with the person who has abused you today. *The goal of this assessment is to help us learn more about your current risk of future serious harm by your abuser."*

☐ ***Check here if the victim refused to participate in the assessment.***

1. Has the abuser ever been arrested or convicted of domestic violence, hostage taking, stalking or abduction?	☐ Yes	☐ No	☐ Not Answered
2. Does the abuser have a history of domestic violence, hostage-taking, stalking, or abduction?	☐ Yes	☐ No	☐ Not Answered
3. Do you know whether the abuser has any violent history towards others?	☐ Yes	☐ No	☐ Not Answered
4. Has the abuser expressed thoughts or threats to harm or kill you, children, a loved one (family, friend, new partner, etc), or himself/ herself?	☐ Yes	☐ No	☐ Not Answered
5. Does the abuser have access to firearms or ever used or threatened to use a firearm against you?	☐ Yes	☐ No	☐ Not Answered
6. Has the abuser ever threatened to use or used another weapon or object to harm you?	☐ Yes	☐ No	☐ Not Answered
7. Does the abuser have a criminal history of the use of weapons (guns, knives, etc.)?	☐ Yes	☐ No	☐ Not Answered
8. Has the abuser ever used his/her hands or an object to choke, strangle, or suffocate you?	☐ Yes	☐ No	☐ Not Answered
9. Does the abuser have a history of arson or threats of arson?	☐ Yes	☐ No	☐ Not Answered
10. Does the abuser express jealousy or ownership over you?	☐ Yes	☐ No	☐ Not Answered

Commission on
Peace Officer Standards and Training (POST)
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

11. Does the abuser accuse you of infidelity?	☐ Yes	☐ No	☐ Not Answered
12. Does the abuser monitor or control your activities, where you go, who you interact with, or what you do? ("If I can't have you no one else can," "Death before divorce," etc.)?	☐ Yes	☐ No	☐ Not Answered
13. Does the abuser isolate you from family, friends and community life?	☐ Yes	☐ No	☐ Not Answered
14. Is the abuser severely depressed, (seeing little hope to live life)?	☐ Yes	☐ No	☐ Not Answered
15. Is the abuser unemployed?	☐ Yes	☐ No	☐ Not Answered
16. Has there been a recent escalation of the abuser's violence or risk behavior?	☐ Yes	☐ No	☐ Not Answered
17. Does the use of alcohol or drugs by the abuser exacerbate the violence or abuse?	☐ Yes	☐ No	☐ Not Answered
18. Has the abuser ever threatened or tried to commit suicide?	☐ Yes	☐ No	☐ Not Answered
19. Has the abuser been violent outside the home or in a public place?	☐ Yes	☐ No	☐ Not Answered
After advising the victim of the "high danger" assessment, was the victim offered assistance, referred to a victim advocate, or other resources (i.e. alternative shelter)?	☐ Yes	☐ No	☐ Unknown

Note: *The questions above and the criteria for determining the level of risk a victim faces are based on the best available factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence the risk for lethal violence that are not captured by this assessment. Most domestic violence victims who are assessed as being involved in a "high danger" situation would not be expected to be killed. However, these victims face a much higher risk than that of other victims of intimate partner domestic violence.*

PACIFIC GROVE POLICE DEPARTMENT

580 Pine Avenue
Pacific Grove, CA 93950
Telephone: 831-648-3143
Fax: 831-648-3163

CASE NUMBER:_____

VICTIM'S RIGHT TO CONFIDENTIALITY – 293 PC, 6254 GOV.CODE

GOVERNMENT CODE 6254(F)(2): The name of a victim of any crime defined by the following sections of the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor. Section 220 Assault with intent to commit mayhem or sex crimes, 261 Rape, 262 Rape of a spouse, 264 Unlawful sexual intercourse, 264.1 Conspiracy to sexually assault, 273a Cruelty to children, 273d Corporal injury upon a child, 273.5 Corporal injury inflicted upon a family, 286 Sodomy, 288 Sex offence against child or dependent adult, 288a Oral copulation, 289 Penetration genital or anal openings, 422.6 Discriminatory violation civil rights, 422.7 Discriminatory violation civil right – special circumstances, 422.75 Discriminatory felony violation of civil rights, or 646.9 Stalking

I, _____, have been advised by _____,
(name of victim) (name of officer)

that I have the right not to have my name and address become a matter of public record.

I ☐ **elect**, ☐ **do not elect** to exercise this right, per CPC Section 293.

Signature:_____ Date:_____

Witness:_____ Date:_____

This form is a confidential cover sheet which contains information this department will only release to the prosecutor. The following victim information will **not** be disclosed to anyone else.

Name (Last, First, Middle)	Occupation		Sex	Race	Birthdate
Residence Address Apt.	City	State/Zip		Home phone/cell phone	
Business Address	City	State/Zip		Business phone/pager no.	
Victim Vehicle (License #, State, Year, Make, Color)					
Emergency Contact (Name, Relationship, Address, Phone)					

PACIFIC GROVE POLICE DEPARTMENT
580 Pine Ave, Pacific Grove, CA 93950
(831) 648-3143 Fax (831) 648-3163

"Our community, your police"

MEDICAL RECORDS RELEASE AND WAIVER

I hereby authorize any doctor, hospital, clinic or other person to give to any peace officer or District Attorney investigator all facts or information pertaining to my medical history, waiving the privileged character of such information, however and whenever acquired, and I consent to any and all persons testifying as to such matters in any court.

I, _____, was treated at/by: _____
name doctor name or facility

on or about _____.
date

Name: _____ Social security #: _____ DOB: _____

Address: _____

City: _____ State: _____ Zip: _____

Signed: _____

Parent or guardian of minor: _____

Witness: _____

Date: _____ Time: _____ Case #: _____

Please mail report to:
Pacific Grove Police Department
580 Pine Avenue
Pacific Grove, CA 93950

Incident Rep# _____

RECEIPT AND NOTICE OF RIGHTS FOR CONFISCATED FIREARMS/OTHER DEADLY WEAPONS

☐ Pursuant to Welfare and Institutions Code section 8102, the firearms and/or other deadly weapons listed below were confiscated from you on _____{Date}

Mental Health Incidents – Notice of Rights

A report of the details surrounding the confiscation of these items may be given to the county prosecuting agency. The prosecuting agency must file a petition in the County Superior Court within 30 days of the above date, alleging that the return of these items would be likely to result in endangering you or others, or the items must be returned to you by the law enforcement agency if you are not prohibited from possessing firearms. If the prosecuting agency does file such a petition, you have the right to a hearing on the question of whether returning these items would, in fact, be likely to result in endangering you or others. A copy of the prosecuting agency's petition will be mailed to you at the address you provided to the law enforcement agency. If you wish to have a hearing, you must notify the clerk of the County Superior Court within 30 days of the filing date of the prosecuting agency' petition. The clerk will then set a date and time for such hearing and a notification will be mailed to you.

If you are detained under WIC 5150 and are subsequently involuntarily admitted to a mental health facility, you are prohibited from owning, possessing and controlling firearms for a period of five (5) years in California. If you currently own any firearms, you must contact the nearest law enforcement agency to surrender those firearms.

☐ Pursuant to Penal Code section 18250 PC, the firearms and/or other deadly weapons listed below were confiscated from you on _____(Date)

Domestic Violence Incident – Notice of Rights

Unless the items confiscated from you are to be used as evidence in any criminal procedure, the firearm(s) shall be made available to you from the law enforcement agency 5 business days after the seizure or as soon thereafter as possible. If, within this time, the law enforcement agency believes the return of these items will likely result in endangering the victim or person reporting domestic violence assault, you will be advised, and within 60-90 days of the seizure a petition will be initiated in Superior Court to determine if these items should be returned.

☐ Other _____ on _____
(Reason for confiscation) (Date)

List make, model, caliber, serial number and importer:

1._____

2._____

3._____

Any person who claims title to any firearm that is in the custody or control of a court or law enforcement agency and who wishes to have the firearm returned shall make application for determination by the Department of Justice as to whether he or she is eligible to possess a firearm (PC 33850). Prior to the return of any firearm to its owner, the individual seeking return of the firearm must submit a Law Enforcement Gun Release Application to the DOJ. The application is available at www.ag.ca.gov/firearms. It may take up to 30 days to process the application, If firearms are not claimed within 180 days of notification, that the firearm is available for return, the law enforcement agency may dispose of the firearm (PC 33875)

Pursuant to Penal Code section 33880 a local law enforcement agency may charge a storage fee for firearms. This storage fee is: First firearm - $20.00, each additional firearm $8.00. The per day storage fee is $1.00.

I acknowledge receipt of a copy of this notice.

_____
Date

_____
Signature of Person Notified

_____
DOB

I, _____ (Officers Name/Title) declare, under penalty of perjury under the laws of the State of California, that I served the above named person with a copy of the above notice, and this declaration is executed on _____ (Date)

at _____ (City), California

_____ _____
Signature of Officer Serving Notice ID#

☐ I recommend court petition for retention of firearms _____(Initials of Officer)

10/2013

Original– Law Enforcement Agency Copy – Person Notified

DV-200 Proof of Personal Service

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

(1) **Name of Person Asking for Protection:**

(2) **Name of Person to Be Restrained:**

(3) **Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items (1) or (3) of form DV-100, *Request for Domestic Violence Restraining Order.*
- Give a copy of all documents checked in (4) to the restrained person in (2). (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in (1).

(4) I gave the person in (2) a copy of all the documents checked:

a. ☐ DV-109 with DV-100 and a blank DV-120 *(Notice of Court Hearing; Request for Domestic Violence Restraining Order;* blank *Response to Request for Domestic Violence Restraining Order)*

b. ☐ DV-110 *(Temporary Restraining Order)*

c. ☐ DV-105 and DV-140 *(Request for Child Custody and Visitation Orders, Child Custody and Visitation Order)*

d. ☐ FL-150 with a blank FL-150 *(Income and Expense Declaration)*

e. ☐ FL-155 with a blank FL-155 *(Financial Statement (Simplified))*

f. ☐ DV-115 *(Request to Continue Hearing and Reissue Temporary Restraining Order)*

g. ☐ DV-116 *(Notice of New Hearing Date and Order on Reissuance)*

h. ☐ DV-130 *(Restraining Order After Hearing)*

i. ☐ Other *(specify)*: _____

(5) I personally gave copies of the documents checked above to the person in (2) on:

a. Date: _____ b. Time: _____ ☐ a.m. ☐ p.m.

c. At this address: _____

City: _____ State: _____ Zip: _____

(6) **Server's Information**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

(7) I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

_____
Type or print server's name

▶ _____
Server to sign here

PACIFIC GROVE POLICE DEPARTMENT — **DOMESTIC VIOLENCE SUPPLEMENT FORM** — **13700P.C.**

VICTIM'S NAME, (L,F,M) | DATE OF BIRTH | PGPD CASE NO.

ORIGIN / CRIME DESCRIPTION

I responded to a call of _____ at _____

I found the victim _____ The victim displayed the following emotional and physical conditions:

VICTIM — 13730PC:

- ☐ Angry
- ☐ Apologetic
- ☐ Fearful
- ☐ Hysterical
- ☐ Calm
- ☐ Afraid
- ☐ Irrational
- ☐ Nervous
- ☐ Threatening
- ☐ Other: Explain

- ☐ Comp of Pain
- ☐ Bruise(s)
- ☐ Abrasion(s)
- ☐ Minor Cut(s)
- ☐ Laceration(s)
- ☐ Fracture(s)
- ☐ Concussion(s)
- ☐ Other: Explain

Explain

OPPOSITES In narrative

Weapons:
- ☐ Firearm
- ☐ Knife
- ☐ Other

Influence:
- ☐ Alcohol
- ☐ Drugs

SUSPECT

- ☐ Angry
- ☐ Apologetic
- ☐ Fearful
- ☐ Hysterical
- ☐ Calm
- ☐ Afraid
- ☐ Irrational
- ☐ Nervous
- ☐ Threatening
- ☐ Other: Explain

- ☐ Comp of Pain
- ☐ Bruise(s)
- ☐ Abrasion(s)
- ☐ Minor Cut(s)
- ☐ Laceration(s)
- ☐ Fracture(s)
- ☐ Concussion(s)
- ☐ Other: Explain

Explain

OPPOSITES In narrative

Weapons:
- ☐ Firearm
- ☐ Knife
- ☐ Other

Influence:
- ☐ Alcohol
- ☐ Drugs

DESCRIBE ALL CONDITIONS OBSERVED, PHYSICAL, EMOTIONAL AND CRIME SCENE

RELATIONSHIP BETWEEN VICTIM AND SUSPECT
MARK ALL THAT APPLY

- ☐ SPOUSE
- ☐ FORMER SPOUSE
- ☐ COHABITANTS
- ☐ FORMER COHABITANTS
- ☐ DATING / ENGAGED
- ☐ FORMER DATING
- ☐ SAME SEX
- ☐ EMANCIPATED MINOR
- ☐ PARENT OF CHILD FROM RELATIONSHIP

LENGTH OF RELATIONSHIP

_____ YEAR(S) _____ MONTH(S)

IF APPLICABLE, DATE RELATIONSHIP ENDED:

_____

PRIOR HISTORY OF DOMESTIC VIOLENCE? ☐ YES ☐ NO

PRIOR HISTORY OF VIOLENCE DOCUMENTED? ☐ YES ☐ NO

NUMBER OF PRIOR INCIDENTS ☐

☐ MINOR ☐ SERIOUS

Case Number(s) _____

Investigating Agency:

MEDICAL TREATMENT

- ☐ NONE
- ☐ WILL SEEK OWN DOCTOR
- ☐ FIRST AID
- ☐ PARAMEDICS
- ☐ HOSPITAL
- ☐ REFUSED MEDICAL AID

PARAMEDICS AT SCENE: ☐ YES ☐ NO

UNIT NUMBER _____

NAMES AND ID#:

_____

HOSPITAL:

_____

ATTENDING PHYSICIAN(S)

_____

EVIDENCE

EVIDENCE COLLECTED:

FROM: ☐ CRIME SCENE ☐ HOSPITAL ☐ OTHER: EXPLAIN

PHOTOS: ☐ YES ☐ NO NUMBER_____

TYPE: ☐ 35mm ☐ POLAROID

TAKEN BY:_____

DESCRIBE ALL PHOTOGRAPHS

Photo's of victims injuries: ☐ YES ☐ NO

Photo's of suspect's injuries: ☐ YES ☐ NO

Weapons used during incident: ☐ YES ☐ NO

Type of Weapon used:_____

Weapon(s) impounded: ☐ YES ☐ NO

Firearm(s) impounded for safety: ☐ YES ☐ NO

Property Tag Number:_____

DESCRIBE ALL EVIDENCE AND DISPOSITION

☐ SEE EVIDENCE FORMS

REPORTING OFFICER	ID NUMBER	Date and Time:	Approved by: (Name and ID#)

WITNESSES

WITNESSES PRESENT DURING DOMESTIC VIOLENCE? ☐ YES ☐ NO

STATEMENT(S) TAKEN? ☐ YES ☐ NO

CHILDREN PRESENT DURING DOMESTIC VIOLENCE? ☐ YES ☐ NO. NUMBER PRESENT?_____ AGE(S)_____

STATEMENTS TAKEN? ☐ YES ☐ NO

WITNESS INFO LISTED ON REPORT? ☐ YES ☐ NO

RESTRAINING ORDERS: ☐ YES ☐ NO ☐ CURRENT ☐ EXPIRED

TYPE: ☐ EMERGENCY ☐ TEMPORARY ☐ PERMANENT

ISSUING COURT:_____

ORDER OR DOCKET NUMBER:_____

VICTIM GIVEN:

☐ DOMESTIC VIOLENCE INFORMATION SHEET

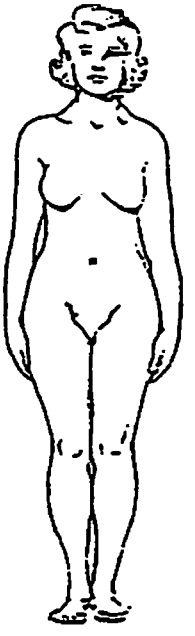
☐ PGPD CRIME CASE NUMBER

☐ PGPD INVESTIGATIONS PHONE NUMBER

VICTIM WILL BE AT TEMPORARY ADDRESS? ☐ **YES, MEMORANDUM ATTACHED** ☐ **NO**

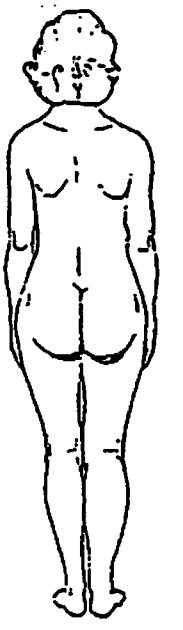
PLEASE INDICATE ON THE DIAGRAM(S) THE LOCATION OF ANY INJURIES.

V. S. ?

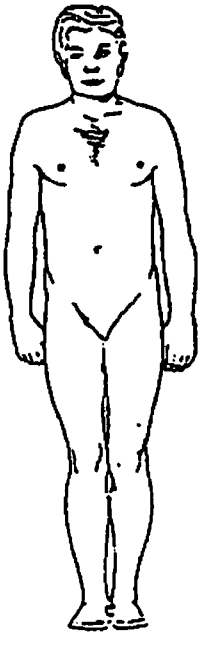


HT._____

WT._____

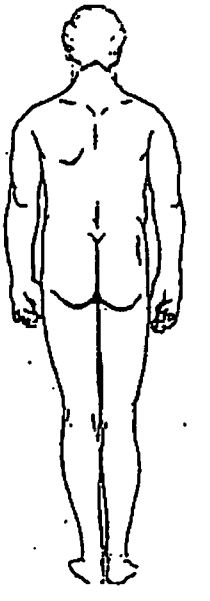


V. S. ?



HT._____

WT._____



☐ Continued on report narrative

Form 27

Revised 5/5/2015

DOMESTIC VIOLENCE CHECKLIST

Case: PG_____

Officer #:_____

☐ **Offer to call Victim Advocate at time of report.**

-YWCA (24 hrs) 831-372-6300

☐ **Provide DV Victim:**

Resource Packet

(Marsy's Card/DA's Victim Assistance Program/DV Resource Info

Fill out Marsy's card with: Officer name and case number

☐ **Complete:**

293 PC Victim Confidentiality

Medical Release Waiver (if medical attention is needed)

EPO (If requested when offered)

Victim Notification (If arrest made)

TURN COMPLETED CHECKLIST IN TO RECORDS

PGPD Domestic Violence Procedure Checklist

Check box if completed/applicable

- ☐ Offer to call Victim Advocate at scene – YWCA 24 hrs. 831-372-6300
- ☐ Provide victim a Marsy's Card/DA's Victim Assistance Program/ DV Resource Info
- ☐ Emergency Protective Order (EPO-001)
- ☐ DV Victim Notification form (jail form)
- ☐ Read to victim and complete Lethality Assessment form [Senate Bill 1331 and 40]
- ☐ Victim Confidentiality 293 PC form
- ☐ Medical records release and waiver
- ☐ Receipt and notice of rights for Confiscated Firearms/other deadly weapons
- ☐ DV-200 Proof of personal service of EPO
- ☐ DV body injury documentation form
- ☐ No arrest by officer? Advise victim of right to make a private person's arrest [PGPD DV policy 310/ 836 (b) PC]
- ☐ Domestic violence checklist (CALEA card)

Scan to case PG_____

Form completed by _____

Officer Name, Badge Number, Date

PACIFIC GROVE POLICE DEPARTMENT
A: 580 PINE AVENUE, PACIFIC GROVE, CA 93950 P: (831) 648-3143 E: PGPDRECORDS@CITYOFPG.ORG

Operations Training Bulletin
August 16, 2019
Missing Persons

Definitions:

Any person who is reported missing to a law enforcement agency until the person is located or determined to be a voluntary missing adult. It also includes any child who is missing voluntarily or involuntarily, or under circumstances not conforming to his/her ordinary habits or behavior and who may be in need of assistance.

Catastrophic Missing:
- Child or adult who is reported missing and assumed to be a victim of some type of disaster (fire, flood, earthquake, tsunami, terrorist attack, etc.)

Dependent adult:
- Adult who is reported missing and who has physical or mental limitations, e.g., dementia, Alzheimer's disease, autism (which restricts their abilities to carry out normal activities)

Lost:
- Child or adult who is reported to have strayed away and whose whereabouts is unknown

Parent / Family Abduction:
- Child who is taken, detained, concealed, enticed away, or retained by a parent/family member or person at the request of the parent

Runaway:
- A child under the age of 18 years of age who is reported missing but has left of their own free will or had been rejected or "thrown away" by their family

Stranger Abduction:
- Child or Adult who is taken or abducted against their will by an unknown person or a known person who is not a family member

Suspicious Circumstances:
- Child or Adult who is reported missing, and the circumstances give rise to believe that:
  - Foul play may be involved
  - The person is a danger to self or others (due to mental, physical, or emotional condition)
  - The disappearance is out of character for the individual and no known reason can be determined

Unknown:
- Child or adult who is reported missing, but there are insufficient facts to determine the circumstances

Voluntary Missing Adult:
- Adult who is reported missing, but who has left on their own free will

"At Risk":
- "At risk" per PC 14215 includes, but is not limited to, the person missing being a victim of a crime or foul play, in need of medical attention, has no pattern of running away or disappearing, the victim of parent/family abduction, or mentally impaired.

Practices:

Officers, or other designated personnel who take the initial call, by phone, in person, or by electronic media, should determine if the call is a missing person case according to the definitions of a missing person.

Reporting parties and families of missing persons often experience feelings of helplessness and anxiety. Officers, or other designated personnel dealing with these persons should be sensitive to those feelings, and respond appropriately.

Confirmation of responsibility for acceptance of report, priority in handling, and agency notification.

1. It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or runaway. A report shall be accepted regardless of jurisdiction.

2. If the California Highway Patrol (CHP) is contacted, including by phone, by someone wishing to make a report of a missing person, the CHP may take a report. After taking the report, the CHP shall immediately advise the reporting party of the name and phone number of the police or sheriff's department having jurisdiction over the residence of the missing person and the place where the missing person was last seen.

3. In cases where the initial missing person report is taken by the department other than that of the city or county of residence of the missing person, the department taking the report shall, without delay, notify and forward a copy of the report to the police or sheriff's department(s) having jurisdiction of the resident address of the missing person and of the place the missing person was last seen.

    a. When dealing with missing person jurisdictional issues, it is not uncommon for multiple agencies to be involved in the same case. It is essential that agencies work closely together in order to enhance, and not impede, the investigation of the case.

4. Officers or other designated personnel shall give priority to the handling of missing person cases, including runaways, over reports relating to crimes involving property.

    a. The intent of this guideline is to ensure that missing person cases are given appropriate priority over property-related cases
    b. Special attention should be given to reports of missing children or for persons with physical or mental limitations. These persons are at greater risk of harm
    c. A common myth that 24 hours (or any other time frame) must pass before law enforcement will accept a missing person report in incorrect. A delay in reporting may indicate the existence of neglect or abuse within the family

Officer's initial contact: making an assessment at the scene

1. Officers or designated personnel should interview, the reporting party and any witnesses to determine:

    a. That this is a missing person case
    b. If the person may be at risk – or existence of any suspicious circumstances
    c. If there is any potential crime scene area and/or potential witnesses

2. Many times, parents or guardians are anxious to assist law enforcement in the initial phase of the investigation and they will want to provide additional documents to assist in locating the missing person. Besides obtaining a photograph of the missing person, additional items such as fingerprint cards obtained through community fair projects, items containing DNA samples of the missing person, or other related documents may be offered voluntarily by the family. It is recommended that responding officers accept these items and properly document their collection in their reports.

Making a further assessment to determine what reasonable steps should be taken to locate missing person.

1. Based upon the law, circumstances of each case, and departmental policy, appropriate actions should minimally include:

    a. Obtaining a description of missing person
    b. Broadcast of a "Be On the LookOut" (BOLO) bulletin within its jurisdiction if the person is under 16 years of age, or there is evidence that the missing person is at risk. The BOLO should be broadcast without delay.
2. Determine if the missing person fits the mandatory criteria for an **AMBER Alert**. The criteria are:
    a. Child must be under the age of 18, or proven mental or physical disability

    b. Belief the child is in imminent danger or bodily injury or death

    c. Must have accurate information on at least one of the following:

        i. Description of child **or**
        ii. Description of suspect **or**
        iii. Description of vehicle

    d. If the above criteria are met, and there is no extenuating investigative need that dictates otherwise, the Emergency Alert System (EAS) should be activated.

3. Determine if the missing person fits the mandatory criteria for a **Silver Alert**. The criteria are:
    a. The missing person is 65 years of age or older, developmentally disabled or cognitively impaired
    b. The investigating agency has utilized all available local resources
    c. The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances
    d. The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril
    e. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person

4. If the missing person does not fit the criteria, officers should determine which of the many other tools available would be most appropriate for transmitting information and photographs to other officers, the media and the public.

5. Consider calling a supervisor and/or investigator to the scene.

6. Thoroughly search the immediate and surrounding area in a logical and systematic manner:

    a. Process any potential crime scene for evidence
    b. Identify and interview potential witnesses
    c. Consider the last known location of the missing person and any likely locations where the person may have gone
    d. Consider using additional resources to assist in the search:
        i. Federal Bureau of Investigation (FBI)
        ii. California Emergency Management Agency (Cal EMA)
        iii. Department of Justice (DOJ)
        iv. Critical Reach, National Center for Missing and Exploited Children (NCMEC)

7. Consider notifying other agencies for assistance in locating the missing person in their related jurisdictions.

    a. The agency where the missing person was last seen may initiate the investigation
    b. It is essential that agencies work together to enhance the success of the investigation

8. Request voluntary assistance from the family or reporting party in obtaining initial items of evidence belonging to the missing person such as:

    a. Recent photographs
        i. Try to also obtain an additional photograph depicting the missing person smiling with their teeth showing (beneficial for assisting dental comparison and identification.

    b. Personal clothing, bedding, personal hygiene items that may contain DNA with evidentiary value

    c. Any personal items that may contain the missing person's scent (for search dogs):

        i. Suggested items include hat, comb/brush, socks, under garments, etc., that were recently worn
        ii. Items taken from a family laundry hamper, containing a mix of family member's clothing may not be beneficial
        iii. Such "scent articles" should be placed in a clean paper bag using clean gloves

    d. Personal electronic devices (cell phones, or cell phone number for tracking purposes, computers, and any online resources such as: screen names, email sources, websites they may frequent, etc.)

9. Obtain a list of persons known by the missing person e.g, friends, co-workers, acquaintances, associates, etc.

10. Obtain a list of locations frequented by the missing person

Additional information to consider:

1. Obtain the missing persons mental health history if available
2. Family dynamics / History
3. Missing persons marriage / dating status-history (recent break up, divorce)
4. Was the missing person a recent victim of a crime
5. Is the missing person wanted for crimes (warrants / open court cases)
6. Civil cases (does the missing person have any civil cases that may cause distress)
7. Obtain the missing persons social media account information if available (user names / passwords)

Additional resources to consider:

1. Consider calling other county dispatch centers for resources such as Search and Rescue, Community Resource Teams, K-9 units for article / cadaver searches, Aerial Drone searches, Fire Departments with FLIR or Night Vision devices

Missing person reports must be entered into the Department of Justice's Missing Person System (MPS) within two (2) hours.

1. Information regarding missing persons under the age of 21, or where there is evidence that the person is "at risk", shall be entered into DOJ Missing Person System (MPS) within two hours by the agency taking the report

2. The agency taking the initial report should make the MPS entry

When a missing person report is taken, the agency shall promptly notify and send a copy of the report to the department that has jurisdiction over the missing person's resident address and to the agency where the missing person was last seen.

1. Officers or other designated personnel who take a missing person report on a person who resides outside their department' jurisdiction shall, without delay, notify and forward a copy of that report, when completed, to the police or sheriff's department having jurisdiction over the missing person's residence and where the missing person was last seen.

2. It may also be appropriate to notify the agency having jurisdiction of the missing person's intended destination.

PC14211 requires the agency taking the initial missing person report to notify and send copies of the report to the department that has jurisdiction over the missing person's resident address and to the agency where the missing person was last seen.

It is **recommended** that the initial investigation should be handled by the agency of jurisdiction where the missing person was last seen. This includes entry of the missing person into the Department of Justice's MPS and coordinating a bilateral investigation with the agency of the missing person's residence. Once this agency has exhausted all investigative leads, the case should be transferred to the agency that has jurisdiction over the missing person's residence. This would include making the proper computer notation with the Department of Justice as to the agency responsible for the investigation. Any future leads should be routed to the agency with jurisdiction based on the missing person's residence.

References:

Missing Persons Investigation Guidelines / Peace Officer Standards and Training (POST)
Pacific Grove Police Department Lexipol Policy 314

Detective Paul Nagamine

PACIFIC GROVE POLICE DEPARTMENT
A: 580 PINE AVENUE, PACIFIC GROVE, CA 93950 P: (831) 648-3143 E: PGPDRECORDS@CITYOFPG.ORG

Operations Training Bulletin
June 26, 2019
Community-Policing

Definitions:

Community policing is a philosophy that promotes organizational strategies that support systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Practices:

There are ways to incorporate community policing activities into your work as a beat officer. If you make these practices a regular part of your beat work, you will increase your effectiveness as a police officer.

1. Service Calls: Perform complete criminal investigations, including physical evidence and photos, and offer thorough public assistance during service calls. Providing sincere and meaningful help to members of the public who request our assistance is the best way to build public trust as well as the most likely means of generating quality arrests that improve public safety. At the conclusion of your calls and cases and if appropriate, let the reporting party know the outcome.

2. School Checks: Protecting children and the facilities they use is a high priority. Be visibly present when school begins and ends. Contact crossing guards, yard duty personnel and principals to introduce yourself and check-in occasionally. Check on schools after-hours to prevent vandalism, burglary and loitering.

3. Park Checks: People should feel safe in our public spaces. If they don't, people who abuse park rules and norms will make the park their own. Frequent checks in parks and proactive positive contacts will make the parks feel safer and more enjoyable for people to use. Report graffiti and vandalism to the Parks Department as soon as you see it so it does not become the norm or invite further abuse.

4. Business Contacts: Business owners, managers and clerks are easy to find and engage, have an interest in maintaining public order around their stores, and regularly see and know people in your beat. Get to know the people working at high-use businesses to establish relationships before the problems occur.

5. Patrol Service Plans: Actively participate in PSP's in your area and report your efforts to your supervisor. The PSP is our way of sustaining coordinated activities across shifts and teams in order to produce better results.

6. Directed Patrol Assignments: DPA's are generated by administration, sergeants, and officers to direct defined patrol functions at specific locations and times.

7. Foot Patrol: The car is a barrier between us and the public. Getting out of the car is important to know your beat, meet people and see your beat from a different perspective.

8. Crime Trends: You should know more about crime in your beat than anyone else. In addition to your experience, familiarize yourself with the numbers and types of crimes occurring in your beat. If you know the numbers, you can take actions to reduce them and know whether your actions are effective.

9. Community Connectors: Faith-based leaders, school principals, coaches, and neighborhood organizers are examples of connectors – people who know and influence a disproportionately high number of others. Because these people communicate with others so often, they provide a snapshot of how people are feeling on issues of concern. Seek out these people in your beat, introduce yourself, and check-in occasionally.

10. Community Events: Attend events occurring in your beat, if only for a few minutes. Ask organizers if they anticipate any problems or issues. Alert organizers to any problems or issues you anticipate to reduce impact on your beat.

References:

USDOJ Community Oriented Policing Services

Detective Paul Nagamine

PACIFIC GROVE POLICE DEPARTMENT
MEMORANDUM

Operations Training Bulletin
August 10, 2019
Deaf and Hard of Hearing

Facts:

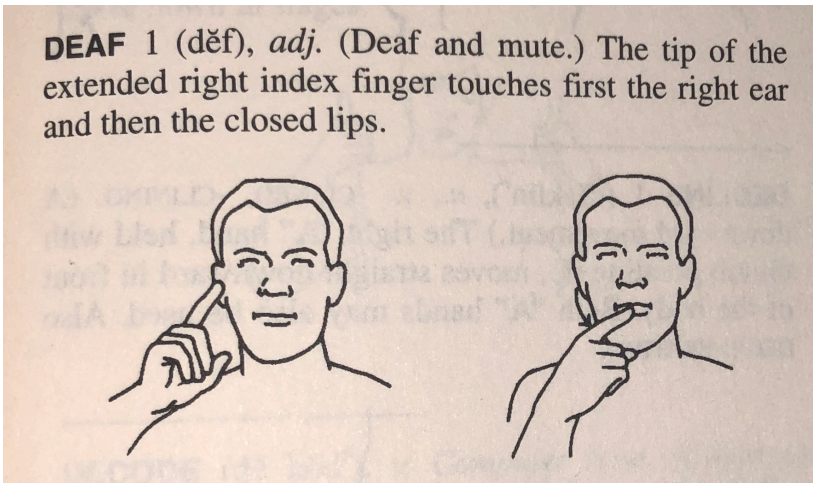
Patrol officers with the Pacific Grove Police Department respond to calls for service that may involve parties that may be Deaf or Hard of Hearing.

Discussion:

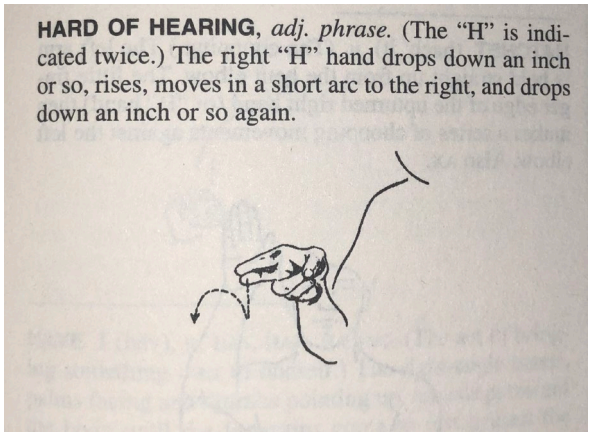
Speaking with those that are either Deaf or Hard of Hearing can be challenging and overwhelming for officers not prepared to have a conversation with someone either Deaf or hard or hearing. This Operational Training Bulletin is intended to assist officers in obtaining pertinent information as well as ensuring the Pacific Grove Police Department is in compliance of Federal Law and ADA Title II.

In contacting someone that is Deaf or Hard of Hearing, it's important get their attention, speak clearly and look directly in their eyes when speaking with them. Often your facial expressions will indicate your tone in the conversation. Also, establish the best mode of conversation with them. It's important to establish if they are either Deaf or Hard of Hearing. If a person is Hard of Hearing, or capable of lip reading, it's imperative to speak clearly and annunciate.

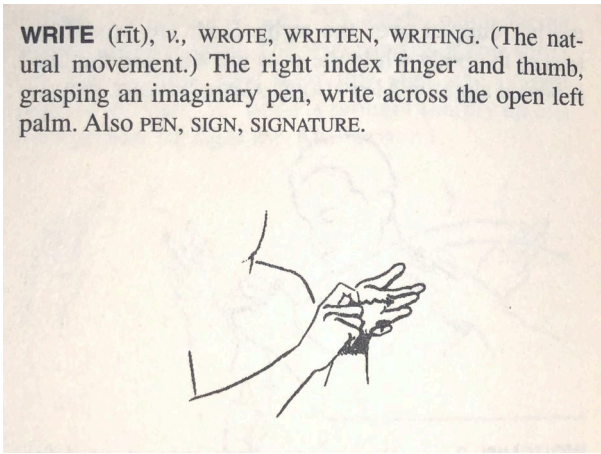
To ask if someone is Deaf;

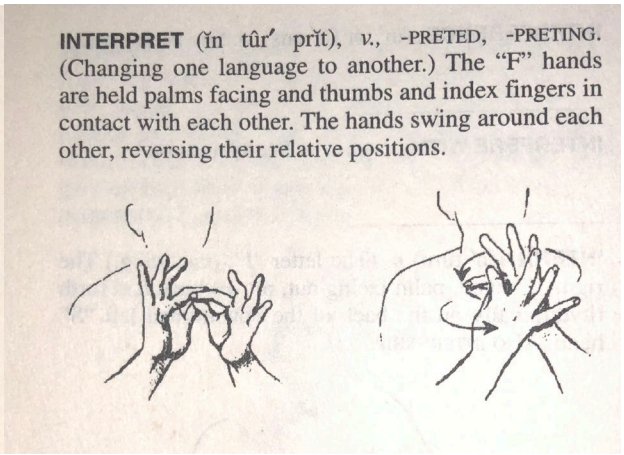


To ask if someone is Hard of Hearing;



To ask if they would like to communicate by either writing or interpreting;





When communicating with a person that's Deaf or Hard of Hearing, it's important to look at them in the face when you are speaking with them. Try to communicate with them in an area where background noise is minimal. And if they request information in writing, use a notepad and pen. If a Deaf or Hard of Hearing person requests an interpreter, call Interpreting Services of Central California (ISCC) at 559-225-3382 during business hours or 559-375-0902 which is an emergency number. Per DHHSC, an interpreter is not required unless a traffic stop becomes complicated.

PACIFIC GROVE POLICE DEPARTMENT

MEMORANDUM

Tips for communicating with Deaf people;

- Do not yell or speak loudly.
- Ask the Deaf Person for preferred communication method.
- If the Deaf person needs an ASL interpreter, can you provide one?
- If the deaf person wishes to communicate in writing, please write clearly.
- If the Deaf person wants to lip-read (and has the skill to do so), then speak normally but enunciate clearly.
- If communication is not working, be willing to change strategies.
- Follow the Deaf person's guidance.
- Ask questions to understand.
- If the person has some hearing, reduce background noise.
- Make sure the space is well-lit.
- Don't leave out information.
- Check for the Deaf person's understanding.
- If you are misunderstood, try rephrasing.
- Use different words with the same meaning.
- Maintain eye contact.
- Be patient.

Tips for communicating with an interpreter (Per DHHSC);

- Face and speak directly to the Deaf or Hard of Hearing person.
- Do not use phrases such as "Tell him" or "Please explain to her."
- Speak at a normal pace. The interpreter will let you know to slow down, if needed.
- Make sure that the room has enough lighting for the Deaf person to see the interpreter clearly and vice versa.
- Understand that the interpreter will not censor the information.
- Avoid personal conversations with the interpreter.
- Allow time for the interpreter to interpret what you say and for the Deaf person to respond.
- If a Deaf or Hard of Hearing person requests an interpreter, call Interpreting Services of Central California (ISCC) at 559-225-3382 during business hours or 559-375-0902 which is an emergency number.

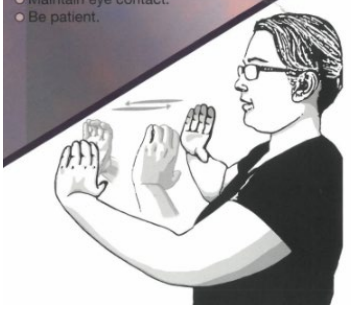
PACIFIC GROVE POLICE DEPARTMENT

MEMORANDUM

Below, are three different brochures that will be in Records in the coming days for those deaf and hard of hearing to utilize if they come in contact with Law Enforcement. Familiarize yourself with them;

TIPS FOR COMMUNICATING WITH DEAF PEOPLE

- Do not yell or speak loudly.
- Ask the Deaf person for preferred communication method.
- If the Deaf person needs an ASL interpreter, can you provide one?
- If the Deaf person wishes to communicate in writing, please write clearly.
- If the Deaf person wants to lip-read (and has the skill to do so), then speak normally but enunciate clearly.
- If communication is not working, be willing to change strategies.
- Follow the Deaf person's guidance.
- Ask questions to understand.
- If the person has some hearing, reduce background noise.
- Make sure the space is well-lit.
- Don't leave out information.
- Check for the Deaf person's understanding.
- If you are misunderstood, try rephrasing.
- Use different words with the same meaning.
- Maintain eye contact.
- Be patient.



I am Deaf or Hard of Hearing

To communicate with me, please:

- Get my attention and look at me in the face when speaking to me. If background noise is present, please continue communication in a quieter area.
- Use a notepad and pen because I cannot understand what you are saying.
- Get a certified sign language interpreter by calling: Interpreting Services of Central California (ISCC) at (559) 225-3382 during business hours or (559) 375-0902, which is the emergency phone. ISCC can also be reached by emailing interpreting@dhhsc.org

(Note: An interpreter is not required unless a traffic stop becomes complicated.)

Federal Law requires access through "Effective Communication" be provided to the Deaf and Hard of Hearing. Titles I, II, and III of Americans with Disabilities Act (ADA) & Section 504 of the Rehabilitation Act of 1973

Service provider: If you have questions regarding your responsibility to provide reasonable accommodations, please visit www.dhhsc.org to contact closest DHHSC office or contact the U.S. Department of Justice ADA information line at (800) 514-0301 (Voice) or (800) 514-0383 (TTY).

Employment Communication, ADA Title I.

Communication with City, County, and State agencies, including Law Enforcement, ADA Title II.

Communication with public accommodations, including non-profit agencies, and businesses including, but not limited to, medical service providers, schools, lawyers, and providers of financial services, Title III.

Section 504 of the Rehabilitation Act of 1973 applies to federal and federally-funded services.

Provided courtesy of Deaf & Hard of Hearing Service Center, Inc. (DHHSC)
www.dhhsc.org

I am Deaf or Hard of Hearing

To communicate clearly with me, please use the method of communication that I point to.

- Please get my attention, speak clearly and look directly at my face when speaking to me. (Background sounds such as passing traffic, your police radio or people talking, make it hard for me to understand you, can we please move to a quieter area and communicate more there without as much background sounds?)
- Please use a note pad and pen, because I cannot understand what you are saying
- Please obtain a Certified Sign Language Interpreter by calling:

(A Sign Language Interpreter is not required for communications during a routine traffic stop, unless it progresses beyond being a simple traffic stop)

Interpreting Services of Central California
(559) 225-3382 (Voice) or interpreting@dhhsc.org

Emergency & Immediate Interpreter Needed Cell
(559) 375-0902

Please see the back of this card regarding my right to "effective communication" under the law, thank you.

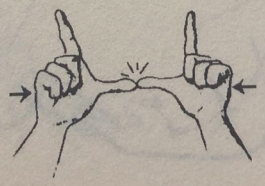
This card provided as a courtesy by the non-profit Deaf & Hard of Hearing Service Center, Inc. (DHHSC)

Fresno — (559) 225-3323 (V) (559) 225-0415 (TTY)
Salinas - (831) 753-6540 (V) (831) 753-6541 (TTY)
Merced - (209) 726-7783 (V) (209) 726-7786 (TTY)

Definitions:

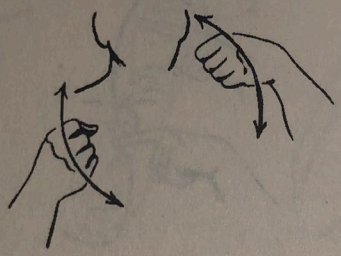
Below are common words to consider if needing to communicate through American Sign Language;

LICENSE 2 (*loc.*), *n.* (The "L" hands outline the dimensions of the license form.) The "L" hands, palms out, touch at the thumbtips several times.



STOP (stŏp), *v.*, STOPPED, STOPPING, *n.* (A stopping or cutting short.) The little finger edge of the right hand is thrust abruptly into the upturned left palm, indicating a cutting short. Also ARREST 2, CEASE, HALT.

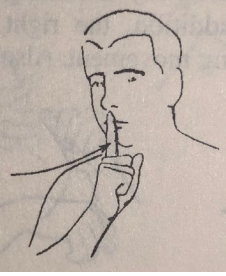
DRIVE (drīv), *v.*, DROVE, DRIVEN, DRIVING, *n.* (The steering wheel.) The hands grasp an imaginary steering wheel and manipulate it. Also AUTOMOBILE, CAR.



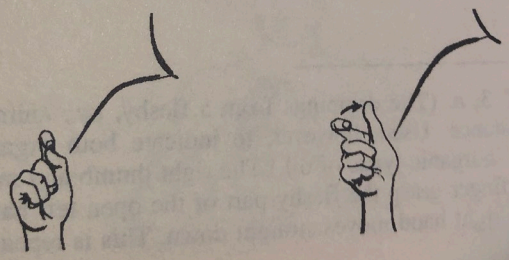
PACIFIC GROVE POLICE DEPARTMENT

MEMORANDUM

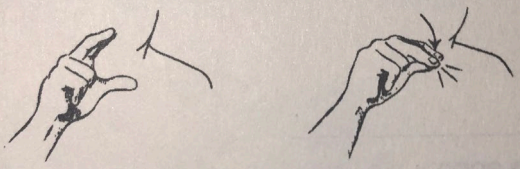
CALM 2, *adj.* (The natural sign.) The index finger is brought up against the pursed lips. Also BE QUIET 1, HUSH, NOISELESS, QUIET 1, SILENCE 1, SILENT, STILL 2.



FAST 1 (făst), *adj.* (A quick movement.) The thumbtip of the upright right hand is flicked quickly off the tip of the curved right index finger, as if shooting marbles. Also IMMEDIATELY, QUICK, QUICKNESS, RAPID, RATE 1, SPEED, SPEEDY, SWIFT.



NO 2, *interj.* (The letters "N" and "O.") The index and middle fingers of the right "N" hand are held raised and are then lowered against the extended right thumb in a modified "O" position.



YES (yĕs) (*colloq.*), *adv., n.* (The nodding.) The right "S" hand, imitating the head, nods up and down.

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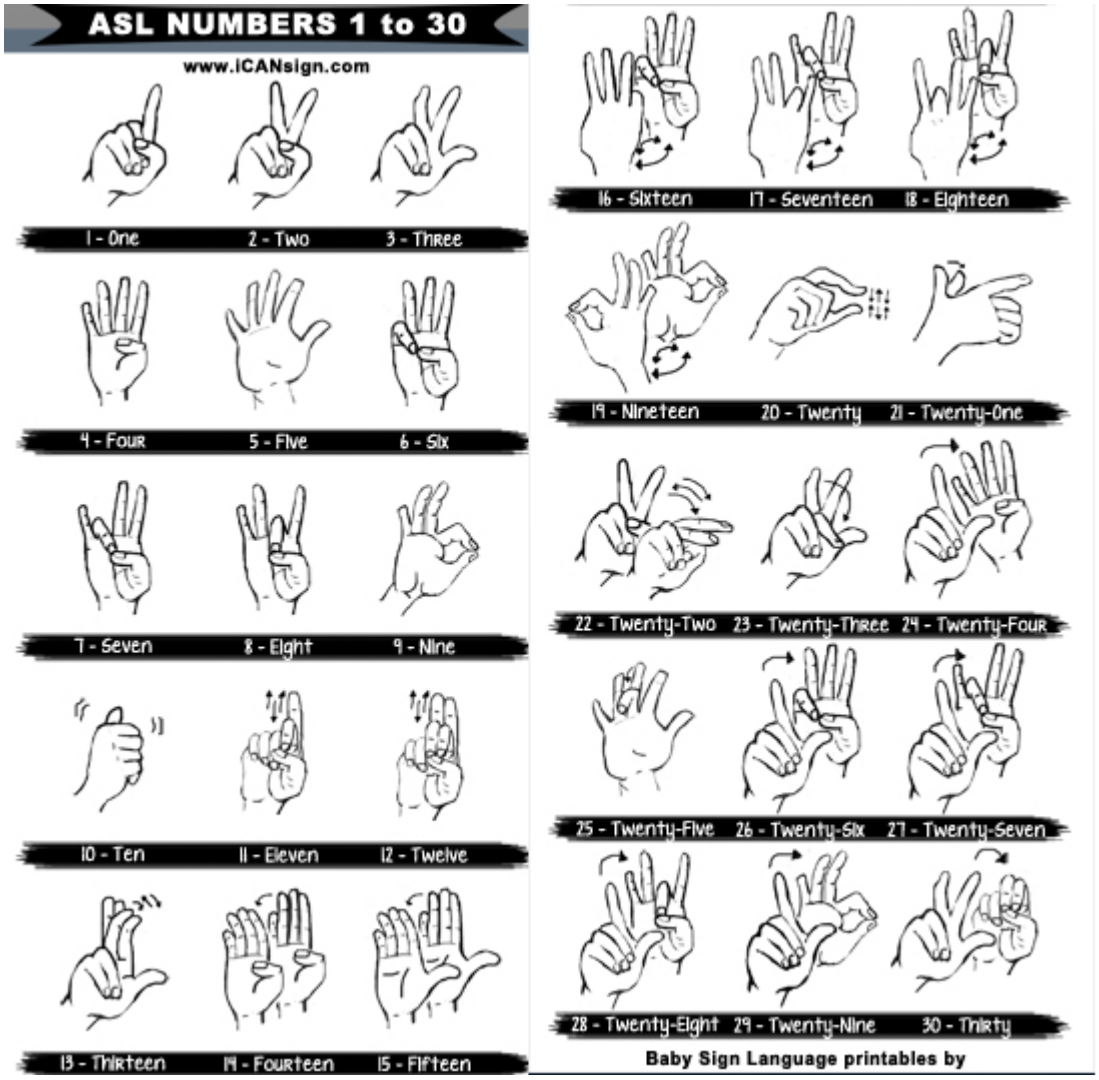
MEMORANDUM



References/Resources:

American Sign Language Dictionary – Third Edition

https://www.youtube.com/watch?v=gDLJHfvjNq0

DHHSC.ORG
Central Coast Outreach Office
36 Quail Run Circle, Ste 100-T
Salinas Ca 93907 831-753-6540

#1983

PACIFIC GROVE POLICE DEPARTMENT
A: 580 PINE AVENUE, PACIFIC GROVE, CA 93950 P: (831) 648-3143 E: PGPDRECORDS@CITYOFPG.ORG

Operations Training Bulletin
August 16, 2019
Missing Persons

Definitions:

Any person who is reported missing to a law enforcement agency until the person is located or determined to be a voluntary missing adult. It also includes any child who is missing voluntarily or involuntarily, or under circumstances not conforming to his/her ordinary habits or behavior and who may be in need of assistance.

Catastrophic Missing:
- Child or adult who is reported missing and assumed to be a victim of some type of disaster (fire, flood, earthquake, tsunami, terrorist attack, etc.)

Dependent adult:
- Adult who is reported missing and who has physical or mental limitations, e.g., dementia, Alzheimer's disease, autism (which restricts their abilities to carry out normal activities)

Lost:
- Child or adult who is reported to have strayed away and whose whereabouts is unknown

Parent / Family Abduction:
- Child who is taken, detained, concealed, enticed away, or retained by a parent/family member or person at the request of the parent

Runaway:
- A child under the age of 18 years of age who is reported missing but has left of their own free will or had been rejected or "thrown away" by their family

Stranger Abduction:
- Child or Adult who is taken or abducted against their will by an unknown person or a known person who is not a family member

Suspicious Circumstances:
- Child or Adult who is reported missing, and the circumstances give rise to believe that:
  - Foul play may be involved
  - The person is a danger to self or others (due to mental, physical, or emotional condition)
  - The disappearance is out of character for the individual and no known reason can be determined

Unknown:
- Child or adult who is reported missing, but there are insufficient facts to determine the circumstances

Voluntary Missing Adult:
- Adult who is reported missing, but who has left on their own free will

"At Risk":
- "At risk" per PC 14215 includes, but is not limited to, the person missing being a victim of a crime or foul play, in need of medical attention, has no pattern of running away or disappearing, the victim of parent/family abduction, or mentally impaired.

Practices:

Officers, or other designated personnel who take the initial call, by phone, in person, or by electronic media, should determine if the call is a missing person case according to the definitions of a missing person.

Reporting parties and families of missing persons often experience feelings of helplessness and anxiety. Officers, or other designated personnel dealing with these persons should be sensitive to those feelings, and respond appropriately.

Confirmation of responsibility for acceptance of report, priority in handling, and agency notification.

1. It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or runaway. A report shall be accepted regardless of jurisdiction.

2. If the California Highway Patrol (CHP) is contacted, including by phone, by someone wishing to make a report of a missing person, the CHP may take a report. After taking the report, the CHP shall immediately advise the reporting party of the name and phone number of the police or sheriff's department having jurisdiction over the residence of the missing person and the place where the missing person was last seen.

3. In cases where the initial missing person report is taken by the department other than that of the city or county of residence of the missing person, the department taking the report shall, without delay, notify and forward a copy of the report to the police or sheriff's department(s) having jurisdiction of the resident address of the missing person and of the place the missing person was last seen.

    a. When dealing with missing person jurisdictional issues, it is not uncommon for multiple agencies to be involved in the same case. It is essential that agencies work closely together in order to enhance, and not impede, the investigation of the case.

4. Officers or other designated personnel shall give priority to the handling of missing person cases, including runaways, over reports relating to crimes involving property.

    a. The intent of this guideline is to ensure that missing person cases are given appropriate priority over property-related cases
    b. Special attention should be given to reports of missing children or for persons with physical or mental limitations. These persons are at greater risk of harm
    c. A common myth that 24 hours (or any other time frame) must pass before law enforcement will accept a missing person report in incorrect. A delay in reporting may indicate the existence of neglect or abuse within the family

Officer's initial contact: making an assessment at the scene

1. Officers or designated personnel should interview, the reporting party and any witnesses to determine:

    a. That this is a missing person case
    b. If the person may be at risk – or existence of any suspicious circumstances
    c. If there is any potential crime scene area and/or potential witnesses

2. Many times, parents or guardians are anxious to assist law enforcement in the initial phase of the investigation and they will want to provide additional documents to assist in locating the missing person. Besides obtaining a photograph of the missing person, additional items such as fingerprint cards obtained through community fair projects, items containing DNA samples of the missing person, or other related documents may be offered voluntarily by the family. It is recommended that responding officers accept these items and properly document their collection in their reports.

Making a further assessment to determine what reasonable steps should be taken to locate missing person.

1. Based upon the law, circumstances of each case, and departmental policy, appropriate actions should minimally include:

    a. Obtaining a description of missing person
    b. Broadcast of a "Be On the LookOut" (BOLO) bulletin within its jurisdiction if the person is under 16 years of age, or there is evidence that the missing person is at risk. The BOLO should be broadcast without delay.
2. Determine if the missing person fits the mandatory criteria for an **AMBER Alert**. The criteria are:
    a. Child must be under the age of 18, or proven mental or physical disability

    b. Belief the child is in imminent danger or bodily injury or death

    c. Must have accurate information on at least one of the following:

        i. Description of child **or**
        ii. Description of suspect **or**
        iii. Description of vehicle

    d. If the above criteria are met, and there is no extenuating investigative need that dictates otherwise, the Emergency Alert System (EAS) should be activated.

3. Determine if the missing person fits the mandatory criteria for a **Silver Alert**. The criteria are:
    a. The missing person is 65 years of age or older, developmentally disabled or cognitively impaired
    b. The investigating agency has utilized all available local resources
    c. The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances
    d. The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril
    e. There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person

4. If the missing person does not fit the criteria, officers should determine which of the many other tools available would be most appropriate for transmitting information and photographs to other officers, the media and the public.

5. Consider calling a supervisor and/or investigator to the scene.

6. Thoroughly search the immediate and surrounding area in a logical and systematic manner:

    a. Process any potential crime scene for evidence
    b. Identify and interview potential witnesses
    c. Consider the last known location of the missing person and any likely locations where the person may have gone
    d. Consider using additional resources to assist in the search:
        i. Federal Bureau of Investigation (FBI)
        ii. California Emergency Management Agency (Cal EMA)
        iii. Department of Justice (DOJ)
        iv. Critical Reach, National Center for Missing and Exploited Children (NCMEC)

7. Consider notifying other agencies for assistance in locating the missing person in their related jurisdictions.

    a. The agency where the missing person was last seen may initiate the investigation
    b. It is essential that agencies work together to enhance the success of the investigation

8. Request voluntary assistance from the family or reporting party in obtaining initial items of evidence belonging to the missing person such as:

    a. Recent photographs
        i. Try to also obtain an additional photograph depicting the missing person smiling with their teeth showing (beneficial for assisting dental comparison and identification.

    b. Personal clothing, bedding, personal hygiene items that may contain DNA with evidentiary value

    c. Any personal items that may contain the missing person's scent (for search dogs):

        i. Suggested items include hat, comb/brush, socks, under garments, etc., that were recently worn
        ii. Items taken from a family laundry hamper, containing a mix of family member's clothing may not be beneficial
        iii. Such "scent articles" should be placed in a clean paper bag using clean gloves

    d. Personal electronic devices (cell phones, or cell phone number for tracking purposes, computers, and any online resources such as: screen names, email sources, websites they may frequent, etc.)

9. Obtain a list of persons known by the missing person e.g, friends, co-workers, acquaintances, associates, etc.

10. Obtain a list of locations frequented by the missing person

Additional information to consider:

1. Obtain the missing persons mental health history if available
2. Family dynamics / History
3. Missing persons marriage / dating status-history (recent break up, divorce)
4. Was the missing person a recent victim of a crime
5. Is the missing person wanted for crimes (warrants / open court cases)
6. Civil cases (does the missing person have any civil cases that may cause distress)
7. Obtain the missing persons social media account information if available (user names / passwords)

Additional resources to consider:

1. Consider calling other county dispatch centers for resources such as Search and Rescue, Community Resource Teams, K-9 units for article / cadaver searches, Aerial Drone searches, Fire Departments with FLIR or Night Vision devices

Missing person reports must be entered into the Department of Justice's Missing Person System (MPS) within two (2) hours.

1. Information regarding missing persons under the age of 21, or where there is evidence that the person is "at risk", shall be entered into DOJ Missing Person System (MPS) within two hours by the agency taking the report

2. The agency taking the initial report should make the MPS entry

When a missing person report is taken, the agency shall promptly notify and send a copy of the report to the department that has jurisdiction over the missing person's resident address and to the agency where the missing person was last seen.

1. Officers or other designated personnel who take a missing person report on a person who resides outside their department' jurisdiction shall, without delay, notify and forward a copy of that report, when completed, to the police or sheriff's department having jurisdiction over the missing person's residence and where the missing person was last seen.

2. It may also be appropriate to notify the agency having jurisdiction of the missing person's intended destination.

PC14211 requires the agency taking the initial missing person report to notify and send copies of the report to the department that has jurisdiction over the missing person's resident address and to the agency where the missing person was last seen.

It is **recommended** that the initial investigation should be handled by the agency of jurisdiction where the missing person was last seen. This includes entry of the missing person into the Department of Justice's MPS and coordinating a bilateral investigation with the agency of the missing person's residence. Once this agency has exhausted all investigative leads, the case should be transferred to the agency that has jurisdiction over the missing person's residence. This would include making the proper computer notation with the Department of Justice as to the agency responsible for the investigation. Any future leads should be routed to the agency with jurisdiction based on the missing person's residence.

References:

Missing Persons Investigation Guidelines / Peace Officer Standards and Training (POST)
Pacific Grove Police Department Lexipol Policy 314

Detective Paul Nagamine

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"OUR COMMUNITY, YOUR POLICE"

OPERATIONS TRAINING BULLETIN 11/12/19
CHILD AND DEPENDENT ADULT SAFETY

Policy 333 (Child and Dependent Adult Safety) provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

When subjects are detained for an extended period of time or are arrested, patrol personnel responsible for that subject should ask them if they have a minor, elderly, or disabled dependent person they provide care for.

Asking **everyone** taken into custody is the "best practice" to ensure dependent people they are caregivers for do not suffer adverse consequences related to their arrest. If there is a need, Officers should allow or assist the subject in making alternative care arrangements and/or contact the appropriate agency to assume responsibility and care.

The following steps should be taken (Penal Code § 13517.7(b)(1)):

a. Inquire about and confirm the location of any children or dependent adults.
b. Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
c. Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

a. Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
    1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
b. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
    1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

c. Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
d. Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.
e. Notify the field supervisor or Watch Commander of the disposition of children or dependent adults.

All arrangements for emergency placement of dependent children or adult will be made by the Department of Social Services of the County of Monterey. They may be contacted during business hours at their office and after hours through their emergency response command post (telephone numbers are available from the Communications Center). If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law (Penal Code § 851.5(c)). If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

References:

- PGPD Lexipol Policy 333 Child and Dependent Adult Safety
- POST Child Safety Reference Guide https://post.ca.gov/Portals/0/post_docs/publications/Child_Safety.pdf
- PC 833.2
- PC 13517.7(b)(1)
- PC 851.5(c)

Sgt. Beuttler # 2011