

San Jose Park Rangers

CA LE Policy Manual

PARK RANGER PROGRAM MISSION STATEMENT

Parks Recreation & Neighborhood Services Mission:

Connecting people through Parks, Recreation & Neighborhood Services for an active San José.

Parks Recreation & Neighborhood Services Vision:

Health Communities that Inspire Belonging

Park Ranger Mission Statement:

"The mission of the Park Ranger Program is to provide a safe, enjoyable park experience by protecting and educating the public; by providing recreational opportunities; and by protecting, preserving, and enhancing the natural and cultural resources of the City's parks, trails and open spaces."

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Chapter 1 - Peace Officer Park Ranger Role and Authority

Peace Officer Park Ranger Role and Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of San José Park Rangers to perform their function based on established legal authority.

100.2 POLICY

It is the policy of the San José Park Ranger Program to limit its members to only exercise the authority granted to them by law.

While the Department of Parks, Recreation and Neighborhood Services (Department) recognizes the power of peace officers to make arrests and take other enforcement action, Park Rangers are encouraged to use sound discretion in the enforcement of the law. The Department does not tolerate the abuse of law enforcement authority.

100.3 PRIMARY DUTY OF THE PARK RANGER

The primary duty of San José Park Rangers, as provided in Penal Code § 830.34(d), is the protection of park property and the person therein.

Park Rangers, whenever possible, shall confine their on-duty law enforcement activities to their primary duty. Park Rangers are not authorized to exercise their peace officer powers off-duty, except as provided below.

Sworn members of this Department shall be considered peace officers pursuant to Penal Code § 830.31(b). Which states: A person designated by a local agency as a park ranger and regularly employed and paid in that capacity, if the primary duty of the officer is the protection of park and other property of the agency and the preservation of the peace therein.

The authority of any such peace officer extends to any place in the State of California, as follows:

1. As to any public offense committed or where there is probable cause to believe a public offense has been committed within the political subdivision which

employs the peace officer; or

(b) Where the peace officer has the prior consent of the chief of police, or person authorized by them to give consent, if the place is within a city or of the sheriff; or person authorized by them to give such consent, if the place is within a county; or

(c) As to any public offense committed or where there is probable cause to believe has been committed in the peace officer's presence, and with respect to such there is immediate danger to person or property, or of the escape of the perpetrator of the offense.

All employees who have been appointed as peace officer Park Rangers shall serve at the pleasure of the City of San José (City) and such designation will remain in effect until:

(a) Revoked by the Department Director;

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- (b) Employment is terminated;
- (c) The Park Ranger's peace officer powers are suspended;
- (d) The Park Ranger is no longer in a classification for which designation as a peace officer is required; or
- (e) Change is set forth by the San José City Council or the Department of Parks, Recreation and Neighborhood Services.

Although a Park Ranger's peace officer authority comes from the State of California, the Department has the ability to restrict the use of this authority. The Department never requires that Park Rangers place themselves in danger in order to fulfill their job duties.

100.4 JURISDICTION

While the Department recognizes the statutory power of peace officers to make arrests throughout the state, Park Rangers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of this Department except in cases of hot or fresh pursuit, while following up on crimes committed within the Department's area of responsibility, or while assisting another agency. On-duty Park Rangers who discover criminal activity outside the jurisdiction of the Department should, when circumstances permit, consider contacting the agency having primary jurisdiction.

100.5 CONSTITUTIONAL REQUIREMENTS

All employees shall observe and comply with every person's clearly established rights under the United States and California constitutions.

100.6 SUSPENSION OF PEACE OFFICER AUTHORITY

The Director may, upon notice that a Park Ranger is accused of a felony, misconduct, or the illegal use or misuse of authority, suspend a Park Ranger's peace officer designation until such notice of allegation is adjudicated. Such Park Ranger will not perform the duties of a peace officer and shall not carry or use law enforcement equipment, including badge and identification cards, during the time their peace officer designation is suspended.

The Park Ranger Leadership will assure that the peace officer identification and badge of a Park Ranger whose peace officer designation has been suspended or revoked is returned to the Department.

100.7 PEACE OFFICER PARK RANGER CERTIFICATION

The California Commission on Peace Officer Standards and Training (POST) has mandated that all sworn officers employed within the State of California receive certification by POST or by a department approved academy that includes PC 832 training.

Peace Officer Park Ranger Oath of Office

101.1 PURPOSE AND SCOPE

Park Rangers of this Department are sworn to uphold the federal and state constitutions and to enforce federal, state, and local laws. The Peace Officer Oath of Office is in addition to the City of San José Oath of Office.

101.2 POLICY

It is the policy of the Department that, when appropriate, Park Rangers affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

101.3 PEACE OFFICER OATH OF OFFICE

Upon employment all Park Rangers shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer.

Peace Officer Park Ranger Code of Ethics

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all peace officers are aware of their individual responsibilities to maintain their integrity and that of their department at all times.

102.2 POLICY

The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Academy course and to all other persons at the time of appointment (11 CCR 1013).

Philosophy, Attitude, and Demeanor of the Park Ranger

103.1 PURPOSE AND SCOPE

To instill in each City of San José Park Ranger a strong public service-oriented philosophy by providing guidelines for personal demeanor and attitudes that will provide a safe, enjoyable recreational experience for park visitors and promote a better understanding of park resources and amenities.

103.2 LOWEST APPROPRIATE LEVEL OF ENFORCEMENT

Except in cases that are clearly malicious or deliberate, Park Rangers should consider whether the visitor committed a violation through ignorance of law, lack of education, or poor judgment. In such cases, the Park Ranger should use the lowest appropriate level of enforcement that will address the violation.

Enforcement options include:

- (a) Explanation of violation and request for cooperation;
- (b) A documented warning/field identification;
- (c) A criminal citation; and
- (d) Physical arrest.

103.3 CONDUCT DURING ENFORCEMENT CONTACTS

Park Rangers are expected to treat all violators in a courteous, friendly, and respectful manner whenever possible. Park Rangers should be clear in informing the violator why they are being detained. When appropriate, Park Rangers should provide an explanation of the violation and request compliance. If the violation is clearly malicious, willful, or deliberate, the Park Ranger may choose any enforcement action that is appropriate to the offense.

Enforcement by the spirit of the law, rather than by the letter of the law, is the Department philosophy for law enforcement contacts.

103.4 GENERAL RESPONSIBILITIES OF PARK RANGERS

Within parks and in areas under the jurisdiction of the Department, or on properties under contract with the Department, Park Rangers shall at all times take appropriate and reasonable action to:

- (a) Protect life and property;
- (b) Protect and preserve the natural and cultural resources;
- (c) Prevent crime; and
- (d) Detect and take the necessary action to prevent the continuation of crime as described in this manual.

Park Ranger Rules of Conduct

104.1 PURPOSE

Park Rangers are entrusted with public safety, visitor protection, and the protection and preservation of the natural and cultural resources of the City of San José. As peace officers, Park Rangers are held to the highest standards in both their professional and personal lives by the public and the Department. The Department has established the following rules and regulations for all Park Rangers. Any violation of the following rules and regulations may be subject to disciplinary action. Refer to City Policy Manual 2.1.3.

104.2 STANDARD OF CONDUCT

Park Rangers shall conduct their private and professional lives in such a manner as to avoid bringing the Department or the City of San José into disrepute.

104.3 GIFTS, GRATUITIES, FEES, REWARDS, LOANS, SOLICITING, ETC

Park Rangers shall not, under any circumstances, solicit any gift, gratuity, tip, loan, or fee where there is any direct or indirect connection with their Departmental membership or employment. All Park Rangers shall also be familiar the City of San José's Gift Policy, 1.2.2.

104.4 OTHER TRANSACTIONS

Every Park Ranger is prohibited from buying or selling anything of value from or to any complainant, suspect, witness, or other person involved in any case which has come to their attention or which arose out of their Departmental employment except as may be specifically authorized by the Director.

104.5 DISPOSITION OF UNAUTHORIZED GIFTS, GRATUITIES, ETC

Any unauthorized gift, gratuity, tip, loan, fee, reward, or any other thing falling into any of these categories coming into the possession of any Park Ranger shall be declined, the gift that can not be returned to the giftor, shall be forwarded to the Park Ranger leadership team, together with a written report explaining the circumstances.

General Conduct on Duty

105.1 NATIONAL COLORS AND ANTHEM

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

105.2 REPORTING FOR DUTY

Park Rangers, unless otherwise directed, shall present themselves for duty at the time and place specified. They shall be properly uniformed and equipped - neat and clean in accordance with uniform and grooming standards. They shall give careful attention to orders and instructions when being briefed.

105.3 EMERGENCY CALL BACK

Pursuant to City Policy Manual Section 1.3.4 Disaster Service Worker, as City employees Park Rangers are considered emergency disaster workers and, as such, are subject to call back at the discretion of the Department. Off-duty Park Rangers shall report for emergency duty immediately upon receipt of and in compliance with the directions given them at notification.

105.4 REPORTING OFF DUTY SICKNESS OR INJURY

All Park Rangers of the Department who are unable to report for duty because of illness or injury shall report this fact to their supervisor as soon as possible prior to the time that they are to report for duty. Refer to POPRA MOA.

105.5 INSPECTIONS

The Director, or designated supervisor, may call for uniform inspections. Park Rangers directed to attend such inspections shall report in the uniform prescribed, carrying the equipment specified.

105.6 TRAINING

All Park Rangers shall attend prescribed in-service training. Such attendance is considered a duty assignment unless voluntary participation is prescribed. Failing to attend prescribed in-service training without a pre-approved absence may result in disciplinary action.

105.7 SMOKING

Park Rangers shall not smoke on duty while in direct contact with the public nor when in uniform in public view. Smoking is prohibited in all facilities owned and operated by the City. Park Rangers shall not smoke in park facilities or in City vehicles.

105.8 CIVIL ACTION INTERVIEWS

Any civil action interview involving Park Rangers that arises as a result of Departmental employment shall be brought to the attention of the City Attorney's Office prior to such interview.

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General Conduct on Duty

105.9 CIVIL ACTION- COURT APPEARANCE - SUBPOENAS

Any Park Ranger informed that they are party to a civil action as a result of Departmental employment, or who receives a subpoena for a civil action, shall immediately notify their supervisor and Deputy Director of the service or notification.

Policy Manual

106.1 PURPOSE AND SCOPE

The manual of the San Jose Park Rangers is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

The previous Park Ranger Manual (Park Ranger Directives 1996 and 1999), along with any other prior directives, are hereby rescinded. The new Park Ranger Manual replaces and supersedes all earlier versions.

106.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement Park Rangers is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

106.3 AUTHORITY

The Director of Parks Recreation and Neighborhood Services shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Director of Parks Recreation and Neighborhood Services or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

106.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CCR - California Code of Regulations (Example: 15 CCR 1151).

CHP - The California Highway Patrol.

CFR - Code of Federal Regulations.

City - The City of San Jose.

Part Time Park Ranger Assistants - Employees who are not sworn peace officers.

Department/PRNS - The San Jose Park Rangers.

DMV - The Department of Motor Vehicles.

Employee/personnel - Any person employed by the Department.

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Juvenile- Any person under the age of 18 years.

Manual - The San Jose Park Rangers Policy Manual.

Member - Any person employed or appointed by the San Jose Park Rangers, including:

- Full- and part-time employees
- Sworn peace officers
- Part Time Park Ranger Assistants employees
- Volunteers.

Park Ranger - Those employees, regardless of rank, who are sworn peace officers of the San Jose Park Rangers.

Park Ranger Assistant - Employees who are not sworn peace officers.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The California Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by a Park Ranger Senior Ranger, Supervising Ranger, Chief Ranger.

USC - United States Code.

106.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Director of Parks Recreation and Neighborhood Services or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

106.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Director of Parks Recreation and Neighborhood Services will ensure that the Policy Manual is periodically reviewed and updated as necessary.

106.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that they have reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

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Policy Manual

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Senior Park Ranger will ensure that members under their command are aware of any Policy Manual revisions.

All Department members who wish to suggest revisions to the contents of the Policy Manual shall forward their written suggestions to their Senior Park Ranger, who will consider the recommendations and forward them to the command staff as appropriate..

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this Department is designed to create an efficient means to accomplish PRNS' mission and goals and to provide for the best possible service to the public.

200.2 SUCCESSION OF COMMAND

The Director exercises command over all personnel in the Department. During planned absences the Director will designate the Assistant Director or a Deputy Director to serve as the acting Director.

Except when designated as above, the order of command authority in the absence or unavailability of the Director is as follows:

- (a) Assistant Director
- (b) Deputy Director
- (c) Division Manager
- (d) Chief Park Ranger
- (e) Supervising Park Ranger
- (f) Senior Park Ranger

200.3 EMERGENCY MANAGEMENT PLAN

Please refer to [City Policy Manual Section 1.3.4 Disaster Service Workers](#).

Training Program

201.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

201.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and POST training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

201.3 TRAINING PROGRAM COORDINATION

The Park Ranger Leadership, or their designee, shall designate a Park Ranger Program staff to be responsible for developing, reviewing, updating, and maintaining the Department's Park Ranger training plan so that required training is completed. The Park Ranger leadership should review the training plan annually. A training plan will be developed, maintained and reviewed on an annual basis.

201.4 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of Park Ranger services to the public.
- (b) Increase the technical expertise and overall effectiveness of our personnel.
- (c) Provide for continued professional development of department personnel.
- (d) Ensure compliance with POST rules and regulations concerning law enforcement training.

Deviation of Policy, Guideline or Procedures

202.1 PURPOSE

To provide guidance with regard to deviation from the policies, guidelines and procedures identified within this manual.

202.2 GUIDELINES

Situations may arise when extraordinary or life-threatening situations compel a Park Ranger to deviate from established directives.

Such deviations will be evaluated on an individual basis, taking into consideration the Park Ranger's ability to articulate and document the facts known to them at the time of the incident.

Deviations without compelling or justifiable cause may result in disciplinary action in accordance with state law, labor agreements or City policy.

Whenever a Park Ranger deviates from policy, guidelines or procedures he or she shall complete and submit a departmental incident report and any other required report to their immediate supervisor within 24 hours of the incident.

Ride-Along Policy

203.1 PURPOSE AND SCOPE

The PRNS Ride-Along Program provides an opportunity for citizens to experience the park patrol function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

203.1.1 ELIGIBILITY

The PRNS Ride-Along Program is offered to residents, students and those employed within the City of San José. Every attempt will be made to accommodate interested persons; however, any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 18 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

203.1.2 AVAILABILITY

The PRNS Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 8:00 a.m. to 1/2 hour after sunset. Exceptions to this schedule may be made as approved by the Director, the Director's designee or the Supervising Park Ranger.

203.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Senior Park Ranger. The participant will complete a ride-along waiver form. Information requested will include a valid ID or California driver's license, address, and telephone number.

The Senior Park Ranger will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Park Ranger staff as soon as possible for their scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

203.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-along observers will be allowed to ride no more than once every six months. An exception would apply to the following: Park Management students, interns, Park Ranger applicants, and all others with approval of the Supervising Park Ranger.

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Ride-Along Policy

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in a Park Ranger's vehicle at a given time

203.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes or agency uniform. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. The Supervising Park Ranger or field supervisor may refuse a ride along to anyone not properly dressed.

203.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this Department or any other law enforcement agency will not be permitted to ride along with on-duty Park Rangers without the expressed consent of the Supervising Park Ranger. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

203.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants may be subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through the California Law Enforcement Telecommunications System (CLETS) prior to their approval as a ride-along with a law enforcement Park Ranger (provided that the ride-along is not an employee of the Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

203.3 PARK RANGER'S RESPONSIBILITY

The Park Ranger shall advise the dispatcher that a ride-along observer is present in the vehicle before going into service. Park Rangers shall consider the safety of the ride-along observer at all times. Park Rangers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Senior Park Ranger is responsible for maintaining and scheduling ride-alongs.

203.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along observer at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along observer will follow the directions of the Park Ranger.
- (b) The ride-along observer will not become involved in any investigation, handling of evidence, or discussions with victims or suspects.

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Ride-Along Policy

- (c) The ride-along observer may terminate the ride at any time and the Park Ranger may return the observer to the station if the observer interferes with the performance of the Park Ranger's duties.
- (d) Park Rangers will not allow any ride-along observers to be present in any situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.

Field Training Officer Program

204.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the Park Ranger's transition from the academic setting to the actual performance of general law enforcement and Park Ranger duties for the Department of Parks, Recreation and Neighborhood Services.

It is the policy of this Department to assign all new Park Rangers to a structured Field Training Officer Program that is designed to prepare the new Park Ranger to perform in a patrol assignment, possessing all skills needed to operate in a safe, productive, and professional manner.

204.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced Park Ranger or Senior Park Ranger trained in the art of supervising, training, and evaluating entry-level and lateral Park Rangers in the application of their previously acquired knowledge and skills.

204.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of four years of patrol experience, two of which shall be with this Department.
- (c) Demonstrated ability as a positive role model.
- (d) Participate and pass an internal oral interview selection process.
- (e) Evaluation by supervisors and current FTOs.
- (f) Possess all required certifications.

204.2.2 TRAINING

A Park Ranger selected as a Field Training Officer shall successfully complete a POST-certified (40-hour) Field Training Officer's Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

204.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor should be selected from the rank of Senior Park Ranger or above by the Deputy Director or a designee and should possess, or be eligible to receive, a POST Supervisory Certificate.

The responsibilities of the FTO Program supervisor include the following:

- (a) Assignment of trainees to FTOs.

Field Training Officer Program

- (b) Conduct FTO meetings.
- (c) Maintain and ensure that FTO/trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with FTO coordinators of other agencies.
- (h) Maintain liaison with academy staff on recruit performance during the academy.
- (i) Develop ongoing training for FTOs.

The FTO Program supervisor will be required to successfully complete a POST-approved Field Training Administrator's Course within one year of appointment to this position (11 CCR 1004(c)).

204.4 TRAINEE DEFINED

A trainee is any entry-level or lateral Park Ranger newly appointed to the Department of Parks, Recreation and Neighborhood Services who has successfully completed the Department-approved law enforcement training program.

204.5 REQUIRED TRAINING

Entry-level Park Rangers shall be required to successfully complete the Field Training Program, which consists of a minimum of 10 weeks (11 CCR 1004; 11 CCR 1005).

The training period for a lateral Park Ranger may be modified depending on the trainee's demonstrated performance and level of experience. A lateral Park Ranger may be exempt from the Field Training Program requirement if the Park Ranger qualifies for an exemption as provided in 11 CCR 1005(a)(B).

To the extent practicable, entry-level and lateral Park Rangers should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

204.5.1 FIELD TRAINING MANUAL

Each new Park Ranger will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as a Park Ranger with the Department of Parks, Recreation and Neighborhood Services. The Park Ranger shall become knowledgeable with the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules, and regulations adopted by the Department of Parks, Recreation and Neighborhood Services.

204.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

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Field Training Officer Program

204.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of their assigned trainee to the FTO Coordinator on a daily basis.
- (b) Review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) Complete a detailed end-of-phase performance evaluation on their assigned trainee at the end of each phase of training.
- (d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of their assigned trainee.

204.6.2 FIELD TRAINING ADMINISTRATOR

The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through his/her immediate supervisor.

204.6.3 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

204.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the Park Ranger's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End-of-phase evaluations.
- (c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy outlines standards for reasonable use of force consistent with Government Code § 7286. Members shall use sound judgment and apply force professionally and impartially. These standards apply to all use-of-force policies, including Control Devices and Conducted Energy Devices. Retaliation prohibitions are detailed in the Anti-Retaliation Policy.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force: Force likely to cause death/serious injury (Penal Code § 835a).

Feasible: Reasonably possible without added risk (Gov. Code § 7286(a)).

Force: Physical, chemical, or weapon use; excludes compliant actions.

Serious bodily injury: Major physical harm, e.g., fracture, unconsciousness, disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances: All facts known to the officer at the time (Penal Code § 835a).

300.2 POLICY

Park Rangers frequently encounter situations that may require reasonable force. They must understand and respect the limits of their authority, especially when overcoming resistance in the performance of law enforcement duties. The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting Park Rangers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 USE OF FORCE STANDARDS

Park Rangers must apply force fairly and without bias (Gov. Code § 7286). They must intercede when observing clearly excessive force and report any potential violations to a supervisor as soon

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as safely possible. Failure to intercede after training may result in discipline equal to that for using unnecessary force.

300.3 USE OF FORCE

Park Rangers shall use only the amount of force reasonably necessary, based on the facts and totality of circumstances known at the time, to accomplish a legitimate law enforcement purpose (Penal Code § 835a; Gov. Code § 7286(b)). Reasonableness is judged from the perspective of a reasonable Park Ranger on the scene, recognizing that split-second decisions may be required in tense, uncertain, and rapidly evolving situations.

Force must be proportional to the seriousness of the offense or the level of resistance. When authorized tools or methods are impractical, Rangers may use improvised measures if objectively reasonable and limited to what is necessary. Rangers are not required to retreat or expose themselves to injury before applying reasonable force.

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

Park Rangers should, when safe and feasible, take actions that enhance safety and reduce the need for force (Gov. Code § 7286(b)), including: summoning additional resources, planning with responding Rangers before non-immediate interventions, and using tactics that do not unreasonably increase risk. Rangers should also consider alternatives such as de-escalation and, if available, crisis intervention techniques to encourage voluntary compliance before applying force.

300.3.2 USE OF FORCE TO EFFECT AN ARREST

Park Rangers may use objectively reasonable force to make an arrest, prevent escape, or overcome resistance. They need not retreat due to resistance and are not considered aggressors when using reasonable force. Tactical repositioning or de-escalation does not constitute retreat (Penal Code § 835a).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When using or evaluating force, Rangers should consider all relevant circumstances, including threat severity, subject behavior, Ranger and subject factors, alternatives, risk of injury or escape, and any exigent conditions (Gov. Code § 7286(b); Penal Code § 835a).

300.3.4 PAIN COMPLIANCE TECHNIQUES

Park Rangers may use pain compliance techniques only after completing department-approved training. Techniques should be applied considering the level of resistance, the subject's ability to comply, and opportunity to follow commands, and must stop once compliance is achieved.

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300.3.5 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

Park Rangers are prohibited from using carotid restraints (pressure to the sides of the neck restricting blood flow) or choke holds (pressure to the trachea) (Gov. Code § 7286.5).

300.3.6 ADDITIONAL RESTRICTIONS

Rangers must not use restraints that unreasonably impair breathing once a subject is safely controlled and should continuously monitor for medical distress (Gov. Code § 7286.5).

300.3.7 USE OF FORCE TO SEIZE EVIDENCE

Rangers may use reasonable force to seize evidence or prevent its destruction but should avoid force solely to stop swallowing. Techniques must not restrict blood flow or respiration and should follow department-approved methods.

300.4 DEADLY FORCE APPLICATIONS

Park Rangers may use deadly force only when reasonably necessary to protect themselves or others from an imminent threat of death or serious bodily injury, or to apprehend a fleeing person who poses such a threat (Penal Code § 835a). Deadly force is not justified solely to protect property or from future threats.

When feasible, Rangers should identify themselves, warn before using deadly force, consider alternative tactics, and assess risks to bystanders (Penal Code § 835a; Gov. Code § 7286(b)). An imminent threat exists when a reasonable Ranger would perceive the person has the ability, opportunity, and intent to cause immediate serious harm.

300.5 REPORTING THE USE OF FORCE

All uses of force must be promptly and accurately documented, explaining why the force was reasonable. Additional forms may be required for training, analysis, or legal purposes.

Park Rangers shall not use the term "excited delirium" in reports; they may describe observed behavior and condition (Health & Safety Code § 24402).

Any use of force must be reported immediately to a supervisor when it causes injury, more than momentary discomfort, unconsciousness, use of a restraint or conducted energy device, strikes, or if the subject complains, threatens litigation, or alleges unreasonable force (Penal Code § 832.13). "Immediately" means as soon as safely feasible.

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300.5.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Center Policy.

300.6 MEDICAL CONSIDERATIONS

Park Rangers must promptly provide or obtain medical aid for anyone injured, distressed, or unconscious during a use-of-force incident, monitor until assessed, document refusals, and notify medical personnel or custodians of the force used and any risks. High-risk or agitated individuals should be treated as medical emergencies (Gov. Code § 7286(b)).

300.7 SUPERVISOR RESPONSIBILITY

Supervisors should respond to reported uses of force when reasonably available (Gov. Code § 7286(b)) and are expected to:

- Obtain basic facts from involved Rangers.
- Ensure injured parties receive medical attention.
- Conduct recorded interviews with subjects when feasible, following Miranda and documentation rules.
- Ensure photographs of injuries and overall condition are taken and retained.
- Identify witnesses and review/approve reports.
- Assess potential for civil litigation and route notifications if needed.
- Initiate administrative investigations for policy concerns or as appropriate.

If unable to respond on-scene, supervisors should complete as many tasks as possible.

300.7.1 PARK RANGER LEADERSHIP RESPONSIBILITY

Leadership shall review all uses of force within their command for policy compliance and training needs. Park Ranger Leadership

300.8 USE OF FORCE COMPLAINTS

Civilian complaints regarding use of force shall be handled per the Personnel Complaints Policy (Gov. Code § 7286(b)).

300.9 USE OF FORCE ANALYSIS

Park Ranger Leadership shall annually prepare a use-of-force analysis for the Director, excluding names or case numbers, highlighting trends, and recommending training, equipment, or policy changes.

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300.9 TRAINING

Park Rangers and leadership receive annual training on this policy and must demonstrate understanding (Gov. Code § 7286(b)).

300.9.1 TRAINING REQUIREMENTS

Annual training includes: legal updates; de-escalation and alternatives to force; duties to intercede and provide medical aid; warning shots; use-of-force topics (deadly force, chokeholds, carotid holds, firearm use); and POST-required courses (Penal Code § 13519.10). See Training Policy for restrictions after sustained use-of-force complaints.

300.9.2 STATE-SPECIFIC TRAINING REQUIREMENTS

Annual training must cover use-of-force guidelines for vulnerable populations, including children, elderly, pregnant individuals, and those with physical, mental, or developmental disabilities (Gov. Code § 7286(b)).

Body Worn Cameras

301.1 BODY WORN CAMERA - GENERAL PROVISIONS

A Department-issued body worn camera (BWC) is a camera worn on an individual Park Ranger's person that records and stores audio and video. The use of the BWC system provides documentary evidence for park patrol, protection, and enforcement of state and municipal laws and park rules and regulations, including, but not limited to, issuing citations, making arrests and performing parking control activities and interactions with park visitors except as otherwise noted.

The Department adopts the use of BWCs to record interactions between Park Rangers and the public. Park Rangers shall utilize BWCs in accordance with the provisions of this policy.

301.2 DEFINITIONS

Power On / Off — The process of powering on or off the recording device. This merely turns the BWC on or off and does not refer to recording. When powered on, the BWC is in buffering mode and capturing only 30 seconds of video but does not save the recording to memory unless the camera is activated.

Recording on / Activating — The process of recording video and/or audio to memory on the device.

Recording off / Deactivating — The process of stopping the recording. This discontinues the recording being saved to memory on the device but does not prevent the device from buffering.

301.3 USER TRAINING

The Department shall ensure that each Park Ranger is trained in the use of the BWC prior to issuance and deployment. The training shall include:

- (a) Training on operation (including when to activate and deactivate), maintenance and care;
- (b) Training on mandatory, discretionary, and non-permissible uses of body worn cameras;
- (c) Periodic training on significant changes in the law pertaining to body worn cameras;
- (d) Additional training at periodic intervals to ensure continued effective use of the body worn camera equipment, performance, and to incorporate changes, updates or other revisions in policies and equipment.

301.4 PARK RANGER RESPONSIBILITIES

Every Park Ranger assigned a BWC is responsible for ensuring that they are equipped with a Department-issued BWC and that the camera is fully charged and in good working order at the beginning of their shift. If a device is in need of repair, Park Rangers will notify their supervisor and turn the BWC into the Park Ranger Leadership for repair or replacement. Actual time spent testing or reporting damage to a BWC shall be regarded as time worked.

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Note: This section is inclusive of all uniform types including Bicycle Patrol, ATV Patrol, and Boat Patrol.

Park Rangers should wear the BWC on their uniform at a location that will facilitate an optimum recording field of view. This location may vary from Park Ranger to Park Ranger based upon their specific uniform and body composition.

Park Rangers will 'power on' the BWC before going into service and keep it powered on for the remainder of their shift, with the exception of bathroom breaks or those times when a Park Ranger is entering a Department changing room. Outside of these two exceptions, the Park Ranger will only 'power off' their BWC at the conclusion of their shift prior to placing it in a docking station to upload.

Note: Exceptions to this rule are certain incidents referenced in the Procedures Related to Viewing BWC Footage Prior to Making Statements section of this policy. Also, during a technical rescue where the presence of the BWC may pose a risk to the Park Ranger or other rescue personnel.

Park Rangers shall not deliberately remove, dismantle or tamper with any hardware, video evidence, and/or the evidence management software component of the BWC.

Each Park Ranger is responsible for ensuring that their assigned BWC is uploaded during their shift as needed or at the completion of their shift, or at any time the device's memory is deemed to be full. Actual time spent uploading the BWC files at the completion of a Park Ranger's shift shall be considered booking evidence and regarded as time worked. Exceptions to the requirement that BWC files are uploaded during a Park Ranger's shift or at the completion of their shift may be granted based on special circumstances such as a Park Ranger working a uniformed special event on a regularly-scheduled day off, and in those circumstances the Park Ranger should ensure their assigned BWC files are uploaded at the start of their next shift. Park Rangers should coordinate with their supervisor for these special circumstances.

Media captured via the BWC shall only be uploaded to Department-approved secure storage.

301.5 PARK RANGER LEADERSHIP RESPONSIBILITIES

Supervisors shall utilize their BWC and ensure that Park Rangers utilize the BWC according to these policy guidelines.

Supervisors shall ensure videos related to any incidents referenced in the Procedures Related to Viewing BWC Footage Prior to Making Statements section of this policy are uploaded as soon as possible following the event or as requested by a supervisor.

Senior Park Rangers may review video captured by a Park Ranger's BWC. At no time, except at the direction of the Director or designee, shall the supervisor [Supervising Park Ranger] allow a citizen to view the footage.

In those circumstances where a concern is addressed with no further action required, Senior Park Ranger shall note the incident in the CAD event and submit a memorandum to the Supervising Park Ranger.

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301.6 WHEN TO ACTIVATE

The safety of Park Rangers and members of the public is the highest priority and Park Rangers shall turn on their BWC at the beginning of their shift and activate their BWC for all public contacts except as described in the Deactivate section of this policy.

During their shift, Park Rangers shall activate the BWC prior to initiating, or due to safety reasons, as soon as practical after initiating, the following actions:

- (a) All encounters where there is at least reasonable suspicion the person(s) has committed, is committing, or may be involved in an activity in violation of Federal, State, or Municipal rules and regulations.
- (b) While enroute, and prior to arrival, to a call for service (regardless if the suspect, victim, or witness is present at the scene).
- (c) Taking or attempting to detain a person or take a person into custody.
- (d) Enforcement encounters where there is reason to believe that the individual is committing a violation for which a citation may be issued.
- (e) All incidents involving the use of force.
- (f) All public interactions, regardless of context, that escalates and becomes adversarial.
- (g) Suspect statements.
- (h) Witness/Victim statements with exceptions detailed in the "Victim and Witness Statements" section of this document.
- (i) Administrative vehicle stops where appropriate within City parks.

301.7 WHEN TO DEACTIVATE

As a general rule, BWC recordings shall not be intentionally deactivated until the conclusion of the Park Ranger's public contact, except for reasons as provided below.

Anytime the recording is deactivated prematurely, the reason(s) should be documented both on the BWC recording before deactivation and in the appropriate report. If no report is filed for the recorded encounter, then the reason(s) for the early deactivation should be recorded on the citation, CAD event, or other appropriate report.

Park Rangers must deactivate their BWCs in the following situations:

- (a) During routine, incidental contact with a citizen, (i.e., giving directions or lunch breaks) unless the incident becomes adversarial or otherwise triggers a reason to activate (see "When to Activate" section of this document).
- (b) When in public or private locker rooms, changing rooms, or restrooms, unless responding to an incident.
- (c) During briefings or the discussion of safety and security procedures.
- (d) While actively engaged in wildland fire fighting activities with no expectation of public contact or enforcement activities.

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- (e) During scheduled interpretive programs with prior supervisor's approval.
- (f) When conducting purely maintenance or resource management assignments with no expectation of public contact or enforcement activities.
- (g) While Park Rangers are engaged in conversations with individuals with whom the Park Ranger is in a privileged relationship (e.g. spouse, attorney, labor representative, minister, etc.).

Note: A privileged conversation does not include a conversation with another Park Ranger or supervisor while still actively engaged in a call for service, investigation, or enforcement encounter.

- (h) When entering the Santa Clara County Main Jail's main facility.
- (i) When entering medical facilities.
- (j) When in a courtroom that is in session.
- (k) When engaging in trainings other than formal Field Training such as non-field training, refresher training, baton training, CIT, or other classroom training.

301.8 ADVISEMENT AND CONSENT

Generally, Park Rangers are not required to advise or obtain consent to utilize the BWC from a private person when in a public place such as a City park.

However, when initiating contact with members of the public, Park Rangers shall make a reasonable effort to advise persons they are being recorded with the BWC, unless the Park Ranger has reason to believe that doing so will endanger the safety of the Park Ranger, another Park Ranger, a member of the public, or will interfere with the performance of their duties.

When a Park Ranger's grounds for a search is based solely on an individual's consent, they are required to both advise and obtain consent to record with a BWC from the person who is authorized to grant consent and is being recorded and/or searched. This does not apply to crimes in progress or other circumstances that would allow the Park Ranger to be lawfully present without a warrant.

301.9 VICTIM AND WITNESS STATEMENTS

When conducting an investigation, the Park Ranger shall attempt to record the victim or witness statement with the BWC. The recording may be valuable evidence that contributes to or complements an investigation. While evidence collection is important, the Department also recognizes it is important for Park Rangers to maintain credibility with people wanting to share information.

Should a Park Ranger encounter a reluctant victim or witness who does not wish to make a statement on camera, the Park Ranger shall use discretion and not record the victim or witness statement with the BWC, but document on camera the reason for not fully recording the statement with the BWC. The BWC should be reactivated as soon as practicable after the victim or witness statement is provided.

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301.10 UNAUTHORIZED ACCESS AND USE

All BWC recordings shall remain the property of the Department and constitute official records of investigation of the Department.

Unauthorized access to, use, duplication, and/or distribution of BWC files is prohibited. Park Rangers shall not make copies of any BWC file for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record BWC files.

The BWC shall not be used to record:

- (a) Encounters not directly related to official activities in the performance of Park Ranger duties.
- (b) Performance of non-enforcement functions or administrative duties within a department facility.

Personally owned BWCs shall not be used while on duty.

Note: All activity related to BWC video files are automatically tracked in the evidence management system's audit trail. This information includes: the person accessing the file(s), the date and time of access, the activity that was performed, and the specific IP address from which the file(s) were accessed.

301.11 ACCIDENTAL RECORDINGS

In the event of an accidental activation of the BWC where the resulting recording is of no investigative or evidentiary value, the recording Park Ranger may request that the BWC video be deleted. The Park Ranger will submit a request for deletion via email, with sufficient information to locate the BWC file, to their direct supervisor.

The email will be forwarded through the Park Ranger's chain of command to their Park Ranger Leadership. The receiving Park Ranger Leadership shall review the file and approve or deny the request. The Park Ranger Leadership will ensure the file(s) is not associated with a public contact or CAD event. No files associated with an official Park Ranger contact, CAD event, or any pending litigation or complaint are eligible for deletion.

Should the Park Ranger Leadership approve the request, they will send an email to the Parks Division Deputy Director with the reason for the deletion, including the authorizing authority. Only the Park Ranger Leadership, with the approval of the Deputy Director — Parks Division, shall delete the files. The reason for the deletion, including the authorizing authority, will be documented in the notes of the videos. These notes are retained by the evidence management system's audit trail. Deletions and requests for deletion are tracked by the Park Ranger Leadership's Office.

Park Rangers will not request deletion of BWC files that are not the result of an accident. Should the Park Ranger knowingly or unknowingly record something of a confidential nature, the Park Ranger will do the following:

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- Place an electronic Marker within the video (via the BWC's Function Button) or within Evidence.com after uploading the video, AND
- Change the title of the video file(s) to "SENSITIVE/CONFIDENTIAL." This will indicate to the Park Ranger Leadership that the file(s) contains something of a sensitive nature. In these situations, further discussion between the Park Ranger and the Park Ranger Leadership's Office may be required for coordination.
- Park Rangers are also encouraged to provide additional information in Evidence.com as to the sensitive or confidential nature of the video by adding notes within the video file. This will assist the Supervising Park Ranger with proper identification of the sensitive/confidential evidence.

301.12 DOCUMENTING USE OF THE BODY WORN CAMERA

Park Rangers should not substitute a BWC recording for a detailed and thorough report. Park Rangers should continue to prepare reports as outlined in Department policy.

If a Park Ranger is required to write a report or citation, the Park Ranger will also document in the report or citation the fact that a BWC was used to record the incident. If the BWC was not activated as per policy, the Park Ranger shall document in the report or citation the reason and/or justification for not activating their camera. Park Rangers shall advise Dispatch if the BWC was activated or not activated when clearing a call for service.

301.13 REVIEW OF BODY WORN CAMERA FILES

All BWC video file viewing and sharing is for City business use only. Department personnel may review BWC files according to the provisions of this policy and are reminded that all activity related to BWC video files are automatically tracked in the evidence management system's audit trail. This information includes: the person accessing the file(s), the date and time of access, the activity that was performed, and the specific IP address from which the file(s) were accessed.

A Park Ranger may review BWC files, including those of other Park Rangers, in the following instances:

- (a) For the purposes of completing investigations and preparing accurate official reports with the exception of making statements following certain incidents. See Procedures Related to Viewing BWC Footage Prior to Making Statements.
- (b) Prior to courtroom testimony or for courtroom presentations, or as part of preparation by the San José City Attorney's Office for litigation in which a Park Ranger is a party or a witness and the City Attorney's Office is representing the City and/or Park Rangers who are parties to the litigation.
- (c) For potential training purposes as referred to in the Training with Body Worn Camera Files section below.
- (d) For preparation of a personnel investigation interview, including review with a Park Ranger representative, outside the presence of any investigator or supervisor.
- (e) For other reasons as specified with the permission of the Director or designee.

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Exception: Department members identified as Administrative Users may access BWC files from a computer or device outside of the Department for the purpose of completing administrative tasks, such as locking or unlocking users, etc

301.14 PROCEDURES RELATED TO VIEWING BODY WORN CAMERA FILES PRIOR TO MAKING STATEMENTS

The Department recognizes that the video images recorded on the BWC are two dimensional and cannot always capture the entire scene due to a number of limiting factors. The BWC file(s) should be considered as just one piece of evidence collected from a scene or incident and not a singularly-inclusive piece of evidence.

Following a use of force that causes, or is reasonably expected to cause great bodily harm, substantial bodily harm, loss of consciousness, or death that requires a Park Ranger to make a statement related to that incident, Park Rangers and their representative(s) shall not view their BWC video, or any video capturing their image or the incident on any device, prior to making an initial statement. Use of force is defined in the San José Park Ranger Policy Manual Section 300.

In situations where the San José Police Department is charged with the investigation and collection of evidence, the Department will release all involved Park Ranger BWCs to the San José Police Department. The San José Police Department will be responsible for ensuring the BWC file is uploaded on the Department's system.

301.15 ADMINISTRATIVE REVIEW OF BODY WORN CAMERA FILES

The Department may review BWC files at any time and address any policy violations committed by Park Rangers upon discovery by the Department.

Supervisors and other investigators may access BWC files for administrative investigations.

Supervisors should, on a reasonable basis, review BWC files to ensure that BWC equipment is functioning properly and Park Rangers are adhering to the requirements of this policy.

Supervisors who inadvertently discover policy violations will have discretion to resolve the violation with training or informal counseling. Should the policy violation rise to the level of more formal discipline, the supervisor will articulate the reason for expanding the scope of investigation to the Park Ranger Leadership and adhere to policies set forth in City policy.

Exception: Senior Park Rangers and the Park Ranger Leadership may view BWC files to — evaluate the performance of a recruit Park Ranger.

301.16 TRAINING WITH BODY WORN CAMERA FILES

A BWC file may be utilized as a training tool for individuals, specific units, and the Department as a whole. Department members recommending utilization of a BWC file for training purposes will submit the recommendation to their supervisor for approval and contact the Park Ranger Leadership for assistance as needed.

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Exception: Senior Park Rangers may use BWC files to provide immediate training to recruits and to assist with the completion of the Daily Observation Report (DOR).

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and plastic cuffs during detentions and arrests.

302.2 POLICY

The San Jose Park Rangers authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, the Transporting Persons in Custody Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed San Jose Park Rangers-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, Park Rangers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of Park Rangers and others. When deciding whether to remove restraints from a detainee, Park Rangers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the Park Ranger has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances, and only when a supervisor makes an individualized

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determination that such restraints are necessary for the safety of the detainee, Park Rangers, or others (Penal Code § 3407; Penal Code § 6030). See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless they are suspected of a dangerous felony or when the Park Ranger has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the Park Ranger, or damage property.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Park Rangers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, Park Rangers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, Park Rangers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the Park Ranger shall document the details of the detention and the need for handcuffs or other restraints in the related report and notify their supervisor as soon as practical after the event. If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report

Park Rangers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.

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- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

302.6 TRAINING

The Park Ranger Leadership should ensure that Park Rangers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg restraints, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
- (e) Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the San Jose Park Rangers authorizes Park Rangers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Director of Parks Recreation and Neighborhood Services or the authorized designee.

Only Park Rangers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, Park Rangers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

1. PARK RANGER LEADERSHIP RESPONSIBILITIES

The Director of Parks, Recreation and Neighborhood Services may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

2. USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, or outdated control devices, along with documentation explaining the cause of the damage, shall be returned to the Park Ranger leadership for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

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303.4.1 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be sent to the Supervising Ranger for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the Park Ranger reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the Park Ranger or others.

Department-issued batons approved for use are tactical (collapsible) batons, 16-inch to 31-inch length, friction-lock batons manufactured by Armament Systems and Procedures (ASP) or an equivalent.

An optional baton is a straight wooden baton, made of commercially manufactured solid hardwood between 26 inches to 29 inches in length. The diameter will be between 1 3/16 inches and 1 1/4 inches. The baton shall have a rubber grommet. The baton and grommet shall be black in color.

Uniformed personnel shall carry the baton in its authorized holder on the equipment belt.

The Department-issued tactical (collapsible) baton is to be carried by all peace officer uniformed personnel. The optional straight wooden baton may be carried in addition to the issued tactical (collapsible) baton. The optional straight wooden baton is not to be carried during ceremonial or interpretive events, or as directed by the Park Ranger leadership.

303.6 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.6.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt.

303.6.2 TREATMENT FOR OC SPRAY EXPOSURE

Since chemical agents are irritating to the eyes, nose and skin, Park Rangers using a chemical agent will ensure that persons exposed to such agents receive adequate first aid treatment as soon as practical. Generally, flushing the exposed areas of the body with water will constitute adequate

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treatment. Severe exposure may require gently applied but copious amounts of water. Persons with highly sensitive skin may experience mild burns and first aid treatment by paramedics, fire department personnel, or medical facility personnel may be required. If a person is wearing contact lenses, the subject or medical personnel should remove the lenses as soon as possible. When booking subjects exposed to chemical agents, jail personnel will be advised of this fact to prevent contamination of other jail occupants or custodial personnel.

303.7 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, Park Rangers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.8 TRAINING FOR CONTROL DEVICES

The Park Ranger Leadership shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the Park Ranger's training file.
- (c) Park Rangers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If a Park Ranger cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the Park Ranger will be restricted from carrying the control device and may be subject to discipline.

303.9 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Park Ranger Response to Calls

304.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

304.2 RESPONSE TO CALLS

Park Rangers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Park Rangers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the Park Ranger of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Park Rangers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Park Rangers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

304.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of Park Rangers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting Park Ranger shall immediately notify the Communications Center.

If circumstances permit, the requesting Park Ranger should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

304.4 NUMBER OF UNITS ASSIGNED

Normally, only one unit should respond to an emergency call Code-3 unless the Park Ranger leadership or the field supervisor authorizes an additional unit(s).

304.5 INITIATING CODE 3 RESPONSE

If a Park Ranger believes a Code-3 response to any call is appropriate, the Park Ranger shall immediately notify the Communications Center. Generally, only one unit should respond Code-3 to any situation. Should another Park Ranger believe a Code-3 response is appropriate,

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the Communications Center shall be notified and the Park Ranger leadership or field supervisor will make a determination as to whether one or more Park Rangers driving Code-3 is appropriate.

304.6 RESPONSIBILITIES OF RESPONDING PARK RANGERS

Park Rangers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Park Rangers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the Park Ranger. If, in the Park Ranger's judgment, the roadway conditions or traffic congestion do not permit such a response without unreasonable risk, the Park Ranger may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the Park Ranger should immediately notify the Communications Center. A Park Ranger shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, a Park Ranger shall immediately give the location from which they are responding.

304.7 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall assign a Code-3 response when a Park Ranger requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate medical or fire response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Park Ranger leadership or a field supervisor prior to assigning units Code-3. The dispatcher shall:

- (a) Attempt to assign the closest available unit to the location requiring assistance
- (b) Immediately notify the Park Ranger leadership or a field supervisor
- (c) Confirm the location from which the unit is responding
- (d) Notify and coordinate allied emergency services (e.g., fire and ambulance)
- (e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated
- (f) Control all radio communications during the emergency and coordinate assistance under the direction of the Park Ranger leadership or field supervisor

304.8 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Park Ranger leadership or the field supervisor shall verify the following:

- (a) The proper response has been initiated
- (b) No more than those units reasonably necessary under the circumstances are involved in the response

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- (c) Affected outside jurisdictions are being notified as practical. The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so. It is the supervisor's responsibility to terminate a Code-3 response that, in their judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Park Ranger leadership or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

304.9 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the Park Ranger must terminate the Code-3 response and respond accordingly. In all cases, the Park Ranger shall notify the Park Ranger leadership, field supervisor, or the Communications Center of the equipment failure so that another unit may be assigned to the emergency response.

Park Ranger-Involved Deaths

305.1 POLICY

This policy governs investigations of deaths or serious injuries involving Park Rangers. All incidents are to be investigated thoroughly, fairly, and impartially. Investigations may be criminal, administrative, or civil, and jurisdiction depends on the incident location and employing agency. Off-duty actions are governed by law; on-duty use of force must comply with department policy.

305.2 REPORTING

Park Ranger-involved deaths must be investigated thoroughly, fairly, and impartially, including criminal, administrative, and civil reviews. First uninvolved Rangers secure the scene, provide medical aid, and coordinate resources. Supervisors and leadership manage notifications, evidence preservation, and statements. Rangers receive legal, peer, and psychological support, plus administrative leave. DOJ is notified for deaths of unarmed civilians. Critical Incident Stress and Tactical Debriefings are conducted, and media communications are controlled by leadership. Incidents meeting justifiable homicide or in-custody death criteria must be reported to the state (Penal Code §§ 196, 13022; Gov. Code §§ 12525, 12525.3).

Firearms: Type, Purpose and Use

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

The Department of Parks, Recreation and Neighborhood Services may provide its authorized peace officer Park Rangers with firearms for specified training or to address resource management issues such as the abatement of nuisance or injured wildlife. The Department does not authorize the routine use or carrying of firearms outside of the guidelines provided by this policy. The Department will ensure firearms are appropriate, in good working order and that relevant training is provided as required.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Park Rangers shall only use firearms that are issued or approved by the Department of Parks, Recreation and Neighborhood Services and have been thoroughly inspected by a Department-approved rangemaster or armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by Department policy, may not be carried by Park Rangers in the performance of their official duties without the express written authorization of the member's Park Ranger leadership. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.4 WILDLIFE ABATEMENT RIFLES

Authorized peace officer Park Rangers may deploy a Department issued rifle for the abatement of animals only under the following conditions:

- A seriously sick or injured wild animal which must be abated and the use of a firearm is the most humane and effective method of euthanasia; or
- Other special conditions or circumstances that may be authorized in advance by the Deputy Director, such as ground squirrel or feral pig abatement.

At all times, the Park Ranger peace officer must be guided by the safety of persons and property nearby.

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When not deployed, the rifle shall be properly secured with the chamber empty, a trigger lock in place, in a locked rifle case in a secure location. All ammunition shall be stored in a second locked container separate from the rifle.

The rifle shall be transported from its storage location to the area of use unloaded and with the safety on. The rifle shall not be loaded until just prior to discharge. Once the abatement activity is complete the rifle shall be immediately unloaded and the safety activated.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Park Rangers shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Park Rangers shall not unnecessarily display or handle any firearm.
- (b) Park Rangers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Park Rangers shall not dry fire except under Rangemaster supervision.
- (c) Park Rangers shall not place or store any firearm or other weapon on Department premises except where the place of storage is locked and approved for the storage of firearms. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Park Rangers providing access to the jail section to persons from outside agencies are responsible for ensuring that firearms are not brought into the jail section.
- (d) Any firearm authorized by the Department that is determined by a Park Ranger to be malfunctioning or in need of service or repair shall not be used. It shall be promptly presented to the Department-approved Rangemaster or armorer for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service.

306.6 ALCOHOL AND DRUGS

Firearms shall not be carried by any Park Ranger, either on- or off-duty, who has consumed any amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the Park Ranger's senses or judgment.

306.7 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, Park Rangers shall ensure that it is in a locked container that is permanently affixed to the vehicle's interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

If the vehicle does not have a trunk or a locked container, then the firearm shall not be left unattended in any vehicle.

Park Rangers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

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306.8 FIREARM DISCHARGE

Except during training or recreational use, any Park Ranger who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to their supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved Park Ranger shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the Park Ranger shall file a written report with their Park Ranger leadership or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the Park Ranger shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.9 DESTRUCTION OF ANIMALS

Park Rangers are authorized to use firearms to stop a wild animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, Park Rangers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, oleoresin capsicum (OC) spray, Animal Services Officer, Police Officer). Nothing in this policy shall prohibit any Park Ranger from shooting a dangerous wild animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical. Park Rangers must have authorization from the Park Ranger leadership prior to deploying the Department rifle for wildlife abatement. The Park Ranger leadership will consult with the Division Manager for Parks or the Deputy Director for Parks prior to authorizing the use of a Department firearm.

306.10 INJURED ANIMALS

With the approval of the Park Ranger leadership and if there is no police officer, sheriffs deputy or California Department of Fish and Wildlife warden reasonably available, a Park Ranger may euthanize a wild animal that is so badly injured that human compassion requires its removal from further suffering where other dispositions are impractical. The Park Ranger leadership will consult with the Division Manager for Parks or the Deputy Director for Parks prior to authorizing the use of a Department firearm.

Stray or abandoned injured domestic animals shall not be euthanized by Park Rangers. Abandoned injured domestic animals shall be turned over to the Department of Animal Care and Services. Injured dogs and cats found without their owners shall be taken to an appropriate

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veterinarian for determination whether they should be treated or humanely destroyed (Penal Code § 597.1).

306.11 ACADEMY FIREARMS

While the Department of Parks, Recreation and Neighborhood Services does not issue firearms for patrol, firearms are required equipment when a Park Ranger recruit is training at an approved law enforcement academy. If the academy does not provide firearms, recruits may be issued a Department-owned firearm. The Department firearm is for training at a Department-approved academy under the supervision of an academy rangemaster only.

306.12 SAFE HANDLING AND STORAGE OF ACADEMY FIREARMS

Park Ranger recruits are not to possess ammunition for the Department-issued firearm at any time except for academy-issued ammunition for use during range training and under the supervision of an academy rangemaster, or at the San José Police Department or other Department approved firing range under the supervision of a San José Police Department rangemaster or other Department approved firearms instructor, with the explicit authorization of the Park Ranger leadership.

Park Ranger recruits shall not leave the Department-issued firearm unattended in any City or personal vehicle at any time.

Park Ranger recruits shall place the Department-issued trigger or barrel plug lock on the firearm and store the firearm with empty magazines in the Department-issued storage box any time it is not used for academy range training. The storage box shall be secured in the closed position with the second lock. The keys shall be secured on the Park Ranger recruit's person or other secure location but not in proximity to the firearm.

While attending the academy, the Park Ranger shall store firearms in secure locations as directed by academy staff or secured in the Park Ranger recruit's holster.

Department firearms will be secured in the Park Ranger leadership's Office if the Park Ranger recruit is working in a Department facility prior to attending the academy.

When off duty or on days off, the Park Ranger recruit shall secure the Department firearm in its storage box with both locks properly placed in a safe and secure location in their home. Examples of safe and secure locations:

- (a) A locked gun safe
- (b) A locked fire/document safe
- (c) A locking closet

Department firearms shall always be stored in compliance with all applicable federal, state and local laws.

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Park Ranger recruits shall not show, demonstrate, or otherwise display the Department-issued firearm to anyone other than the Park Ranger leadership, academy or San José Police Department rangemaster.

Park Ranger recruits shall immediately report the loss, damage or malfunction of Department-issued firearms to the Park Ranger leadership for training or other designated Park Ranger leadership.

Park Ranger recruits shall immediately report the loss or theft of a Department-issued weapon or associated equipment to the law enforcement agency with jurisdiction and the San José Police Department.

Park Ranger recruits shall not make any adjustments, repairs, or tamper with any feature of a Department-issued firearm. This does not prohibit the Park Ranger recruit from performing routine post-firing cleaning in accordance with the manufacturer's directions.

Only Department-approved armorers may repair or adjust a Department firearm.

The Park Ranger recruit shall immediately return the Department-issued firearm and associated equipment to the Park Ranger leadership when they completes the academy, is terminated from employment, or stops attending the academy, whichever occurs first.

306.13 DART GUN

Authorized Park Rangers may carry Department-issued dart guns only for wildlife abatement, dangerous animal control, Always handle safely, keep unloaded and locked when not in use, and report any discharge or malfunction..

Search and Seizure

307.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Department of Parks, Recreation and Neighborhood Services personnel to consider when dealing with search and seizure issues.

307.2 POLICY

It is the policy of the Department of Parks, Recreation and Neighborhood Services to respect the fundamental privacy rights of individuals. Members of this Department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this Department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to Park Rangers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

307.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this Department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

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Search and Seizure

Whenever practicable, Park Rangers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

307.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this Department will strive to conduct searches with dignity and courtesy.
- (b) Park Rangers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching Park Ranger, a reasonable effort should be made to summon a Park Ranger of the same sex as the subject to conduct the search. When it is not practicable to summon a Park Ranger of the same sex as the subject, the following guidelines should be followed:
 1. Another Park Ranger, a police officer, or a supervisor should witness the search.
 2. The Park Ranger should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

307.5 DOCUMENTATION

Park Rangers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon a Park Ranger of the same sex as the person being searched and the identification of any witness Park Ranger

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and Department policy have been met.

Custodial Searches

308.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into custodial facilities. Such items can pose a serious risk to the safety and security of Department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

308.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of the individual's property, shoes, and clothing, including pockets, cuffs, and folds on the clothing, to remove all weapons, dangerous items, and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach, rectal cavity, or vagina of an individual.

Strip search - A search that requires an individual to remove or rearrange some or all of the individual's clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus, or outer genitalia. This includes monitoring an individual who is changing clothes, where the individual's underclothing, buttocks, genitalia, or female breasts are visible.

308.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

308.3 CUSTODY SEARCHES & PROPERTY HANDLING (SANTA CLARA COUNTY PROTOCOL)

- All individuals entering Santa Clara County Jail must be searched per county protocol. Searches should be conducted by a same-sex Park Ranger when possible; otherwise, a witness must be present.
- Searches are also required when entering/re-entering secure areas or as needed for safety.

Custodial Searches

308.4 PROPERTY & MONEY

- Property must be handled carefully and secured until release or transfer.
- Inventory property objectively; the individual signs, or a witness observes. Include case number, date, time, and Park Ranger ID.
- Money must be counted in front of the individual, placed in a sealed envelope, and initialed by the Park Ranger. Changes must be recorded and initialed.

308.5 BODY SCANNER

Per Santa Clara County protocol, if a body scanner is available, all persons in custody shall undergo a scan upon entering the secure booking area:

(a) Operators viewing the scan must be the same sex as the person scanned, except for physicians or licensed medical personnel.

(b) Members must ask if the person is pregnant and shall not use the scanner on pregnant individuals.

308.6 STRIP SEARCHES

- Strip searches will not be conducted by Park Rangers.
- Such searches, if required, shall follow Santa Clara County Jail protocol and be performed by authorized personnel only.

308.7 TRAINING

Park Ranger Leadership shall ensure members are trained, per Santa Clara County protocol (28 CFR115.115),on:

(a) Searching cross-gender individuals.

(b) Searching transgender and intersex individuals.

(c) Conducting searches professionally, respectfully, and as minimally intrusive as security allows.

Temporary Custody of juveniles

309.1 PURPOSE AND SCOPE

This policy provides guidelines, consistent with the Juvenile Justice and Delinquency Prevention Act (34 USC § 11133), for juveniles temporarily taken into custody by San Jose Park Rangers. Guidance for contacting juveniles at schools or who may be victims is in the Child Abuse Policy.

309.2 DEFINITIONS

- **Juvenile non-offender:** A juvenile held for safety or welfare, including abused, neglected, dependent, or alien juveniles, or those taken into custody for protection or reunification with a guardian. Juveniles 11 or younger are always considered non-offenders, even if an offense occurred.
- **Juvenile offender:** A juvenile 12–17 alleged to have committed an offense that would subject an adult to arrest, including underage possession of a handgun or concealable firearm (Welfare & Institutions Code § 602; Penal Code § 29610; 28 CFR 31.303).

309.3 POLICY

San Jose Park Rangers shall release juveniles from temporary custody as soon as reasonably possible, keeping them safe while held. Custody should only last as long as necessary for processing, transfer, or release.

309.4 JUVENILES WHO SHOULD NOT BE HELD

Juveniles should not be held if they are: unconscious, seriously injured, a known suicide risk or severely emotionally disturbed, significantly intoxicated without medical clearance, or extremely/continuously violent. Park Rangers must provide medical or mental health assistance and notify a supervisor if any of these conditions exist (15 CCR 1142, 1151).

309.5 EMERGENCY MEDICAL CARE

If a juvenile requires emergency medical attention, call for medical assistance immediately and notify Park Ranger Leadership. Administer first aid as appropriate (15 CCR 1142).

309.6 SUICIDE PREVENTION

Park Rangers should monitor juveniles for signs of suicide risk, such as depression, refusal to communicate, threats of self-harm, or unusual behavior, in both secure and non-secure custody (15 CCR 1142).

309.7 INTERVIEWING JUVENILE SUSPECTS

Juveniles may only be interviewed if they can understand and consent. Those 17 or younger must be allowed to consult with legal counsel before custodial interrogation, which may not involve threats, deception, or coercion (WIC §§ 625.6–625.7). Exceptions apply only to imminent threats to life or property.

Temporary Custody of juveniles

309.8 MANDATORY RECORDINGS

Custodial interrogations of juveniles under 18 suspected of murder must be audio/video recorded at department or detention facilities, including Miranda advisement (PC § 859.5). Exceptions include exigent circumstances, refusal by the juvenile, device failure, routine booking questions, out-of-state interrogations, or safety concerns. Recordings must be retained until all appeals are exhausted or prosecution is barred.

309.9 FORMAL BOOKING

Juveniles may only be booked with supervisor or Park Ranger Leadership authorization. Those 14+ charged with a felony or sex crime must be fingerprinted and photographed. Other offenses may be processed at leadership discretion, considering offense severity, prior record, and age.

309.10 RELEASE OF JUVENILE INFORMATION

Juvenile information may only be shared when legally authorized. Records Managers and supervisors must ensure compliance with WIC § 828 and other legal guidelines.

Elder & Dependent Adult Abuse – Field Guide (SJ Park Rangers)

310.1 PURPOSE

Protect vulnerable adults (elders 65+, dependent adults 18–64 with limitations) from abuse, neglect, financial exploitation, or harm. Investigate, report, and notify per law (PC § 368.6; WIC § 15630).

310.1.1 KEY DEFINITIONS

- **Abuse:** Physical, sexual, financial, neglect, isolation, or harm caused by caretaker or other person.
- **Dependent Adult:** 18–64 with physical/mental limitations restricting self-care or rights.
- **Victimization includes:** Domestic violence, hate crimes, sex crimes, financial abuse, or neglect.

310.2 IMMEDIATE ACTIONS

- (a) **Ensure safety:** Remove victim from danger if imminent threat exists.
- (b) **Medical care:** Call EMS if needed; provide first aid.
- (c) **Supervisor notification:** Inform Park Ranger Leadership as soon as possible.

Protective Custody:

- Only when no other safe alternative exists or immediate danger is present.
- Contact SJPD
- Seek Emergency Protective Orders (FC § 6250(d)) if needed.

Investigations:

Document: victim statements, injuries, witnesses, prior reports, potential bias crimes.

Record interviews when possible; avoid repeated questioning.

Use qualified interpreters for victims with hearing/cognitive disabilities.

Coordinate with APS, ombudsman, prosecutors, and social services.

Notification:

- **APS/Regulatory Agencies:** Notify immediately by phone or online reporting; follow up in writing within 2 days.
- **Long-term care, adult day programs, hospitals:** Notify ombudsman, licensing agencies, DPH, California Department of Aging, or law enforcement as required.
- **Failure to report is a misdemeanor.**

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Elder & Dependent Adult Abuse – Field Guide (SJ Park Rangers)

Protective Orders & Firearms:

- Verify relevant protective orders; ensure firearm restrictions enforced (PC § 368.6(c)(19)).

Drug-Endangered Victims:

- Document conditions, notify supervisor, coordinate interagency response.

Training & Preparedness:

- All officers trained on elder/dependent adult abuse, cultural competence, interviews, forensic exams, and victim support (PC § 368.6(c)(5)(A,16)(A)).

Key Statutes for Reference:

- **PC § 368:** Elder/dependent adult abuse.
- **PC § 288:** Sexual abuse of minors/dependents.
- **WIC § 15610.05–.63:** Definitions of abuse, neglect, financial exploitation, isolation, physical abuse.

Field Reminder:

- Safety first.
- Notify APS and supervisor immediately.
- Protect evidence, document thoroughly, coordinate with appropriate agencies.

Missing Persons

311.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

311.2 DEFINITIONS

At Risk – As defined in Penal Code §14215, includes:

- Victims of crime or foul play
- Persons missing and needing medical attention
- Persons missing with no history of running away
- Possible victims of parental abduction
- Mentally, cognitively, or developmentally impaired missing persons

Missing Person – Anyone reported missing whose location is unknown, including:

- Children taken or kept unlawfully by a parent (PC §277 et seq.)
- Anyone missing voluntarily, involuntarily, or unusually, and possibly in need of help (PC §14215)

Missing Person Networks – Law enforcement databases for missing person cases, including NCIC, NamUs, CLETS, MPS, and UPS.

311.3 POLICY

The San Jose Park Rangers treat all missing person reports as urgent, assuming the person needs immediate help until proven otherwise. These cases take priority over property crimes, and no waiting period is required to start an investigation (PC §14211), Rangers will first gather the information and then coordinate with the San Jose Police Department.

311.4 ACCEPTANCE OF REPORTS

Any member receiving a missing person or runaway report must assist immediately (PC §14211), by taking the report in person or by phone and starting the investigation. If unable, they must quickly notify someone who can. Reports are accepted in all cases, regardless of where the person was last seen or lives.

311.5 INITIAL INVESTIGATION

Initial Missing Person Investigation – Key Actions:

- (a) Respond to calls promptly.
- (b) Interview the reporting party and witnesses to confirm the person is missing and assess risk.
- (c) Notify a supervisor immediately if the person is at risk or may need a public alert.
- (d) Broadcast a BOLO for persons under 21 or at-risk individuals within one hour (PC §14211).
- (e)

Missing Persons

- Notify the San Jose Police Department)
- (f) Complete reports accurately and initiate searches as needed.
- (g) Collect/review:
 - Photo and fingerprints, if available
 - Voluntary biological samples (e.g., toothbrush, hairbrush)
 - Relevant documents (e.g., custody orders)
 - Other evidence, including personal electronic devices
- (h) When appropriate, attempt to locate the person via their telecom carrier.
- (i) Coordinate with other agencies if the person was previously reported missing; notify a supervisor and take steps to locate if the person is at risk.

Child Abuse

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when San Jose Park Rangers members are required to notify the San Jose Police Department and county Child Protective Services (CPS) of suspected child abuse.

312.1.1 DEFINITIONS

Definitions related to this policy include:

Child – Any person under 18 years, unless otherwise specified by law.

Child Abuse – Any violent or neglectful act against a child by a caregiver, or any act requiring mandatory reporting to social services or law enforcement (PC §§11165.9, 11166).

312.2 POLICY

The San Jose Park Rangers will investigate all reported incidents of alleged criminal child abuse and ensure the San Jose Police Department and CPS is notified as required by law.

312.3 CHILD ABUSE NOTIFICATION

- Notify the child protection agency for known or suspected abuse/neglect by a caregiver, or if a caregiver fails to protect a child at risk (PC §11166).
- Notify the District Attorney for all reported abuse/neglect, except neglect of basic needs without physical injury (PC §11166).
- Notify the California Department of Social Services or relevant licensing authority if abuse occurs in licensed facilities or involves licensed caregivers.
- For children of minor parents or dependent adults, notify their attorney within 36 hours (PC §§11166.1, 11166.2).

Definition of Abuse/Neglect for Notification:

- Physical injury or death inflicted non-accidentally, sexual abuse, neglect, willful harm/endangerment, or unlawful corporal punishment (PC §§11165.1–11165.4).
- Does not include mutual fights between minors or injuries from reasonable force by a peace officer.

312.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.
- (b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

Child Abuse

312.4 QUALIFIED INVESTIGATORS

- Conduct interviews in child-appropriate facilities.
- Use forensic interview techniques for child abuse cases.
- Present all alleged abuse cases to the prosecutor.
- Coordinate with law enforcement, social services, and schools.
- Provide referrals and support for the child and family.
- Participate in or coordinate with multidisciplinary investigative teams (WIC §18961.7).

312.4.1 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Park Rangers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable: The overall basis for the contact. This should be done by the investigating Park Ranger in all circumstances where a suspected child abuse victim was contacted.

The exigent circumstances that existed if Park Rangers interviewed the child victim without the presence of a parent or guardian.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

The overall basis for the contact. This should be done by the investigating Park Ranger in all circumstances where a suspected child abuse victim was contacted.

The exigent circumstances that existed if Park Rangers interviewed the child victim without the presence of a parent or guardian.

Any relevant statements the child may have made and to whom he/she made the statements.

If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

Whether the child victim was transported for medical treatment or a medical examination.

Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

Previous addresses of the victim and suspect.

Child Abuse

Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

312.5 OUT-OF-JURISDICTION CHILD ABUSE REPORTS

- Transfer the caller immediately to the agency with proper jurisdiction.
- If transfer is not possible, take a report and promptly forward it by phone, fax, or electronic means to the appropriate agency (PC §11165.9).

312.6 INITIAL REPORTS OF ABUSE FROM A NONMANDATED REPORTER

Members who receive a report of child abuse or neglect shall request the following information from the reporter (Penal Code § 11167):

Name and telephone number

Information and the source of information that gives rise to the knowledge or reasonable suspicion of child abuse or neglect

If the reporter refuses to provide their name and telephone number, the member should make a reasonable effort to determine the basis for the refusal and inform them that their information will remain confidential.

312.7 CHILD PROTECTIVE CUSTODY GUIDELINES

- Attempt to contact CPS before taking a child into custody; generally, removal should be handled by child welfare authorities.
- Remove a child without a court order only if no other effective alternative exists and immediate protection is needed.
- Whenever possible, try to place the child with a qualified parent or guardian; if unsafe or unavailable, deliver the child to CPS.
- Inform a supervisor before taking custody when practicable; otherwise, notify promptly afterward.

Situations Justifying Immediate Custody Without Court Order (WIC §305; PC §279.6):

- (a) Child requires immediate medical care, is in immediate danger of abuse, or is in an unsafe environment.
- (b) Risk of concealment, flight, or lack of lawful custodian.
- (c) Conflicting custody claims or the child is abducted.
- (d) Child is with someone arrested for detainment or deprivation of custody (PC §§278, 278.5).

Child Abuse

- Children taken into custody must be delivered to CPS unless directed otherwise by court order.

312.8 CALIFORNIA SAFELY SURRENDERED BABY LAW

An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

312.9 CHILD ABUSE INTERVIEWS

- Record preliminary interviews when possible and avoid multiple or unnecessary questioning.
- Defer interviews to trained specialists when available.
- Do not interview child victims at the alleged abuse location.

312.10 DETAINING SUSPECTED CHILD VICTIMS

Do not involuntarily detain a child for interviews/exams without parental consent unless:

- (a) Exigent circumstances exist (immediate medical need, imminent danger, or risk from custodial parent).
- (b) A court order or warrant is issued.

312.11 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating Park Ranger should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The Park Ranger should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, Park Rangers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for Park Rangers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

312.12 CHILDREN EXPOSED TO NARCOTICS CRIMES

- (a) Law enforcement and social services should coordinate to address immediate and long-term medical and safety needs.
- (b) Supervisor Responsibilities:
- (c) Collaborate with CPS, law enforcement, medical providers, and prosecutors to create community-specific response procedures.

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- (d) Activate interagency response when a child is present at a drug lab or narcotics crime scene.
- (e) Develop checklists or report formats for documenting environmental, medical, social, and other conditions affecting the child.

312.13 PARK RANGER RESPONSIBILITIES AT NARCOTICS CRIME SCENES INVOLVING CHILDREN

- Document the child's environmental, medical, and social conditions, using photos and the provided checklist/form.
- Notify the San Jose police Department and Park Ranger Supervisor.

312.14 STATE MANDATES AND CHILD ABUSE PROCEDURES

- Refer all child abuse or suspected abuse reports to the agency with proper jurisdiction.
- Reports are confidential and may only be released per law (PC §§841.5, 11167.5).
- Requests for removal from the California Child Abuse Central Index (CACI) must be submitted in writing and routed to the hearing officer, who is not connected to the case (PC §11169).
- Hearings are informal; the officer reviews evidence and determines if allegations are unsubstantiated. Approved removals are forwarded to DOJ; decisions are final.
- Cooperate with interagency child death review teams; share information with supervisor approval (PC §11174.32).
- Provide training on best practices, including forensic interviews, multidisciplinary investigations, therapy services, forensic exams, cultural competence, and victim/guardian support.

Victim and Witness Assistance

313.1 PURPOSE

To ensure that crime victims and witnesses receive appropriate assistance, resources, and information while complying with legal mandates, and to direct them to the local agency with jurisdiction for coordinated support.

313.2 POLICY

- All crime victims and witnesses shall be referred to the local agency with jurisdiction and handled according to that agency's protocols.
- Victims shall be provided information on available resources, victim compensation, sexual assault rights, human trafficking advocacy, and community support services.
- In cases involving minors or human trafficking, victims shall be informed that names and images may be withheld from public record until the conclusion of the investigation or prosecution.
- Park Rangers shall not guarantee safety or eligibility for compensation but may provide practical safety guidance.
- Victims shall be advised about relevant court orders and protections.
- Witnesses shall be given practical safety guidance, and allegations of intimidation shall be reported to the appropriate agency.

Subpoenas and Court Appearances

314.1 PURPOSE AND SCOPE

To establish guidelines for department members appearing in court, ensure coverage for work absences, and keep the Department informed of legal matters.

314.2 POLICY

- Members shall respond to all subpoenas and court-ordered appearances and notify their chain of command immediately.
- Subpoenas must be received by authorized personnel and delivered promptly to the member or their supervisor. Civil subpoenas require statutory fees; criminal subpoenas must allow sufficient time for compliance (PC §1328; GC §§68097.1–68097.2).
- Members subpoenaed for cases outside the City Attorney or prosecutor's request must notify their immediate supervisor, who will inform the Director and appropriate prosecuting attorney. No retaliation is permitted for testifying.
- Civil appearances related to official duties are compensated; off-duty, non-work-related appearances are not.
- Failure to appear may result in discipline.
- Members on standby must maintain current contact information and remain reachable until released.
- Courtroom conduct: be punctual, prepared, dress appropriately, follow court rules, and review relevant reports before testifying.
- Off-duty court appearances are compensated per the applicable agreement.

Private Persons Arrests

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

315.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Penal Code § 836(b) expressly mandates that all Park Rangers shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, Park Rangers should use sound discretion in determining whether or not to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, Park Rangers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

315.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

- (a) For a public offense committed or attempted in their presence;
- (b) When the person arrested has committed a felony, although not in their presence;
- (c) When a felony has been in fact committed, and they have reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

315.4 PARK RANGER RESPONSIBILITIES

Any Park Ranger presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

- (a) Should any Park Ranger determine that there is no reasonable cause to believe that a private person's arrest is lawful, the Park Ranger should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
 - 1. Any Park Ranger who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code

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Private Persons Arrests

§ 849(b)(1). The Park Ranger must include the basis of such a determination in a related report.

2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the Park Ranger, the Park Ranger should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever a Park Ranger determines that there is reasonable cause to believe that a private person's arrest is lawful, the Park Ranger may exercise any of the following options:
1. Take the individual into physical custody for booking
 2. Release the individual pursuant to a Notice to Appear
 3. Release the individual pursuant to Penal Code § 849

315.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person's Arrest form under penalty of perjury.

In addition to the Private Person's Arrest Form (and any other related documents such as citations, booking forms, etc.), Park Rangers shall complete a narrative report regarding the circumstances and disposition of the incident.

Service Animals

316.1 PURPOSE AND SCOPE

Protect rights of individuals with service animals under ADA Title II.

316.1.1 DEFINITIONS

Service Animal:

- Dog or trained miniature horse performing tasks for a disability.
- Must be housebroken, under control, and safe.

Access & Use:

- Allowed in all public areas. Treat handlers with respect.
- Tasks include guiding, alerting, retrieving, opening doors, wheelchair support, psychiatric/cognitive assistance.

Member Actions:

- **Inquiry:** Only ask if unclear:
 - (a) Is the animal required because of a disability?
 - (b) What task or service has the service animal been trained to perform?
- **Do not:** Ask about disability or request ID/certification.
- **Do not:** Distract, pet, or interfere.
- **Removal:** Only if not housebroken, threatening, or disruptive. Barking alone # removal. Service not denied.

Complaints & Referrals:

- Explain ADA requirements neutrally.
- Animal safety/welfare # Animal Control.

Off-Duty Law Enforcement Actions

317.1 PURPOSE AND SCOPE

Protect safety while guiding off-duty law enforcement actions.

a Park Ranger Park Rangers San Jose Park Rangers

317.2 POLICY

- Avoid intervening in minor crimes; report to authorities.
- Immediate action only for **imminent threats** to life or major property.
- Prefer monitoring and waiting for on-duty Rangers.

317.3 FIREARMS

- Carry per policy with badge/ID.
- **Do not carry** if impaired by alcohol, drugs, or medications.

317.4 INTERVENTION CONSIDERATIONS

- Alone or outnumbered? Limited communication? No equipment or cover? Risk to bystanders? Unfamiliar area? Potential misidentification?
- Call 9-1-1 first, identify yourself, display ID.
- Avoid personal disputes. Part-time Rangers: notify authorities only.

317.5 REPORTING

- Notify Park Ranger Leadership ASAP.
- Cooperate with jurisdictional agency.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

Define patrol duties to ensure public safety, support park operations, and maintain effective coordination with other agencies.

400.2 CORE PATROL RESPONSIBILITIES

1. General Patrol (Proactive)

- Observe park conditions, visitor use, and ongoing projects.
- Monitor trails, facilities, and park resources for maintenance needs or hazards.
- Document observations and report issues for follow-up.
- Promote a visible presence to enhance safety and awareness without focusing solely on law enforcement.

2. Public Safety

- Identify and respond to hazards affecting visitors, staff, or park infrastructure.
- Provide assistance and safety guidance to park visitors.
- Respond to emergencies and coordinate as needed.

3. Law Enforcement

- Enforce applicable state, local, and park-specific laws **when necessary**.
- Coordinate with SJPD or other agencies for serious incidents or criminal activity.

4. Medical Response

- Provide first aid and medical assistance as needed.
- Call for emergency medical support when required.
- Maintain awareness of visitor safety and potential medical risks.

5. Wildland Operations

- Monitor and respond to wildland hazards, such as fire, flood, or wildlife threats.
- Support wildfire prevention, suppression, and environmental protection activities.
- Ensure visitor safety in natural areas.

6. Park Operations

- **Maintenance:** Observe and report safety or facility issues.
- **Resource Management:** Assist with habitat protection, restoration projects, and environmental stewardship.
- **Interpretation:** Educate visitors about park resources, rules, and programs.

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Patrol Function

Additional Patrol Considerations:

- **Crowds, Events, and Gatherings:** Monitor parades, demonstrations, and large gatherings; coordinate with SJPD to maintain safety and encourage voluntary compliance.
- **Terrorism-Related Observations:** Report suspicious activity to a supervisor and SJPD; document via FI card or written report.

Operational Hours:

- Patrols generally occur **0800 hours to one hour past sunset**, seven days a week.
- Emergency calls and urgent incidents are prioritized to ensure public and staff safety.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

Ensure fair, objective, and non-discriminatory enforcement while supporting community engagement.

401.1.1 KEY PRINCIPLES

- **Prohibited:** Bias-based policing based on race, ethnicity, religion, sex, gender identity, sexual orientation, age, disability, economic status, cultural group, or non-criminal affiliations.
- **Allowed:** Consider protected characteristics **only with credible, timely, specific info** linking a person/group to unlawful activity.
- **Prohibited:** Bias-based policing based on race, ethnicity, religion, sex, gender identity, sexual orientation, age, disability, economic status, cultural group, or non-criminal affiliations.
- **Allowed:** Consider protected characteristics **only with credible, timely, specific info** linking a person/group to unlawful activity.

Ranger Responsibilities:

- Perform duties fairly and objectively.
- Report or intervene if bias-based actions occur.
- Articulate reasons for all contacts and document facts in reports/FI cards.
- Collect stop data per state law; complete reports **by end of shift**.

Supervisor Responsibilities:

- Monitor compliance and address alleged violations.
- Review recordings, MDT data, and reports; retain evidence of potential bias.
- Investigate violations and prevent retaliation against reporters.

Training:

- Attend **POST-approved bias-based policing training**; refresher every 5 years or sooner.
- Stay aware of racial, cultural, and identity differences in the community.

DOJ Reporting:

- Stop data and complaints of racial bias are submitted to the Office of Employee Relations for DOJ reporting.

Crisis Intervention Incidents

402.1 PURPOSE AND SCOPE

Provide guidelines for safely and effectively interacting with individuals experiencing mental health or emotional crises.

402.1.1 DEFINITIONS

- **Person in Crisis:** Someone whose distress or mental health symptoms exceed their ability to manage behavior or emotions, possibly leading to erratic, disruptive, or dangerous actions.

- **Key Principles:**
 - Park Rangers should collaborate with **mental health professionals** when feasible.
 - Safety is the top priority; mental health crises alone are **not criminal offenses**.
 - Reasonable force may be used if safety is threatened.

Signs of Crisis:

- History of mental illness, suicidal threats/attempts
- Disorientation, incoherence, memory loss
- Delusions, hallucinations, extreme agitation, depression, anxiety, social withdrawal
- Impulsivity, aggression, paranoia

Response Guidelines:

- Assess situation independently; consider mental and emotional state.
- Request **SJPD or Crisis Intervention Team (CIT)** support as needed.
- Secure the scene, identify potential weapons, and preserve safety for all.
- De-escalate using calm, patient, and non-threatening communication:
 - Introduce yourself, obtain the person's name, and move/speak slowly.
 - Remove distractions, allow space to retreat, actively listen.
 - Avoid aggressive stances, cornering, arguing, raised voice, or threats.
- Consider passive monitoring if immediate action is not required.

Supervisor Responsibilities:

- Respond to crisis scenes when available.
- Monitor and document use of force and restraints.
- Conduct after-action reviews and ensure proper incident reporting.
- Provide critical incident stress debriefing if warranted.

Crisis Intervention Incidents

Reporting:

- Maintain **confidentiality** of persons in crisis; report as required.
- Process non-arrested individuals per **Mental Illness Commitments Policy**.

Civilian/Non-Sworn Interaction:

- Treat all individuals with **dignity and respect**.
- Remain patient, calm, and aware that behavior may be unusual.
- Call **SJPD** if the person becomes disruptive, violent, or poses a risk.

Training:

- All Rangers receive **crisis intervention and mental health training**, including POST-approved courses when available.
- Annual review and analysis of crisis response to improve department procedures.

CRISIS RESPONSE

403.1 PURPOSE AND SCOPE

The Department prioritizes the safety of the public and responders while securing scenes, preserving evidence, providing aid, and notifying the Chain of Command (CoC), San José Police Department (SJPD), and San José Fire Department (SJFD) or other appropriate agencies for additional support.

403.2 FIRST RESPONDER RESPONSIBILITIES

Park Rangers arriving on scene shall:

- (a) Protect the public, responders, and victims.
- (b) Secure and preserve the scene, maintaining inner and outer perimeters.
- (c) Provide medical aid if safe to do so.
- (d) Assess for hazards, including chemical, biological, explosive, or structural risks.
- (e) Establish a chronological log of critical times, personnel, and actions.
- (f) Identify witnesses and maintain their presence if possible.

403.3 NOTIFICATIONS

Chain of Command, SJPD, and SJFD: Notify for:

- Homicide, officer-involved shooting, in-custody death
- Traffic fatality or major injury
- Employee or prominent official death/injury
- Aircraft crash, arrest of employee/official
- Other incidents of significant public or media interest
- Any incident requiring detective or traffic investigation
- Suspected homicide or criminal deaths
- Hazardous material incidents requiring Fire Department response
- Bomb/explosive threats or detonation incidents

Other Agencies as Needed:

- Bomb Squad, Health Department, Toxic Substances Control, or other specialized agencies.

Public Information Officer (PIO):

- Notify after internal staff if media interest is expected.
- All notifications should be made as soon as practicable and documented.
- DEATH INVESTIGATION

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CRISIS RESPONSE

- Notify CoC, SJPD, and SJFD as needed for response or support.
- Do not move or disturb the body without Coroner approval.
- Retain witnesses at scene; document name/address.

HAZARDOUS MATERIAL RESPONSE

- Identify substances safely (placard, manifest, statements).
- Notify SJFD, CoC, and, if applicable, Health or Toxic Substances authorities.
- Provide first aid safely; avoid contamination.
- Evacuate area as appropriate (voluntary or mandatory).
- Report all exposures to supervisor; document and seek medical treatment.

BOMB / EXPLOSIVE RESPONSE

- Do not touch or move suspected devices.
 - Avoid transmitting on radios, cell phones, or other electronic devices near suspected device.
 - Establish the largest safe perimeter and safe access routes.
 - Evacuate buildings and personnel; search for secondary devices if resources allow.
 - Preserve evidence and coordinate with SJPD, SJFD, Bomb Squad, and CoC.
 - Notify other law enforcement/federal agencies as warranted.
- Restrict access to authorized personnel; manage crowds safely

Cite and Release Policy

404.1 PURPOSE AND SCOPE

This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

404.2 POLICY

It is the policy of the Department of Parks, Recreation and Neighborhood Services to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department's mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail. Refer to SJPD guidelines on Cite and release policy.

Reporting Public Safety Activity Outside of Jurisdiction

405.1 PURPOSE AND SCOPE

This policy provides general guidelines for reporting public safety activity while on or off-duty and occurring outside the jurisdiction of the City of San José Department of Parks, Recreation and Neighborhood Services.

405.1.1 ASSISTANCE TO AGENCIES OUTSIDE THE CITY

When a Park Ranger is on duty and is requested by an allied agency to participate in public safety activity in another jurisdiction, they shall obtain prior approval from the immediate supervisor or the Park Ranger Leadership . If the request is of an emergency nature, the Park Ranger shall notify the Communications Center before responding and thereafter notify a supervisor as soon as practical.

405.1.2 PUBLIC SAFETY ACTIVITY OUTSIDE THE CITY

Any on-duty Park Ranger who engages in public safety activities of any type outside the immediate jurisdiction of the Department of Park, Recreation and Neighborhood Services shall notify their supervisor or the Park Ranger Leadership at the earliest possible opportunity. Any off-duty Park Ranger who engages in any public safety activities, regardless of jurisdiction, shall notify the Park Ranger Leadership as soon as practical.

The supervisor shall determine if a case report or other documentation of the Park Ranger's activity is required. The report or other documentation shall be forwarded to the Parks Division Deputy Director.

Contacts and Temporary Detentions

406.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When a Park Ranger contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the Park Ranger is voluntary.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the Park Ranger's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by Park Rangers in the field to check an individual for dangerous weapons. Such a search involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the Park Ranger, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, a Park Ranger has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When a Park Ranger intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when a Park Ranger actually restrains a person's freedom of movement.

406.2 POLICY

The Department of Parks, Recreation and Neighborhood Services respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the Park Ranger, the decision to temporarily detain a person and complete a field interview (FI), pat-down search, or field photograph shall be left to the Park Ranger based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

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Contacts and Temporary Detentions

406.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, a Park Ranger may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the Park Ranger's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Department to strengthen community involvement, community awareness and problem identification.

406.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the Park Ranger should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor, suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the Park Ranger.

406.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the Park Ranger's training and experience, a Park Ranger may pat a suspect's outer clothing for weapons if the Park Ranger has a reasonable, articulable suspicion the suspect may pose a safety risk. Park rangers are strongly encouraged to contact and request a response from the San José Police Department any time there is belief that a weapon may be present. The purpose of this limited search is not to discover evidence of a crime, but to allow the Park Ranger to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
- (b) Where more than one suspect must be handled by a single Park Ranger.
- (c) The hour of the day and the location where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.

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- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

Whenever practicable, a pat-down search should not be conducted by a lone Park Ranger. A cover police officer should be positioned to ensure safety and should not be involved in the search.

406.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the Park Ranger shall carefully consider, among other things, the factors listed below.

406.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the Park Ranger should have the individual read and sign the appropriate form accompanying the photograph.

406.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and if the photograph serves a legitimate law enforcement purpose related to the detention. The Park Ranger must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the Park Ranger's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

406.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Park Ranger Leadership with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Park Ranger Leadership should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Park Ranger Leadership will forward the photograph and documents to the designated San Jose Police Department criminal intelligence system supervisor.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Center.

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When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

406.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

406.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, the Park Ranger should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, Park Rangers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement.
 - 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Public Recording of Law Enforcement Activity

407.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this Department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

407.2 POLICY

The Department of Parks, Recreation and Neighborhood Services recognizes the right of persons to lawfully record PRNS members who are performing their official duties. Members of this Department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Park Rangers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

407.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (Penal Code § 69; Penal Code § 148).
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - (a) Tampering with a witness or suspect.
 - (b) Inciting others to violate the law.
 - (c) Being so close to the activity as to present a clear safety hazard to the Park Ranger.
 - (d) Being so close to the activity as to interfere with a Park Ranger's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the Park Ranger themselves or others.

407.4 PARK RANGER RESPONSE

Park Rangers should promptly request that a supervisor and the San José Police Department respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, Park

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Rangers should wait for the supervisor and the San José Police Department arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, Park Rangers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, a Park Ranger could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, Park Rangers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

407.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the Park Ranger and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

407.6 SEIZING RECORDINGS AS EVIDENCE

Park Rangers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.

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- (a) To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
- (b) If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.
- (c) Another way to obtain the evidence is to transmit a copy of the recording from a device to a Department-owned device.
- (d) If a Park Ranger has reason to believe that the seizure of any recording or recording device may be necessary the Park Ranger shall immediately request a response from the San José Police Department and a San José Police Department supervisor. Any seizure of recordings or recording devices will be at the discretion of the San José Police Department in accordance with federal and state laws as well as City of San José policies.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

First Amendment Assemblies

408.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

408.2 POLICY

The Department of Parks, Recreation and Neighborhood Services respects the rights of people to peaceably assemble. It is the policy of this Department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property. Park Rangers will generally report to the San José Police Department chain of command when responding to public assemblies or demonstrations.

408.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, Park Rangers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors Park Rangers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Park Rangers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless a Park Ranger is placing a person under lawful arrest.

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Supervisors should continually observe Department members under their command to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

408.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating Department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

408.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding Park Ranger should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the the Communications Center, and the assignment of a San José Police Department supervisor should be requested. Additional resources should be requested as appropriate. The responding Police Department supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

408.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

408.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

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- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

408.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.

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- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

408.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

408.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

408.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to

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harm Park Rangers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

408.8 ARRESTS

The Department of Parks, Recreation and Neighborhood Services should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of Park Rangers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

408.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see Policy 321- Media Relations Policy).

408.9.1 MEDIA ACCESS

If Park Rangers close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First

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Amendment, Park Rangers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

408.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

408.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

408.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

408.12 TRAINING

Park Rangers should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners

Civil Disputes

409.1 PURPOSE AND SCOPE

This policy provides members of the Department of Parks, Recreation and Neighborhood Services with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

409.2 POLICY

The Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this Department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice. Park Rangers should request the assistance of the San José Police Department for civil disputes.

409.3 GENERAL CONSIDERATIONS

When appropriate, Park Rangers handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Park Rangers must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, Park Rangers should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

409.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for a Park Ranger to make an arrest for a violation of a court order, the matter should be addressed by documenting

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any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating Park Rangers should consult a supervisor and the San José Police Department prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating Park Rangers should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

409.4.1 STANDBY REQUESTS

Park Rangers responding to a call for standby assistance to retrieve property should direct the individual to the San José Police Department.

409.5 VEHICLES AND PERSONAL PROPERTY

Park Rangers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Park Rangers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, Park Rangers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

409.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should be referred to the San José Police Department.

Unhoused Persons

410.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the unhoused and to establish procedures to guide Park Rangers during all contacts with the unhoused, whether consensual or for enforcement purposes. The Department of Parks, Recreation, and Neighborhood Services recognizes that members of the unhoused community are often in need of special protection and services. The Department will address these needs in balance with the overall mission of this Department. Therefore, Park Rangers will consider the following when serving the unhoused community.

410.1.1 POLICY

It is the policy of the Department of Parks, Recreation and Neighborhood Services to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the unhoused. Homelessness is not a crime and members of this Department will not use homelessness solely as a basis for detention or law enforcement action.

410.2 UNHOUSED COMMUNITY LIAISON

The Director of Parks, Recreation and Neighborhood Services will designate a member of this Department to act as the unhoused Liaison. The City of San José BeautifySJ Program will serve as the Departments unhoused Liaison. The responsibilities of the Unhoused Liaison include the following:

- (a) Maintain and make available to all Department employees a list of assistance programs and other resources that are available to the unhoused.
- (b) Meet with social services and representatives of other organizations that render assistance to the unhoused.
- (c) Maintain a list of the areas within and near this jurisdiction that are used as frequent unhoused encampments.
- (d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the unhoused. This will include:
 1. Proper posting of notices of trespass and clean-up operations.
 2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.
- (e) Be present during any clean-up operation conducted by this Department involving the removal of personal property of the unhoused to ensure that the rights of the unhoused are not violated.
- (f) Develop training to assist Park Rangers in understanding current legal and social issues relating to the homeless.

Unhoused Persons

410.3 FIELD CONTACTS

Park Rangers are encouraged to contact the unhoused for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade a Park Ranger from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a unhoused person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, Park Rangers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Park Rangers should provide unhoused persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

410.3.1 OTHER CONSIDERATIONS

Unhoused members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is unhoused can, however, require special considerations for a successful investigation and prosecution. Park Rangers should consider the following when handling investigations involving unhoused victims, witnesses or suspects

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
 - (a) Document places the unhoused person may frequent.
 - (b) Provide unhoused victims with victim/witness resources when appropriate.
 - (c) Obtain statements from all available witnesses in the event that a unhoused victim is unavailable for a court appearance.
 - (d) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Senior and Disability Victimization Policy.
 - (e) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
 - (f) Consider whether a crime should be reported and submitted for prosecution, even when a unhoused victim indicates that they do not desire prosecution.

410.4 PERSONAL PROPERTY

The personal property of unhoused persons must not be treated differently than the property of other members of the public. Park Rangers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a unhoused person.

When a unhoused person is arrested or otherwise removed from a public place, Park Rangers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the Park Ranger, a supervisor should be consulted. The property should be photographed and measures should be

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taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Park Rangers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of unhoused persons without the prior authorization of a supervisor or the unhoused Liaison. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the City of San José BeautifySJ Program.

Park Rangers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the City of San José BeautifySJ Program if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the City of San José BeautifySJ Program to address the matter in a timely fashion.

410.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some unhoused persons may suffer from a mental illness or a mental impairment. Park Rangers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see Policy Crisis Intervention Incidents).

When a mental illness hold is not warranted, the contacting Park Ranger should provide the unhoused person with contact information for mental health assistance as appropriate. In these circumstances, Park Rangers may request assistance from the San José Police Department for transportation to a mental health specialist if requested by the person and approved by a Police Department supervisor.

410.6 ECOLOGICAL ISSUES

Sometimes unhoused encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Park Rangers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Medical Aid and Response

411.1 PURPOSE AND SCOPE

Park Rangers are often first on scene for medical emergencies and calls for service. The purpose of this chapter is to outline policies surrounding the emergency medical service aspect of the position.

411.2 POLICY

All employees must respond to medical calls for service with an appropriate level of action, such as: activation of the emergency medical services system, a request for additional resources, coordination of additional resources, patient care, or any other action to preserve life, property, and other park resources.

Employees can provide patient care based upon the employee's training and in accordance with the Santa Clara County EMSA Basic Life Support (BLS) guidelines.

411.3 TRAINING

The department offers medical training to all employees consistent with California Code of Regulations, Title 22, Division 9, Chapter 1.5 in Santa Clara County. This training is also known as "Public Safety First Aid." Additionally, the department is authorized by the Santa Clara County Medical Director for trained employees to provide care with the following optional skills: Supplemental oxygen therapy, use of airway adjuncts, and administration of Naloxone for suspected narcotic overdose. All care should be provided according to the Santa Clara County Emergency Medical Services Agency policies, protocols, and plans.

All employees shall maintain certificates for the department approved level of training.

Employees that maintain certificates for a higher scope of care than is offered by the department are only approved to provide care at the Basic Life Support (BLS) level. The care must be based upon their training and in accordance with the Santa Clara County Emergency Medical Services Agency (EMSA) policies, protocols, and plans.

411.4 SUPPLEMENTAL OXYGEN THERAPY

Supplemental oxygen should be provided to patients as needed, based upon the Park Ranger's training and in accordance with Santa Clara County EMSA guidelines. Additional protocols and procedures can be found in the department's Reference and Protocols Guide.

411.5 OXYGEN STORAGE AND MAINTENANCE

Oxygen equipment should be stored in a such a manner as to protect the equipment and make it available when needed. Medical oxygen cylinders should be set aside to be refilled once they are at or below 1000 PSI. Park Rangers should strive to maintain oxygen cylinders above 500 PSI. The San José Fire Department Air Room is the department's resource for medical oxygen.

Medical Aid and Response

Hydrostatic testing of medical oxygen cylinders must be done every five (5) years to comply with United States Department of Transportation regulations.

- (a) Each medical oxygen cylinder will be stamped on the top of the cylinder with a month and year- Example: "05@24" indicates that the cylinder was tested in May of 2024 and will require retesting in May of 2029.
- (b) San José Fire Department Air Room staff will check all cylinders prior to filling to assure they are compliant.

411.6 USE OF AIRWAY ADJUNCTS

Airway adjuncts, such as oropharyngeal airways and nasopharyngeal airways, should be used on patients as needed, based upon the Park Ranger's training and in accordance with Santa Clara County Office of EMSA Basic Life Support treatment guidelines. Additional protocols and procedures can be found in the department's Reference and Protocols Guide.

411.7 INTRANASAL NALOXONE

Training

All Department members have at a minimum, completed "Public Safety First Aid" training consistent with California Code of Regulations, Title 22, Division 9, Chapter 1.5 in Santa Clara County. This training includes administration of opioid overdose medication as part of their Peace Officer Standards and Training (POST) curriculum, either in the Academy or during Continuing Professional Training.

Protocol and Procedures

All care should be consistent with Santa Clara County Emergency Medical Services Agency (EMSA) guidelines. Additional information can be found in the department's Reference and Protocol Guide. If intranasal naloxone is administered or intended to be administered, the employee must activate the emergency medical services system.

Naloxone Coordinator

A member of the Park Ranger Leadership team should be appointed as the Naloxone Coordinator to administrator the department's Naloxone program.

The Naloxone Coordinator's responsibilities will include:

1. Ensure that the Naloxone kits are current and not past expiration date.
2. Ensure proper and efficient deployment of Naloxone for field use.
3. Ensure that all Park Rangers are adequately trained in use and storage of intranasal Naloxone.
4. Ensure that any use of Naloxone on a patient is documented in a department medical report.
5. Replace Naloxone kits that are damaged, unusable, expired or used.

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6. Ensure proper reporting of Naloxone to the Santa Clara County Emergency Medical Services Agency via the approved reporting process.

Approved Intranasal Naloxone kits shall include:

1. Instructions for administration of Naloxone.
2. Two (2) single use 4 mg Naloxone nasal spray devices.
3. One (1) pair single use nitrile gloves.

Naloxone kits will be stored as directed by the Naloxone Coordinator. Each employee is responsible for Naloxone kits that are in their possession. Kits should be checked at the beginning of each shift.

Intranasal Naloxone Use Reporting

Any use of intranasal Naloxone requires a written departmental accident, illness, or injury report. Park Rangers are also required to complete the Santa Clara County EMSA Form #913 "Law Enforcement Naloxone Utilization" to document the use of intranasal Naloxone. Both reports shall be submitted to Park Ranger leadership before the end of shift. Park Ranger leadership will then process the report and send a copy to the Santa Clara County EMSA within 96 hours.

411.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100026.01; 22 CCR 100027.01; 22 CCR 100027.02).

411.8.1 AED USER RESPONSIBILITY

All Park Ranger vehicles are to be equipped with AEDs. Park Rangers should check the AED at the beginning of the shift to ensure that it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Senior Park Ranger who is responsible for appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any Park Ranger who uses an AED should contact the Communications Center as soon as possible and request response by EMS.

411.8.2 AED REPORTING

Any Park Ranger who uses an AED will complete the Department accident and medical report detailing its use as well as the Santa Clara County Emergency Medical Services AED Use Notification Form.

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411.8.3 AED TRAINING AND MAINTENANCE

The Park Ranger Leadership should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100027.05; 22 CCR 100027.06; 22 CCR 100028.07).

The Park Ranger Leadership is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100027.05).

411.9 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, the arrestee should be medically cleared prior to booking. If the Park Ranger has reason to believe the arrestee is feigning injury or illness, the Park Ranger should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the Park Ranger should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance to an appropriate medical facility.

Nothing in this section should delay a Park Ranger from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the Park Ranger's training.

411.10 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, a Park Ranger shall not force that person to receive care or be transported. However, Park Rangers may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the Park Ranger should immediately request a response from the San José Police Department to evaluate for a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If a Park Ranger believes that a person who is in custody requires EMS care and the person refuses, they should encourage the person to receive medical treatment. The Park Ranger may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

Medical Aid and Response

If the person who is in custody still refuses, the Park Ranger will require the person to be transported to the nearest medical facility. In such cases, the Park Ranger should consult with a supervisor prior to the transport.

Park Rangers shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

411.11 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in Policy 300 - Use of Force, Policy 302 - Handcuffing and Restraints, and Policy 303 - Control Devices and Techniques.

Mobile Identification Devices (Mobile ID)

412.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the control, use, maintenance and accountability of Mobile Fingerprint Identification Devices, or Mobile IDs, issued to the Park Rangers. Park Rangers may use the Mobile ID unit, in accordance with this and all other applicable City policies, to increase efficiency and accurately identify individuals who are not properly identified during a reasonable stop or encounter.

412.2 DEFINITIONS

A Mobile Finger Print Identification Device (Mobile ID) is a mobile device that can capture an individual's fingerprint and compare it against files contained in the Automated Finger Print Identification System (AFIS), the Criminal Justice Information System (CJIS) or other appropriate fingerprint databases operated by the Santa Clara County Sheriff's Office for use with Mobile ID devices.

412.3 POLICY

- (a) Only peace officer Park Rangers appropriately trained in the use of the Mobile ID device and approved by the Santa Clara County Sheriff's Office are allowed to use the device.
- (b) The Mobile ID may be used only when a person consents to being fingerprinted under the following circumstances:
 - (a) To identify a person needing assistance whose identification is unknown, and who cannot be identified by any other reasonable means;
 - (b) During a lawful detention where a Park Ranger has the lawful right to inquire about the individual's identity and has reasonable suspicion of criminal activity;
 - (c) To verify the identification of a suspect wanted on a warrant provided that the warrant has identification information sufficient to establish reasonable suspicion that the individual is the suspect identified in the warrant (example: a name, address, date of birth, physical description or photograph); and
 - (d) When the identification of an unconscious or deceased person is unknown.
- (c) Fingerprinting will NOT unreasonably extend the duration of the encounter.
- (d) Park Rangers shall NOT use force to identify a subject with the Mobile ID.
- (e) If, during a reasonable suspicion detention, the basis for the detention is lost or eliminated before the Park Ranger requests, attempts, or finishes the fingerprint procedure, the suspect shall no longer be detained.
- (f) Fingerprints obtained on the Mobile ID device will be electronically transmitted for comparison to the designated databases maintained by the Santa Clara County Sheriff's Office. All records of fingerprints will be automatically purged from the Mobile

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ID and disposed of from any Department of Parks, Recreation and Neighborhood Services database or record keeping site at the end of each shift.

- (g) The Mobile ID MAY NOT be used in the following circumstances:
 - (a) There is no reasonable and articulable suspicion of criminal activity.
 - (b) During detention based on reasonable suspicion when the individual rescinds his or her consent to be fingerprinted and the finger printing is no longer consensual.
- (h) All uses of the Mobile ID will be documented on one of the following forms as appropriate:
 - (a) General Offense Report
 - (b) Vehicle Accident Report
 - (c) Citation

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

Park Rangers generally limit traffic enforcement to interior park roads, paths in large regional parks, and trails closed to general vehicle use. Enforcement on public streets or highways falls under the jurisdiction of the San José Police Department or other primary law enforcement agencies.

500.2 ENFORCEMENT

Park Ranger enforcement is guided by applicable laws and the severity of the violation. The visibility and quality of patrol efforts reflect the principles of this policy.

500.2.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.2.2 CITATIONS

Citations may be issued when a Park Ranger believes it is appropriate. It is essential that Park Rangers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Park Rangers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.2.3 PHYSICAL ARREST AND DETENTION

Physical arrest may be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

- (a) Vehicular manslaughter.
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs.
- (c) Felony or misdemeanor hit-and-run.
- (d) Refusal to sign notice to appear.

Investigation of injury accidents, DUI offenses, and serious hit-and-run incidents is the responsibility of the San José Police Department. Park Rangers shall detain individuals at the scene until PD arrives. Arrest or detention for other misdemeanors, such as reckless driving under extenuating circumstances, may be made at the Ranger's discretion. If a physical arrest is necessary or a violator refuses to sign a citation, the Park Ranger should immediately request San José Police Department assistance.

Traffic Function and Responsibility

500.3 SUSPENDED OR REVOKED DRIVERS LICENSES

If a Park Ranger contacts a traffic violator for driving on a suspended or revoked license, the Park Ranger may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the Park Ranger. The Park Ranger shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The Park Ranger will be responsible for completing the Verbal Notice Form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.4 HIGH-VISIBILITY VESTS

The Department provides ANSI Class II high-visibility vests to enhance the visibility of Park Rangers exposed to hazards from passing traffic, operating vehicles, machinery, or equipment (e.g., chainsaws, wood chippers) (23 CFR 655.601; 8 CCR 1598). While primarily intended for traffic-related assignments, vests should be worn whenever increased visibility improves the safety or efficiency of the Ranger.

500.4.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and disaster scenes, or any time high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, Park Rangers should retrieve and wear their vests as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

500.4.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in the storage area of each patrol unit, or gear bag of each park patrol bicycle or ATV. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service, each employee shall ensure that a serviceable, high-visibility vest is properly stored.

Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Department of Parks, Recreation and Neighborhood Services prepares property damage-only traffic collision reports in compliance with the San José Police Department Policy Manual as a public service and makes traffic collision reports available to the community with some exceptions. Park Rangers responding to traffic collision reports involving injuries or complaint of pain shall request a response from the San José Police Department, San Jose Fire Department other law enforcement agency with jurisdiction to conduct the investigation and report.

Vehicle Towing and Release

502.1 PURPOSE AND SCOPE

Provide procedures for towing, storing, releasing vehicles, conducting impound hearings, responding to suspected impaired drivers, and reporting property damage involving City property or non-City vehicles, while following SJPD procedures and Vehicle Code requirements.

502.2 TOWING & STORAGE

- Towing is discretionary; notify owner when feasible unless the vehicle is a hazard.
- Complete CHP Form 180; notify SJPD Auto Desk.
- At arrests, or hazards, store vehicles as needed; leave vehicle if lawful and secure.
- Inventory all property; secure vehicle and allow retrieval of essential items if safe.
- Verify DMV before towing vehicles with expired registration >6 months.

502.2.1 IMPOUND HEARINGS

- Owners or agents may request a hearing within 10 days; conducted within 48 hours excluding weekends/holidays.
- Independent hearing officer reviews evidence to determine validity; mitigating circumstances may adjust or terminate impound.
- Fees may be reimbursed if impound found invalid.

502.2.2 IMPAIRED DRIVING (DUI)

- Park Rangers do not enforce DUI laws or perform field sobriety tests.
- Detain suspected impaired drivers safely; request immediate SJPD response.
- Provide all evidence and information to responding SJPD officers.

502.2.3 PROPERTY DAMAGE

- Report all damage involving City property or non-City vehicles using the appropriate Department report form.
- If a City vehicle is involved, SJPD must take the report.
- Provide details of incident, parties involved, and any evidence; forward copies to supervisor and SJPD if required.

502.3 KEY PRINCIPLE

Follow SJPD procedures and Vehicle Code requirements for all towing, impound, release, DUI, and property damage actions.

Traffic Citations

503.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations and the procedure for dismissal, correction, and voiding of traffic citations.

503.2 RESPONSIBILITIES

The San José Police Department shall be responsible for the development and design of all City of San José traffic citations in compliance with state law and the Judicial Council.

503.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this Department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the San José Police Department Warrants Unit. Upon a review of the circumstances involving the issuance of the traffic citation, the Warrants Unit Manager may request the Supervising Park Ranger to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

503.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the San José Police Department Records Unit.

503.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the Park Ranger issuing the citation shall submit the citation and a completed Notice of Correction and Proof of Service for the appropriate court requesting a specific correction to the Warrants Unit. The Warrants Unit shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

503.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by members of this Department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Center.

Upon separation from employment with this Department, all employees issued traffic citation books shall return any unused citations to the San José Police Department Central Supply Unit.

Traffic Citations

503.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

503.7.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels:

- (a) Administrative reviews are conducted by the Department of Transportation Office of Parking Compliance, which will review written/documentary data. Requests for administrative reviews are available through the Department of Transportation Office of Parking Compliance. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.
- (b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.
- (c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to the Superior Court.

503.7.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

- (a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking (Violation Vehicle Code § 40215(a)).
- (b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).
- (c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).
- (d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209 and Vehicle Code § 40210).

503.7.3 COSTS

- (a) There is no cost for an administrative review.
- (b) Appellants must deposit the full amount due for the citation before receiving an administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215).

Traffic Citations

- (c) An appeal through the Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if the appellant's liability is overruled by the Superior Court.

503.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

Disabled Vehicles

504.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

504.2 PARK RANGER RESPONSIBILITY

When a Park Ranger encounters a disabled vehicle on the roadway, they should make reasonable efforts to provide assistance but **will not perform mechanical repairs**. If the Park Ranger is assigned to a higher-priority call, they must notify the dispatcher of the vehicle's location and the need for assistance. The dispatcher will then assign another available Park Ranger or the appropriate law enforcement agency to respond as soon as practicable.

72-Hour Parking Violations

505.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the City of San José Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

505.2 MARKING VEHICLES

Vehicles suspected of being in violation of the City of San José's 72-Hour Parking Ordinance shall be marked and noted on the City of San José Marked Vehicle Work Sheet. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Marked Vehicle Work Sheet. The investigating employee should notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving written notice attached to the vehicle at least 72-hours prior to removal. The written notice attached to the vehicle shall be in conformance with the notice used by other City departments for vehicles suspected of being in violation of the 72-Hour Parking Ordinance.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and a Marked Vehicle Work Sheet updated.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is towed and stored for the 72-hour parking violation.

505.2.1 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report (CHP 180) shall be completed by the Park Ranger authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Center immediately following the storage of the vehicle. The Park Ranger shall also make a verbal notification of the tow to the San José Police Auto Desk when the authorized towing service takes custody of the vehicle. It shall be the responsibility of the Records Center to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS) (Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Center to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent by first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 CUSTODIAL INTERROGATION

- Suspects in custody must be given Miranda warnings; juveniles handled per Temporary Custody of Juveniles Policy.
- Custodial interrogations for violent felonies or serious crimes should be recorded (audio/video if feasible). Murder suspects must be fully recorded unless legally exempt. Recordings must be preserved and copies used only for authorized purposes.

600.2.1 INITIAL INVESTIGATION

Park Ranger Responsibilities

- Determine if a crime occurred via witness statements and cursory evidence check.
- Preserve scene and evidence, request additional resources if needed, notify supervisor or leadership for non-routine incidents.
- Locate, identify, and interview victims, witnesses, and suspects; collect evidence; take law enforcement action; complete reports.

Discontinuation of Investigation

Investigations may be discontinued only when:

- All leads exhausted and suspect cannot be identified.
- Misdemeanor resolved via warning; felony cases require submission to prosecutor.
- Case submitted to prosecutor with no charges or no further investigation requested.
- No crime occurred.

Special policies (Domestic Violence, Child Abuse, Sexual Assault, Senior/Disabled Victimization) may require arrest or prosecutor submission.

Digital Evidence

- Computers, phones, and other digital devices require careful handling; request SJPD assistance if seizure needed.

Social Media / Internet Use

- Access information only for official investigation purposes.
- Supervisor approval required for sources needing accounts, credentials, or third-party consent; document all access and findings.
- Evaluate authenticity and corroborate evidence; document sources, dates, and times.

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Modification of Charges

- Park Rangers cannot amend or dismiss charges without Supervising Park Ranger or Director approval; authorized requests go to the prosecutor.

Eyewitness Identification

601.1 PURPOSE AND SCOPE

Provides guidelines for Park Rangers using eyewitness identification (field, live, or photographic) in investigations (Penal Code § 859.7).

601.1.1 POLICY

Eyewitness identification techniques should be used appropriately to identify suspects and exonerate the innocent. All identification procedures should be coordinated with the San José Police Department (SJPD) whenever possible, especially for serious offenses.

601.2 INTERPRETIVE SERVICES

Arrange interpreters if needed; explain the identification process to the interpreter before proceeding.

601.3 PROCEDURE AND DOCUMENTATION

- (a) Use SJPD-developed forms to record: date/time/location, witness info, administrator, participants, instructions, and witness certainty.
- (b) Witness must be instructed that identifying innocent persons is as important as identifying suspects, and that the perpetrator may or may not be present.
- (c) Recordings (audio/video) should be made and preserved; document if recording is not feasible.
- (d) Document any deviations from blind administration.
- (e) Notify SJPD when conducting eyewitness identification for serious crimes; provide copies of forms and recordings as requested.

601.4 CONDUCT

Avoid influencing witnesses; do not provide details about suspects, prior identifications, or evidence.

Witnesses should view suspects individually, outside the presence of others.

601.5 LINEUP CONSIDERATION

- (a) Present suspects sequentially; individuals should match the description of the perpetrator.
- (b) Presenters should not know which suspect is being viewed.
- (c) Live lineups are only before criminal proceedings; consult SJPD or the prosecuting attorney if uncertain.
- (d) Collect witness descriptions before identification; remove any information about prior arrests from view.

Eyewitness Identification

601.5.1 FIELD IDENTIFICATION SHOW-UPS

- (a) Use only when exigent circumstances make photo/live lineups impractical.
- (b) Collect witness description; evaluate observation quality (distance, lighting, distractions, elapsed time).
- (c) Conduct show-ups safely: subject should, if possible, not be handcuffed, shown once per witness, and not perform actions mimicking the suspect.
- (d) Stop additional show-ups if positive identification is made; document other witnesses for follow-up.
- (e) Notify SJPD when conducting show-ups for serious crimes; provide all witness statements and documentation.

601.6 SAFEGUARDS

- (a) Witnesses must not receive information that could influence their identification.
- (b) Ensure documentation and recordings are thorough and retained per evidence procedures.
- (c) Park Rangers should coordinate with SJPD for review, guidance, and preservation of all identification materials.

Brady Material Disclosure

602.1 PURPOSE AND SCOPE

Establishes guidelines for identifying and disclosing potentially exculpatory or impeachment information ("Brady material") to the prosecuting attorney and City Attorney as appropriate.

602.1.1 DEFINITIONS

Brady information – Any information known or possessed by the Department of Parks, Recreation and Neighborhood Services that is favorable and material to the defense or affects the credibility of a witness in a criminal case.

602.2 POLICY

Park Rangers will conduct fair investigations and provide prosecutors with all evidence, including information favorable to the defense or affecting witness credibility. Coordination with the City Attorney is required when legal review or interpretation is necessary.

602.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

- Reports must document all incriminating and exculpatory evidence.
- New or discovered Brady information must be submitted via supplemental report promptly.
- Privileged or confidential information should be reviewed with a supervisor, prosecutor, and/or City Attorney as appropriate.
- Evidence is material if reasonably likely to affect the outcome of a case; consult supervisors, prosecutors, or City Attorney if uncertain.
- Supervisors unsure of materiality must submit a written memo to the prosecutor and/or City Attorney; retain a copy in the case file.

602.4 PERSONNEL FILE BRADY INFORMATION

- Notify the prosecutor and City Attorney if a member's personnel file may contain Brady material.
- Prosecutor files a Pitchess motion for in-camera review.
- Custodian of Records presents files and addresses court questions.
- Only court-ordered information is copied and released; request protective orders to limit use and ensure return.

Brady Material Disclosure

602.5 INVESTIGATING BRADY ISSUES

Credibility, dishonesty, moral turpitude, or criminal conduct concerns regarding members are investigated per the Personnel Complaints Policy, with coordination with the City Attorney as appropriate.

Chapter 7 - Support Services

The Communications Center

700.1 PURPOSE AND SCOPE

Establishes guidelines for the Communications Center to support Park Rangers' daily and emergency operations.

700.2 POLICY

The Department provides 24-hour telephone service and continuous two-way radio communication with Park Rangers through the San José Police Department.

700.3 COMMUNICATIONS CENTER SECURITY

Access is limited to Communications Center staff, command personnel, and Department members with business-related purposes. Security procedures are detailed in the Center's operations manual.

700.4 RADIO COMMUNICATIONS

- Radios are for official use only. Transmissions must be professional, concise, and calm.
- Park Rangers shall report status and location; dispatchers respond promptly.
- Violations or complaints are reported to the Communications Supervisor and handled through the chain of command.
- All radio operations comply with FCC regulations.

700.4.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

All Park Ranger radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

700.5 CALL SIGNS

Call signs identify members and duty assignments; dispatchers and Park Rangers must use them during communications.

700.6 CONFIDENTIALITY

- All information obtained through the Communications Center is confidential and released only per the Protected Information Policy.
- Sensitive automated data (DMV, warrants, criminal history, medical information) is only for authorized personnel; an admonishment is given before transmitting confidential information via radio.

Property and Evidence

701.1 PURPOSE AND SCOPE

Guidelines for the collection, storage, security, and handling of evidence and property, maintaining chain of custody, and identifying authorized personnel for removal or destruction. All actions must follow SJPD procedures.

701.2 DEFINITIONS

- Property: Evidence, items for safekeeping, or found property.
- Evidence: Items collected for prosecution, including photos and fingerprints.
- Safekeeping: Personal property, firearms, or items held under legal authority (e.g., WIC § 5150).
- Found Property: Items with no apparent evidentiary value and unknown owner.
- Property Clerk: SJPD employees handling intake and storage.

701.3 PROPERTY HANDLING

- First-contact personnel retain property until tagged and secured; maintain chain of custody.
- Found property may be returned to owner if identifiable; document release.
- All property must be booked before going off-duty unless approved by a supervisor.
- All handling and storage of property and evidence **must follow SJPD procedures**.

701.3.1 BOOKING PROCEDURE

- Complete property form and tag each item with identifying information.
- Submit original form with case report; keep copy with property.
- Large items: store in supply room with proper documentation.

701.3.2 NARCOTICS AND DANGEROUS DRUGS

Book separately, weigh, seal, and log with Property Clerk.

701.3.3 EXPLOSIVES

- Notify SJPD, Fire Dept., and supervisor; bomb squad handles all explosives.
- Stable fireworks and road flares may be booked in designated flammable storage check with SJPD Property staff before bringing into building.

701.3.4 EXCEPTIONAL HANDLING

- Bodily fluids air-dried.

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- License plates, bicycles, cash, and City property follow special handling.
- Cash >\$1,000: contact Supervising Park Ranger.
- City property not related to a crime released to the appropriate department.

701.4 PACKAGING OF PROPERTY

- Special items (narcotics, firearms, paraphernalia, multiple owners, contraband, fireworks) booked separately.
- Use proper containers; attach property tags and record chain of custody.

701.4.1 RECORDING AND CONTROL

- Property Clerk logs receipt, storage location, and property number.
- All transfers and releases documented on property control card.
- Evidence for lab: check out, record delivery, retain original lab forms with evidence.
- All property control procedures **follow SJPD requirements**.

701.4.2 RESPONSIBILITY AND RELEASE

- Maintain chain of evidence; release only with supervisor authorization.
- Narcotics controlled by SJPD Property & Evidence Unit.
- All handling, storage, and release actions **must coordinate with SJPD procedures**.

Protected Information

702.1 PURPOSE AND SCOPE

Provides guidelines for accessing, transmitting, releasing, and securing protected information in Department operations, excluding public records (see Records Maintenance and Release Policy). All actions must **follow City of San José procedures**.

702.1.1 DEFINITIONS

Definitions related to this policy include:

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

702.2 POLICY

Members must adhere to all laws, regulations, orders, use agreements, and training when accessing, releasing, or handling protected information, in accordance with **City of San José procedures**.

Responsibilities

- Access coordinated through **SJPD/City Records Unit**.
- Ensure compliance with CJIS, NCIC, NLETS, CLETS, DMV, and City information security requirements.
- Follow City of San José procedures for security, handling, training, and auditing.
- Refer questions about authorized recipients to a supervisor, Records Manager, or City legal counsel.

Access

- Only trained, authorized members with a legitimate work-related purpose may access protected information.
- Unauthorized access is prohibited and may result in disciplinary or criminal action, per **City of San José policies**.

Penalties

- Unauthorized use of DOJ criminal history info is a misdemeanor (PC § 11143).
- Violations of CORI security rules may result in revoked access (11 CCR 702).

Release/Dissemination

- Information may only be released to authorized recipients with both a right and need to know.

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Protected Information

- Requests not clearly authorized should be referred to a supervisor, Records Manager, or **City legal counsel**.
- Sharing with other law enforcement assisting investigations must follow **City of San José procedures**.

704.5.1 Criminal Record Review

- Individuals must follow DOJ and City procedures to review their own criminal history (PC §§ 11120–11127, 11121).

Transmission Guidelines

- Do not transmit CJI/CHRI via unencrypted radio unless immediate safety requires it.
- Use encrypted channels, MDT, or Department-issued phones when possible.
- If unencrypted radio is necessary, separate identifying details into multiple transmissions.
- Warrant information may be broadcast following **City procedures**.

Security

- Security of protected information is overseen by **SJPD/City Records Unit**, including compliance with CJIS, incident tracking, and breach reporting.
- Members must prevent unauthorized access (e.g., unattended documents, terminals, or vehicles).

Training

- Authorized members must complete training on proper access, handling, dissemination, and security of protected information as required by CLETS.

California Religious Freedom Act

- Personal information may not be released for investigation or compilation of data on religion, national origin, or ethnicity (Gov. Code § 8310.3).

ANIMAL CONTROL

703.1 ANIMAL RESPONSE POLICY - PRNS/ ACS

Guidelines for Park Ranger interaction with animals and animal-related calls, following ACS procedures.

Responsibilities

- **ACS:** Primary agency for animal control, ongoing complaints, injured animals, and follow-up.
- **Park Rangers:** Respond **when available and only within City parks** if ACS is unavailable. Maintain safety, observe animals, and coordinate with ACS. Do **not capture animals** unless there is imminent public danger, a bite, traffic hazard, injured animal, or no alternative care.

Animal Cruelty & Stray Animals

- Conduct preliminary investigations; forward to ACS.
- Stray dogs: contact owner if possible; otherwise, transport to ACS, provide care, and complete release forms.

Injured / Deceased Animals

- Contact owner or ACS; transport to authorized veterinary clinic or wildlife center.
- Remove deceased animals from public areas; bag and turn over to ACS.

Animals in Vehicles

- Rangers may rescue animals in distress (PC § 597.7(d)); contact ACS, minimize damage, leave notice, and transport safely.

Citations & Post-Arrest Care

- Issue citations at Ranger or supervisor discretion.
- Ensure animals under care of arrested persons are provided for; contact relatives, neighbors, or ACS if needed.

Dangerous Animals & Euthanasia

- Contact Supervising Ranger for dangerous animals; request ACS or SJPD assistance.
- Firearms may only be used on badly injured wild animals or imminent threats to human safety, with Supervising Ranger approval. **Do not euthanize domestic animals;** coordinate with ACS.

Policy Statement

- PRNS Rangers will respond to animal-related calls **within parks when available**, enforce laws, and coordinate with ACS for safe, legal, and humane outcomes.

Chapter 8 - Personnel

Communicable Diseases

800.1 PURPOSE AND SCOPE

Guidelines to minimize Park Ranger risk of contracting or spreading communicable diseases.

800.1.1 DEFINITIONS

Communicable disease: Human disease transmissible via blood, bodily fluids, tissue, or airborne (e.g., HBV, HIV, TB).

Exposure: Contact with infectious materials or being in proximity to someone with an airborne disease, occurring in the course of City duties

800.2 POLICY

PRNS is committed to a safe work environment. Rangers are responsible for their own health and safety.

800.3 SAFETY OFFICER

Maintains an Exposure Control Plan including prevention, decontamination, PPE, evaluation of persons in custody, and compliance with federal/state laws (e.g., Ryan White Act, bloodborne/airborne pathogen regulations).

Liaises with health facilities, Cal/OSHA, and updates the plan annually.

800.4 EXPOSURE PREVENTION AND MITIGATION

Use PPE (gloves, masks, eye protection) as needed.

Wash hands after contact with potentially infectious materials.

Treat all blood/fluids as infectious; use barrier devices for CPR.

Decontaminate equipment and clothing; handle sharps safely.

Dispose of or label biohazardous waste properly.

HBV vaccine and boosters provided at no cost when indicated.

800.5 POST EXPOSURE

- (a) **Immediate steps:** Decontaminate, seek medical attention, notify supervisor.
- (b) **Reporting:** Supervisor documents details (member info, incident, materials, PPE, actions). Confidentiality is required.
- (c) **Medical evaluation:** Confidential assessment and follow-up provided.
- (d) **Counseling:** Available for employee and family if needed.

800.5.1 CONFIDENTIALITY

All medical and testing information remains confidential except as required by law.

Communicable Diseases

800.5.2 TRAINING

All medical and testing information remains confidential except as required by law.

Smoking and Tobacco Use

801.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on duty or while in Department of Parks, Recreation and Neighborhood Services facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

801.2 POLICY

The Department of Parks, Recreation and Neighborhood Services recognizes that tobacco use is a health risk and can be offensive and unhealthful to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore, smoking and tobacco use is prohibited by members and visitors in all Department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

801.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Department of Parks, Recreation and Neighborhood Services.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

801.4 ADDITIONAL PROHIBITIONS

No person shall use tobacco products within 20 feet of a main entrance, exit or operable window of any public building (including any Department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).

PERSONNEL COMPLAINTS

802.1 PURPOSE & SCOPE

Guides reporting, investigation, and resolution of employee misconduct.

Does not cover routine supervision, informal guidance, or criminal investigations.

802.2 POLICY

All complaints are taken seriously and addressed per Department policy, laws, rules, and collective bargaining agreements.

Community members can report misconduct without fear of retaliation.

802.3 TYPES OF COMPLAINTS

Informal: Resolved by a supervisor.

Formal: Requires investigation by a higher-ranking supervisor or Supervising Park Ranger.

Incomplete: Complaining party uncooperative; may be further investigated at discretion.

802.4 SOURCES OF COMPLAINTS

Public (written, email, in-person, phone).

Department members reporting observed misconduct.

Supervisors initiating complaints based on information received.

Anonymous or third-party complaints accepted if sufficient information exists.

Tort claims or lawsuits may generate complaints.

802.5 SUPERVISOR RESPONSIBILITIES

Address complaints promptly and professionally; resolve minor complaints immediately.

Follow up with complainants within a reasonable timeframe.

Report serious or sensitive complaints to Ranger Leadership.

802.6 COORDINATE WITH THE OFFICE OF EMPLOYEE RELATIONS

For guidance on harassment, discrimination, or other sensitive issues.

Ensure procedural rights of accused members.

Gather witness info, medical documentation, and photographs as appropriate.

802.7 DOCUMENTATION & TRACKING

All complaints must be documented and tracked, with actions taken clearly recorded.

Annual audits of complaint logs submitted to the Park Ranger Leadership.

PERSONNEL COMPLAINTS

802.8 KEY PRINCIPLES

Complaints handled fairly, transparently, and without reprisal.

Maintains accountability and community trust.

Seat Belts

803.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

803.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

803.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

803.3 TRANSPORTING PERSONS IN CUSTODY

- Persons in custody should be seated and secured in the rear seat of any Department vehicle using a restraint system or, if a restraint system is not available, the vehicle's seat belts.
- The restraint system is not a substitute for handcuffs or other appendage restraints.
- Persons in custody shall only be transported off the trail or restricted areas when necessary to meet with San Jose Police Department (SJPD) personnel.

803.4 INOPERABLE SEAT BELTS

Department of Parks, Recreation and Neighborhood Services vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Director.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

Seat Belts

803.5 POLICY

It is the policy of the Department of Parks, Recreation and Neighborhood Services that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

803.6 TRANSPORTING CHILDREN

- Children must be transported per California child restraint laws (Vehicle Code § 27360; § 27363).
- In cage-equipped vehicles, rear seat space may be limited; child restraints may be used in the front seat if the seat is pushed back, the airbag is deactivated, and manufacturer/federal guidelines are followed.
- Children shall not be in rear-facing restraints in the front with an active airbag.
- In emergencies, children may be transported in alternate seating arrangements that maximize safety, with alternate transport arranged as soon as possible.

803.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

803.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

804.1 PURPOSE AND SCOPE

The purpose of this policy is to provide Park Rangers with guidelines for the proper use of body armor.

804.2 POLICY

It is the policy of the Department of Parks, Recreation and Neighborhood Services to maximize Park Ranger safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

804.3 ISSUANCE OF BODY ARMOR

The Park Ranger Leadership shall ensure that body armor is issued to all Park Rangers when the Park Ranger begins service with the Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Park Ranger Leadership shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

804.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Park Rangers shall only wear agency-approved body armor.
- (b) Park Rangers shall wear body armor anytime they are in uniform.
- (c) Park Rangers may be excused from wearing body armor when they are:
 - (a) Functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action;
 - (b) During active fire fighting duties;
 - (c) During approved staff training when not in uniform;
 - (d) While involved in a major search or rescue event, where the wearing of body armor could interfere with physical performance, creating an unsafe working condition;
 - (e) Due to a temporary medical condition, a physician specifies that body armor cannot be worn. This exception is subject to the Director's approval and the availability of light-duty, non-uniformed assignments. Without the Director's approval, the Park Ranger will need to use accrued sick leave to replace the absent time.

Body armor shall be worn when a Park Ranger is working in uniform or taking part in Department range training.

Body Armor

804.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

804.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

PERSONAL APPEARANCE STANDARD

805.1 PURPOSE SCOPE

In order to project uniformity and neutrality toward the public and other members of the Department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this Department and for their assignment.

805.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except where the Director of Parks Recreation and Neighborhood Services has granted exception.

805.3 GROOMING, HAIR, MAKEUP

Head and facial hair of Park Rangers will be clean and well-groomed. The spirit and purpose of this section is to prevent personal grooming from constituting an interference, distraction or safety concern.

Head Hair:

Head hair will not extend beyond the bottom of the uniform shirt collar while in a standing position. Hair longer than the collar will be worn up in a neat fashion and securely fastened. Hair worn in front of the ears shall not extend below the bottom of the ear. Hair styles shall be no longer than three inches from any part of the head. Unacceptable hair styles include, but are not limited to, designs or images sculpted into the hair, mohawks, or tufts of hair on a shaved head. In all cases, head hair may be permitted to grow naturally, but will be clean and neatly trimmed so as not to present a ragged, unkempt, or extreme appearance.

Color:

Hair may be dyed or highlighted to any natural hair color (e.g. black, brown, blonde, auburn, etc.), without any obvious blocks, patterns, or spots of color.

Hair pieces or Wigs:

Hair pieces or wigs, if worn while in uniform, shall be of good quality, fit well, present a natural appearance, not present a safety hazard, and will conform to all grooming standards as set forth in these regulations.

Hair Ornamentation:

Hair ornamentation (e.g. beads, fabric, pins, sticks, combs, jewelry, etc.) is not authorized while in uniform.

Hair Control Devices:

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Hair control devices, such as rubber bands, elastic bands,, clips, and headbands may be used to secure head hair. Items used to hold or secure hair will be similar in color to the individual's hair color and/or the duty uniform. Hair control devices shall not be so conspicuous as to detract from the employee's uniform appearance.

Goatees and Beards: Goatees and beards are not authorized. The face will be clean shaven except that mustaches and sideburns will be permitted if neatly trimmed and well-groomed. Sideburns may have a natural flare, but will not be extreme in width or extend below the ear lobe. In no event shall the length or style of head or facial hair interfere with the prompt and proper placement of Department head gear or equipment (ex helmet and N95 mask). In no event shall the length or style of head hair obstruct the Department member's vision.

Makeup:

The use of facial makeup shall be professional in appearance.

Fingernails:

Fingernails shall be neat, clean, and shall not display decals or ornamentation. Fingernails shall not extend more than one-fourth inch beyond the tip of the finger. Fingernail polish may be clear or neutral in color (ex matching the natural nail bed). White nail tips are allowed. Fingernails shall not be sharpened to a point. They shall not interfere with the performance of duties, such as the manipulation of safety equipment.

Appropriate Attire for Identification Card Photographs:

When required to obtain a Department issued identification card, Park Rangers will dress in their appropriate uniform.

805.4 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the Department member or others.

Jewelry: No jewelry will be visible around the neck. Small silver or gold colored "stud-type" earrings may be worn where the ear lobe is pierced. No dangling, hoop, or clip-on earrings will be allowed.

805.5 BODY ART, TATTOOS, BRANDS, INTENTIONAL SCARRING, MUTILATION OR DENTAL ORNAMENTATION

Park Rangers are prohibited from displaying body art, tattoo(s), brand(s), intentional scarring, mutilation or dental ornamentation while on duty or representing the Department in any official capacity. Any current Park Ranger with existing body art, tattoo(s), brand(s), intentional scarring or mutilation that is visible shall have the following options:

- (a) On-duty department members shall cover existing body art, tattoo(s), brand(s) intentional scarring or mutilation by wearing a long-sleeve uniform shirt and/or uniform trousers/breeches, or;

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- (b) Cover the existing body art, tattoo(s), brand(s), intentional scarring or mutilation with skin tone patch or make-up, or;
- (c) Have the tattoo(s) or brand(s) removed at the employee's expense.

Body art, tattoo(s), brand(s), intentional scarring, or mutilation that is not able to be covered or concealed is prohibited. This includes, but is not limited to, foreign objects inserted under the skin; pierced, split or forked tongue and/or stretched out holes in the ears. On-duty Park Rangers shall not have any dental ornamentation. The use of gold, platinum, silver or other veneer caps for the purpose of ornamentation are prohibited. Teeth, whether natural, capped or veneered, shall not be ornamented with designs, jewels, initials, etc.

Hiring Prohibition: Having body art, tattoo(s), brand(s), intentional scarring, mutilation or dental ornamentation that depicts racist ideals or is associated with a hate group shall be a bar to being hired as a Park Ranger with the Department.

805.6 EXEMPTIONS

The Director of Parks, Recreation and Neighborhood Services or their designee may exempt Department members from these regulations when:

Requested for reasonable accommodation based on a protected category/status (as listed in City Policy Manual) or medical need, if such exemption may be reasonably accommodated within the course and scope of the member's job duties. The Director or their designee shall work with the City's Reasonable Accommodation Coordinator and take into account any potential health, safety and/or operational concerns that the exemption may present to the member, the Department, and/or the public. The Director or their designee and the City's Reasonable Accommodation Coordinator shall make the final determination regarding all requests for exemptions from these regulations on a case-by- case basis.

UNIFORM REGULATIONS

806.1 PURPOSE SCOPE

The uniform policy of the San José Park Ranger program is established to ensure that uniformed Park Rangers will be readily identifiable to the public through the proper use and wearing of Department uniforms.

806.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Park Rangers wear the uniform to be identified as a public safety authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

- (a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear pressed.
- (b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duties.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (e) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (f) Uniforms are only to be worn while on duty.
- (g) While off duty or in transit to or from work, uniforms, patches, badges and any items identifiable with the City of San José or Park Rangers shall be covered or out of sight of the general public.
- (h) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform, including the uniform pants.

806.3 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each Ranger an official Department identification card and or Peace officer ID badge containing the employee's name, identifying information, and photograph.

All employees are required to carry their Department-issued identification card and/or Peace Officer ID badge at all times while on duty.

While on duty or acting in an official capacity, employees must present their Department-issued identification in a courteous manner upon request and as soon as practicable.

806.4 UNIFORM CLASSES

Class A Uniform

Class B Uniform without Ike Jacket

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Class C Duty Uniform

Class D Special Assignment Uniform

806.5 CLASS A UNIFORM

CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all full time sworn personnel who have completed their probationary period.

The Class A uniform includes the standard issue uniform with:

Jacket:

"Ike" style, dac/wool with epaulets, side tabs and back band, forest green, buttons for Park Rangers/ Senior Park Rangers are to be silver in color, buttons for Supervising Ranger/ Chief Ranger are to be gold in color and approved patches on both shoulders.

Pants:

Forest green, dac/wool, plain pockets (no flap) no trim.

Shirt:

Long sleeve, Flying Cross brand or equivalent, tan with military pleats, approved patches on both shoulders.

Tie:

Forest green, break-away style for officer safety.

Tie Bar:

For Park Rangers and Senior Park Ranger silver in color, plain. For Supervising Park Rangers and Chief Ranger gold in color, plain.

Name Tag:

For Park Rangers, and Senior Park Rangers silver with black inlaid 1/4 inch tall lettering, for Supervising Park Rangers and Chief Ranger, gold with black inlaid 1/4 inch tall lettering to be worn on dress jacket, centered on pleat, aligned with the top of the breast pocket.

Belt:

Black, basket weave, For Park Rangers and Senior Park Rangers, silver tone buckle. Supervising Park Rangers and Chief Ranger, gold tone buckle.

Duty Belt:

Black duty belt in basket weave pattern with silver tone buckle for Park Rangers and Senior Park Rangers, gold tone buckle for Supervising Park Rangers and Chief Ranger. Solid black duty belts are also acceptable. All items on belt are to be black basket weave. Visible snaps are to be silver in

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color for Park Rangers and Senior Park Rangers, and gold in color for Supervising Park Rangers and Chief Ranger.

Stratton, straw or felt, tan to California State Parks spec.

Hat Band:

Black, basket weave pattern, silver tone D-rings for Park Rangers and Senior Park Rangers, gold tone D-rings for Supervising Park Rangers and Chief Ranger.

Footwear:

Leather boot in good condition, black in color, polishable Plain toe. Boots with pointed toes are not permitted.

Vest:

Level IIIA Ballistic Vest

806.6 CLASS B UNIFORM

All Park Rangers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

Ike Jacket and Flat Hat is not required.

806.7 CLASS C UNIFORM

The Class C uniform is the basic duty uniform for Park Rangers assigned to patrol. The Director of Parks, Recreation and Neighborhood Services will establish the regulations and conditions for wearing the Class C Uniform and the specifications for the Class C Uniform.

Jacket:

Blauer model 6120 or equivalent with silver buttons for Park Rangers and Senior Park Rangers, gold buttons for Supervising Park Rangers and Chief Ranger, approved patches on both shoulders, name tag centered, 1/8th inch above right breast pocket. For Peace Officer Park

Rangers the embroidered badge patch shall be placed on the upper left chest. Option: Blauer model 9820Z with silver buttons for Park Rangers and Senior Park Rangers, gold

buttons for Supervising Park Rangers and Chief Ranger, approved patches on both shoulders, name tag centered, 1/8th inch above right breast pocket. For Peace Officer Park Rangers the embroidered badge patch shall be placed on the upper left chest.

Shirt:

Long sleeve, Flying Cross brand or equivalent, tan with military pleats, approved patches on both shoulder.

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Short sleeve shirt is optional, name tag to be worn centered on pleat, aligned with the top of the breast pocket.

Optional:

Blauer Armorskin System Blauer Armor Skin -Style #8370 (vest carrier) Blauer Short Sleeve Armorskin Base Shirt –Style 8372

Blauer Long Sleeve Armorskin Base Shirt – Style 8371

Pants:

Blauer style 8810 cargo style pant, green in color or equivalent.

Name Tag:

For Park Rangers, and Senior Park Rangers silver with black inlaid 1/4 inch tall lettering, for Supervising Park Rangers and Chief Ranger gold with black inlaid 1/4 inch tall lettering to be worn on dress jacket, centered on pleat, aligned with the top of the breast pocket.

Belt:

Black, basket weave, For Park Rangers and Senior Park Rangers, silver tone buckle. Supervising Park Rangers and Chief Ranger, gold tone buckle.

Duty Belt:

Black duty belt in basket weave pattern with silver tone buckle for Park Rangers and Senior Park Rangers, gold tone buckle for Supervising Park Rangers and Chief Ranger. Solid black duty belts are also acceptable. All items on belt are to be black basket weave. Visible snaps are to be silver in color for Park Rangers and Senior Park Rangers. Gold for Supervising Rangers and Chief Ranger.

Hat:

Approved green baseball cap with Park Ranger star patch. Optional: Stratton, straw or felt, tan to California State Parks spec.

Vest:

Level IIIA Ballistic Vest

806.8 CLASS D UNIFORM

The Director of Parks, Recreation and Neighborhood Services may authorize special uniforms to be worn by Park Rangers in specialized units such as boat patrol or lake shore, bicycle patrol, ATV patrol, heavy park maintenance and other specialized assignments.

LAKE SHORE UNIFORM

Shirt:

Short sleeve shirt is optional, name tag to be worn centered on pleat, aligned with the top of the breast pocket.

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Pants:

Propper Cargo Short, Green in color or equivalent.

Socks:

Black in color, hiking type, no stripes, calf high.

Footwear:

Plain toe, polishable leather boot in good condition, black in color

Optional: Black colored running/tennis/boat/lightweight hiking shoe. Belt:

Black, basket weave, For Park Rangers and Senior Park Rangers, silver tone buckle. Supervising Park Rangers and Chief Ranger, gold tone buckle.

Duty Belt:

Black duty belt in basket weave pattern with silver tone buckle for Park Rangers and Senior Park Rangers, gold tone buckle for Supervising Park Rangers and Chief Ranger. Solid black duty belts are also acceptable. All items on belt are to be black basket weave. Visible snaps are to be bright silver in color for Park Rangers and Senior Park Rangers. Gold for Supervising Rangers and Chief Ranger.

Hat:

Green baseball cap, with Park Ranger star patch.

Vest:

Class 3 Ballistic Vest

BIKE PATROL/ATV PATROL UNIFORM

Shirt:

5.11 Tactical Professional Polo Shirt or equivalent, silver-tan in color, short sleeve or long sleeve. SAN JOSE PARK RANGER stenciled on back, first initial and last name embroidered on upper right chest in black thread. For Peace Officer Park Rangers the embroidered badge patch shall be placed on the upper left chest.

Pants:

Bike Patrol – Green Mocean, or equivalent, brand bike pants; shorts or long leg.

ATV Patrol - Green Ben Davis 5 pocket jeans, or equivalent, Option: Blauer style 8810 cargo style pant, green in color or equivalent MUST BE FULL LENGTH PANT, NO SHORTS

Socks:

Black in color, hiking type, no stripes, calf high.

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Footwear:

ATV: Plain toe, polishable leather boot in good condition, black in color

Optional for Bike patrol: Black colored running/tennis/boat/lightweight hiking shoe. Belt:

Black, basket weave, For Park Rangers and Senior Park Rangers, silver tone buckle. Supervising Park Rangers and Chief Ranger, gold tone buckle.

Duty Belt:

Black duty belt in basket weave pattern with silver tone buckle for Park Rangers and Senior Park Rangers, gold tone buckle for Supervising Park Rangers and Chief Ranger. Solid black duty belts are also acceptable. All items on belt are to be black basket weave. Visible snaps are to be bright silver in color for Park Rangers and Senior Park Rangers. Gold for Supervising Rangers and Chief Ranger.

Hat:

Approved green baseball cap with Park Ranger star patch.

Vest:

Level IIIA Ballistic Vest.

RESOURCE MANAGEMENT/ MAINTENANCE DUTY UNIFORM

For heavy resource management or maintenance projects, a Department issued maintenance uniform shirt may be substituted with the Park Ranger leadership approval to the specific project.

806.9 ADDITIONAL REGULATIONS

Name Tags:

For Park Rangers and Senior Park Rangers tags shall be silver in color, for Supervising Park Rangers and Chief Rangers tags shall be gold in color. All tags shall be 1/2 inch in width, letters will be black in color. Tag shall read first initial of first name followed by last name.

"Or Equivalent" shall mean substantially identical to the model number identified. During a uniform inspection the item should appear identical to all others. When any uniform becomes excessively worn so as not to look professional and presentable to the public, it shall not be worn. Ex. holes, stains, faded in color. Uniforms shall be cleaned, pressed and presentable to the public at all times. If a uniform becomes soiled, torn or otherwise un-presentable during the course of a shift, the Park Ranger shall have readily available a replacement uniform to change into as soon as possible. No part of any uniform, which can be identified as part of a City of San Jose Park Ranger Uniform (Such as a shirt / jacket with patches), shall be worn while off duty. The Park Ranger Leadership shall have final discretion to deem any uniform article as not being presentable or appropriate for any given situation.

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806.10 INSIGNIA AND PATCHES

Badges:

Badges are to be worn on the person by all Peace Officer Park Rangers while on duty. Park Ranger badges shall be issued to those Park Rangers appointed as Peace Officers by the Department. Park Ranger and Senior Park Ranger badges shall be silver in color, Supervising Park Ranger and Chief Ranger badges shall be gold in color.

Badges shall be worn on the upper left breast of the shirt or jacket of all uniforms with the following exceptions:

Class A - Badge to be worn on the upper left breast of the outermost garment. Class D - Badge to be immediately available, if needed.

Shoulder Patches - The authorized shoulder patch, approved by the Department, shall be machine stitched to the sleeves of all uniform shirts and jackets. Patch placement shall be three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.

Name Tags:

For Park Rangers and Senior Park Rangers tags shall be silver in color, for Supervising Park Rangers and Chief Rangers tags shall be gold in color. All tags shall be 1/2 inch in width, letters will be black in color. Tag shall read first initial of first name followed by last name.

When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.

Other Prohibited Items. Visible thermal underwear, (Class C excepted with supervisor approval may only wear black sleeves); colored T-shirts or T-shirts with visible logos; T-shirt sleeves extending beyond uniform shirt sleeve; shoelaces of a color other than black. Sunglasses are to have black or other neutral colored frame, no bright or fluorescent colors. Mirrored lenses are prohibited.

806.11 MOURNING BADGE

Uniformed employees shall wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

A Park Ranger of this Department - From the time of death until midnight on the 14th day after the death.

A Park Ranger from this or an adjacent county - From the time of death until midnight on the day of the funeral. Funeral attendee - While attending the funeral of an out of region fallen officer.

National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.

As directed by the Director of Parks, Recreation and Neighborhood Services.

UNIFORM REGULATIONS

806.12 TRAINING/ CONFERENCE NON-PATROL DUTIES

Professional Business Casual:

Employees may wear professional business casual attire unless directed otherwise.

Inappropriate Wording/Images:

Clothing or accessories must not display offensive or unprofessional wording or images.

806.13 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Park Rangers may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a Department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify themselves as an employee of the Department to do any of the following (Government Code §§ 3206 and 3302):

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

806.14 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Department Owned and Personal Property Policy).

806.15 UNAUTHORIZED UNIFORMS, EQUIPMENT, AND ACCESSORIES

Park Rangers may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Director of Parks, Recreation and Neighborhood Services or designee.

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Park Rangers may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Director of Parks, Recreation and Neighborhood Services or designee.

806.16 SEPARATION/ RETIREMENT

Return of City Property

- Employees must return all city equipment, including their Employee ID badge, upon separation or retirement. Per the city policy 1.6.6.

Attachments

Hate Crime Checklist.pdf

Statutes and Legal Requirements.pdf

Supplemental Hate Crime Report-Agency.pdf

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