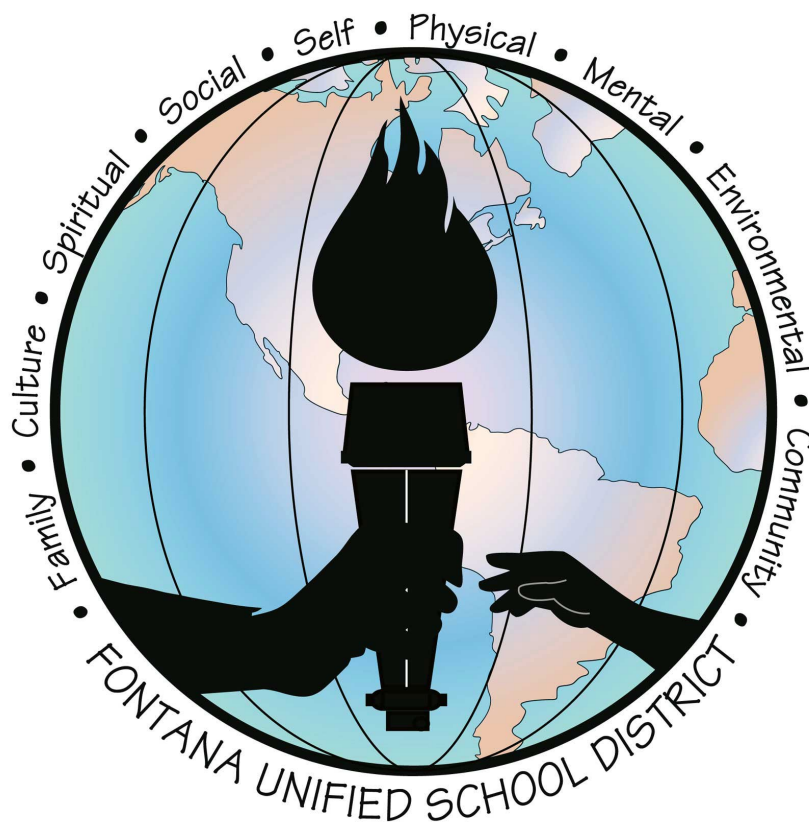


FONTANA USD DISTRICT SAFETY OFFICER MANUAL OF POLICY AND PROCEDURE



**FONTANA USD DISTRICT SAFETY OFFICER
MANUAL OF POLICY AND PROCEDURE**

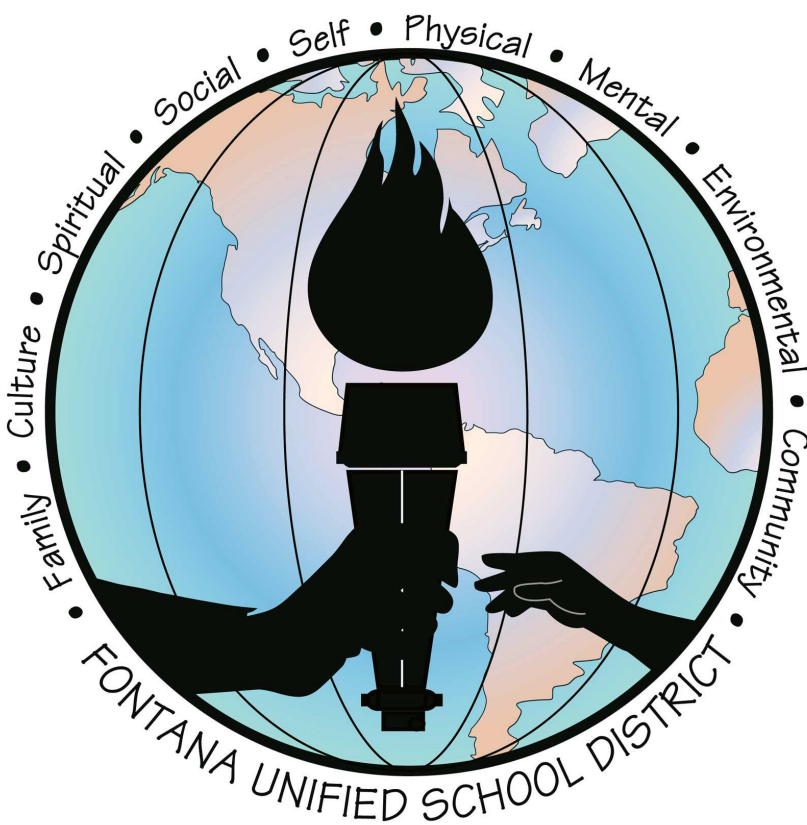


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Greetings,

I want to personally thank each one of you for your commitment to the Fontana Unified School District and the District Safety Officer (DSO) program; you truly are the front-line safety personnel for our schools.

It is not an easy task ensuring a premier level of safety for our students, their parents, visitors, and district staff. Such a feat entails great professionalism, discipline, hard work, and dedication. Anytime exemplary performance is expected, and demanded, an established criterion for accomplishment must be set in place. This policy and procedures manual will help answer questions, supply direction, and provide those guidelines necessary for success.

Please take the time to read this manual, and make sure that you fully comprehend its contents. Every District Safety Officer will be responsible for adhering to these policies and procedures; and the proper implementation of these regulations will ultimately help you succeed in your daily work assignments. While this manual is very detailed and outlines appropriate methods for dealing with various circumstances that you will likely encounter daily, it is not all encompassing, nor is it to be considered a substitution for sound judgment and common sense. During your duties, you may unfortunately be confronted with a situation that falls outside the confines of these policies and procedures. If such an incident arises, the Fontana Unified School District would expect you to act with integrity and in such a manner to best preserve your safety, the safety of students, parents, visitors, and district staff.

As previously noted, you are the district's front-line security force and an invaluable commodity. Your continued success is extremely important to me, the staff of the Fontana School Police Department, and the Fontana Unified School District. If there is any way that I can assist you, in any of your career aspirations, please do not hesitate to let me know.

Thanks again for your efforts.

Respectfully,

Kris Stevens, District Safety Coordinator

FONTANA UNIFIED SCHOOL DISTRICT DISTRICT SAFETY OFFICER MISSION STATEMENT

The Fontana Unified School District, District Safety Officer program is dedicated to ensuring a safe environment for students, faculty, and parents, and the protection of School District property. District Safety Officers provide security for school campuses, monitor student activities, and prevent crime through high visibility and cooperation with faculty, law enforcement, and the students they protect.

1-01 District Safety Officers

Definition:

Under supervision, supervises student and non-student behavior on a high school, middle school campus or elementary school per assignment; maintains written records and makes written reports; performs related duties as required.

Class Characteristics:

Positions in this class report directly to the District Safety Supervisor, Lead Safety Officer, and to a certificated administrator who are assigned duties related to the control of student and non-student behavior on a school campus. The DSO must learn and demonstrate good judgment in the application of District and school policies to each situation as it arises. Successful performance requires that the DSO be able to establish

rapport and gain the respect of students, to control student behavior in routine classroom and non-classroom activities, and to identify and handle the presence of unauthorized individuals on the campus. **District Safety Officers Are Not Afforded Peace Officer Status.**

Examples of Duties:

- Observes and controls student and non-student behavior in classroom and non-classroom activities including, but not limited to; before school activities, lunch time supervision, and special school activities such as dances, assemblies, bus boarding, and athletic events.
- Observes and controls or reports any damage to school property and/or private property.
- Regularly patrols student parking areas and may be called upon to regulate traffic flow in areas surrounding campuses or to gain access to or egress from campus; may be called upon to provide crossing services to pedestrian students and non-students on campuses only. No city streets are allowed to be regulated by DSO's.
- At the direction of an administrator contacts parents, school, law enforcement agencies, and other groups to give or obtain information related to attendance, student behavior, and other job-related items; may be called upon to testify at pre-expulsion and expulsion meetings, or in court regarding student and non-student observations, reports, and actions.
- Maintains written records related to security matters.
- Makes detailed written reports of job activities related to security matters.
- Assists with school office tasks that are related to security matters.
- Enforces District and campus rules and regulations.
- Patrol's school buildings and campuses.
- May search and disarm students and non-students, with certain restrictions, to protect self and others.
- May detain students or non-students until arrival of law enforcement personnel.
- May assist students, staff, and visitors experiencing car problems using discretion based on tools and training.
- Works in cooperation with faculty, administration, and law enforcement for the security and protection of students, non-students, and staff on school grounds.

1-02 Lead Safety Officer

Definition:

Under the direct supervision of the District Safety Supervisor, supervises DSO's on assigned school campuses. Maintains written records and makes written reports; performs related duties as required.

Examples of Duties:

- Direct supervision of DSO's in the field.

- Assures DSO's are punctual when arriving at school and leaving at the end of their shift. Maintains and monitors sign-in sheets for DSO's.
- Assists school administrators and District Safety Supervisor with scheduling and assigning DSO's to their posts.
- Assists District Safety Supervisor and school site administrators in scheduling breaks and lunch periods for DSO staff.
- Assures that all DSO's are wearing their authorized uniforms and are adhering to the grooming and equipment policy as outlined in the District Safety Officer Policy and Procedures Manual.
- Supervises DSO's at their assigned posts on school grounds, and assuring the DSO's are attending to their required duties and not "congregating" together.
- Assists District Safety Supervisor and school administrators with the preparation of Employee Reviews.
- Monitors radio transmissions to assure compliance with radio policy.
- Acts as Field Training Officer for newly hired DSO's. Assists in developing training plan for newly hired DSO's.
- Actively observes and reports evidence of exemplary performance by DSO's, as well as violations of School District Policy and District Safety Officer Policy and Procedure. Makes written reports to District Safety Supervisor regarding exemplary performance as well as violations of policy and procedure by DSO's.
- Assists in the preparation of annual reoccurring training for DSO's.
- May be called upon to perform routine duties of DSO's in the absence of sufficient DSO staff.
- While acting as Lead, DSO will continue to patrol assigned school campus to assure safety and security of students, non-students and staff.

1-03 District Safety Supervisor:

The District Safety Supervisor , under the direction of the Chief of Police and the Fontana USD Administration and Board of Education, has direct management and supervisory responsibility, and authority over the District Safety Officer Program and its staff of District Safety Officers. The Chief of Police will work in close association and cooperation with school site administrators in the management of the District Safety Officer program. The Chief of the Fontana Unified School District Police Department is responsible for oversight and management of the DSO program.

District Safety Supervisor:

The District Safety Supervisor will have the responsibility for management and overall supervision of the DSO program under the direction of the Chief of Police.

Examples of Duties:

- Supervision of DSO's at their assigned posts.
- Supervising Lead Safety Officers in the field and assuring accountability.
- Works closely with school site administrators for the development of District Safety as well as supervision of District Safety Officers.
- Maintains minimum staffing levels of DSO's on each campus. Responsible for time off requests.
- Monitors attendance and punctuality of DSO's to assure compliance with District policy.
- Monitors DSO radio traffic to assure compliance with policy.
- Develops training plan for annual reoccurring training of DSO's.
- Develops Field Training Program for newly hired DSO's. Monitors training progress of DSO's, as well as probationary DSO's. Maintains training records for FTO program and annual DSO training.
- With the assistance of school site administrators, staff, and Lead Safety Officers, prepares and submits written Employee Reviews of DSO's.
- Assures DSO's are in compliance with all District policies as well as District Safety Officer Policy and Procedures.
- Writes commendations for exemplary performance and consultations for policy violations. Prepares written reports for submission to the Chief of Police for all policy violations. Works in cooperation with school site administrators and the Chief of Police in all matters of potential discipline of DSO's.
- Assist the Chief of Police with the promotional process for the position of Lead Safety Officers.

Chapter 2 – Uniform and Equipment

2-01 Authorized Uniform:

- Shirt –Green short sleeved polo shirt. District patches on each shoulder, including one on the left chest. Shirt shall always be worn tucked into pants. Issued by Fontana Unified School District.
- Shirt-Leads will wear Charcoal Gray short sleeved polo shirt. District patches worn on each shoulder, including the patch on the left chest. Shirt shall always be worn tucked in. Issued by Fontana Unified School District.
- Long sleeve undershirt- may be worn under green short sleeved polo shirt. Long sleeve shirt shall be tucked in and have no visible logos. BLACK LONG SLEEVE or white is acceptable.
- Pants – Black cargo pants. Issued by Fontana USD.
- Belt – Black 1 ½". Issued by Fontana USD.
- Shoes – Black plain toed duty low quarter or boot with all black soles and uppers, or optional black athletic shoe with all black soles and laces (no visible logo). Black socks are always to be worn with long cargo pants. White socks are optional with cargo shorts only.

- Jacket – Fontana Unified School District, Police Services Jacket may not be worn with optional cargo shorts. Issued by Fontana Unified School District. Issued by Fontana USD
- Black ballistic vest to be always worn. Issued by Fontana Unified School District

2-02 Optional Uniform:

- Optional Cap – Black “baseball” cap, no other headgear is authorized at any time.
- Optional Knit Watch Cap- Black acrylic knit watch cap. Watch cap may not be worn during daylight savings time unless authorized by the Chief of Police. Watch cap may be purchased at the expense of the individual and is not provided by Fontana USD.
- Optional Short Pants – Black cargo shorts. Authorized cargo shorts may be worn only during daylight savings time or if approved by FUSD management. Issued by Fontana USD.
 - Inclement Weather Options – During inclement or rainy weather black gloves may be worn, as well as yellow rain gear.

2-03 Wearing the Uniform:

The Fontana USD DSO uniform shall be kept clean and serviceable, free of stains, holes, and tears. The green uniform shirt shall always be tucked into the pants. An under shirt is always required be worn underneath the green uniform shirt, but only a white or black *short sleeved* undershirt may be worn. No logos of any undershirt may be visible through the blue uniform shirt. Uniform cap, shoes and black belt must be kept clean and serviceable.

2-04 Authorized Equipment:

- Two-way radio. Radios are to be issued and signed for at the beginning of the shift and returned and signed back in at the end of shift.
- Note pad and pen or pencil.
- Safety/School District Identification Card.
- First Aid and CPR Qualification Card.
- A flashlight may be carried as an option. Flashlights may not be used as weapons.
- Handcuffs
- Oleoresin Capsicum (O/C) spray.
- Leads are authorized to always carry tasers.

DSO’s are not authorized to carry the following weapon while on duty, including but not limited to; knives (including folding knives), firearms, batons or Billy clubs, Tazers or other electric shock weapons.

Chapter 3 – Duties and Responsibilities

3-01 Safety and Security of Students, Non-students and Staff:

The primary function of the District Safety Officer is to assure that all students, non-students, and school staff have a safe and secure learning environment. DSO's are also responsible for the protection of District and private property within the schools they patrol. DSO's will work in cooperation with school staff and law enforcement in enforcing District and school policies. DSO's function is to ensure safety in order to maximize student learning

3-02 High Visibility/Crime Prevention:

The basic tenet of the DSO program is that the presence of a trained professional staff of safety officers on school campuses is a major deterrent of crime, violence, and violations of District and school policy by students and non-students. The Fontana USD in agreement with school administrators and law enforcement have concluded that crime prevention through a highly visible staff of District Safety Officers is the most efficient and desirable use of DSO's. The distinctive DSO uniform enables each DSO to be easily seen anywhere on campus, and is recognized by students, non-students, staff, and law enforcement. The duty of each DSO is to remain a highly visible deterrent on campus. This is accomplished by wearing the authorized uniform in a professional manner, patrolling the school grounds, and maintaining a highly visible presence.

3-03 Observe and Report:

In conjunction with the District Safety Officer's duty to be a highly visible deterrent to crime and policy violations on campus, the DSO's function on campus is primarily to observe and report. District Safety Officers are not trained or equipped as police officers and lack the liability protection of sworn law enforcement officers. Their value in safeguarding schools is in vigilant observation and accurate reporting of incidents. Additionally, each DSO must establish rapport with students and staff. DSO's can learn what is happening on campus and are able to prevent incidents prior to occurrence. "Listening" is a key ingredient in knowing what is taking place on the school grounds. DSO's support school administrators in enforcing District and school policy through prevention and deterrence by their presence, active and constant observation, and accurate reporting to school administration and law enforcement. Due to the nature of their job on school grounds, DSO's are sometimes required to intervene in certain incidents, such as fights, vandalism, or other crimes in progress. DSO's may intervene in these incidents for the purpose of safeguarding students, non-students, staff, and property as outlined in the following chapters of this policy and procedure manual. When necessary to intervene in these incidents, it is incumbent that the DSO's remember the scope of their job, the amount of training and experience he or she has, officer safety during the incident, the nature of the incident, and the likelihood of later identification of the subjects involved.

3-05 Basic Patrol Procedures:

The duties of a District Safety Officers are determined District Safety Supervisor.

- Patrol school grounds on foot or other authorized means, including staff and student parking areas.

- Observe student behavior during school hours, bus boarding, and at extracurricular activities (athletic events, assemblies, dances, etc.), and report violations of District and school policy, and violations of the law.
- Monitor student behavior in the lunch area and cafeteria, enforce District and school policy, and report violations to school administrators.
- May detain students and non-students until the arrival of law enforcement in the event of suspected criminal activity (pursuant to DSO Use of Force Policy 8-01).
- Protect District property and private property within the school district and report any property damage.
- Monitor school gates and passageways, regulating student and non-student entry on the campus. Maintain entry log for authorized non-student entry onto campus. Issue passes to authorized non-students entering campuses. Restrict entry of individuals not authorized to enter school grounds. Immediately report any person on campus without proper authorization. Assist authorized visitors on campus with directions.
- Immediately report medical emergencies. Administer first aid during emergencies.
- Knowledgeable in the school emergency disaster plan and assist in carrying out the plan when emergency incidents occur.

Because of the importance of complete patrol coverage and security of the school grounds, District Safety Officers are prohibited from congregating together in groups of two or more unless on specific school security business or under the direction of school administrators, Lead Safety Officer, or FUSD Police Department supervision. Further, District Safety Officers are prohibited from loitering in school offices, classrooms, and other school buildings unless on specific school security business or under the direction of school administrators, Lead Safety Officer, or FUSD Police Department supervision.

3-06 Patrol Area Familiarization/Campus Characteristics

The District Safety Officer must be aware of the school's individual characteristics and patrol accordingly. Listed below are some areas of importance.

- Site problems where gang or drug activity may occur.
- School population and the number of students and staff at the site.
- School resources.
- Major cross streets and streets surrounding the school site.
- School nurse and first aid supplies.
- Emergency fire equipment and fire extinguishers.
- Emergency shut off valves for gas, water, etc.
- Major emergency and earthquake supplies.
- School buildings prone to burglaries and theft.
- Areas attractive to auto theft and auto burglary.
- Areas prone to PC 415 (fights) activity.
- Areas frequented by truants.
- Areas frequented by student smokers.
- Narcotics activity.

3-07 Dealing with Students

District Safety Officers may remove a student from class under the following circumstances:

- DSO has permission or is directed to remove a student by an administrator.
- Requested to remove a student from class by a faculty member.
- DSO has determined a student has or is creating an unsafe condition. Under these conditions the DSO will immediately, or as soon as practicable, inform a school administrator. Written documentation of the incident shall be completed and submitted to the Lead DSO or site administrator by the DSO before the end of shift.
- DSO's should remain calm even in the face of adversarial issues. DSO's should refrain from engaging in verbal arguments with staff or students as this diminishes the effectiveness of the position. If a staff member or student is argumentative or disruptive the DSO should contact a school administrator or FUSD School Police to handle the situation.

3-08 Dealing with Non-Students

One of the most important duties of a District Safety Officer is keeping unauthorized persons off the campus. When confronting a non-student, a DSO will utilize the following procedure:

- Determine if the individual has legitimate business at the school.
- If the individual is not registered, escort him/her to the office to secure a visitors pass.
- If in doubt, seek an administrator's help or call for a school police officer.
- If an individual on campus refuses to register, notify a school administrator or school police (violation of PC 627.7).
- A non-student shall not remain on campus without obtaining a visitors pass. If an unregistered individual refuses to leave campus, notify a school administrator or school police (violation of PC 627.7 and PC 627.8).

The following persons have a legal right to be on school grounds:

- A student of the school except a student on off-school suspension.
- A parent or guardian of a student of the school.
- An employee of the school district.
- A public employee with business at the school.
- A law enforcement official conducting official business.
- A representative of a school employee organization.
- An elected official.

The principal or designee may refuse to register a non-student if they have a reasonable basis for concluding the person's presence or acts would disrupt the school (PC 627.4). A principal, designee may revoke a non-student's registration if the person's presence would disrupt the peaceful conduct of the school (PC 627.4).

3-09 Trespass on School Grounds

PC 626.8 Disruptive presence at school; specified sex offenders; punishment notification

- (a) any person who comes into any school building or upon any school grounds, or street, sidewalk, or public way adjacent thereto, without lawful business thereon, and whose presence or acts interfere with the peaceful conduct of the activities of the school or disrupt the school or its pupils or school activities, or any specified sex offender who comes into any school building or adjacent thereto, unless the person is a parent or guardian of a child attending that school, or is a student at the school or has prior written permission for the entry from the chief administrative officer, is guilty of a misdemeanor. If he or she does any of the following:
 - (1) Remains there after being asked to leave by the chief administrative official of that school or his or her designated representative, or by a person employed as a member of a security or police department of a school district pursuant to Section 39670 of the Education Code, or a city police officer, or sheriff or deputy sheriff, or a Department of the California Highway Patrol peace officer.
 - (2) Reenters or comes upon that place within seven days of being asked to leave by a person specified in paragraph (1).
 - (3) Has otherwise established a continued pattern of unauthorized entry.

A District Safety Officer who encounters any individual on a school campus in violation of PC 626.8 shall immediately notify a school administrator and/or school police. A District Safety Officer may detain the offender, within the guidelines of Use of Force Policy 8-01, for contact by a school administrator and school police for further investigation and possible arrest pursuant to the California State law.

3-10 School Policy Violations

All District Safety Officers will be alert to any possible violation of all District or school policies by students and non-students. DSO's will work in unison with school administrators and staff to assure compliance with District and school policies. If a DSO observes a student or students in violation of any District or school policy, he/she will do the following:

- Make every effort to identify any and all participants in the policy violation.
- Escort the involved students, when safe to do so, to the appropriate administrative official.
- Prepare and submit a written report, as soon as possible, prior to the end of shift.

3-11 Crimes on Campus

Violations of law on a school campus are the jurisdiction of FUSD School Police or local law enforcement, depending on the nature of the crime. If a DSO observes a crime occurring on campus, an immediate notification will be made to the school administration and to FUSD School Police. A DSO's primary duties are *Prevention*, *Observation* and *Reporting*. When a crime occurs on campus, a DSO will make every effort to observe, record (by taking detailed notes), and report the incident to the proper authorities. In

certain incidents, such as vandalism, fights, theft, and narcotic activity, DSO's may intervene to prevent the crime, and detain suspects. DSO's may make arrests pursuant to California Penal Code 847 (Citizen's Arrest). DSO's detaining suspects are limited to verbal commands and simple restraint, and are prohibited in the use of punches, kicks, control holds or any other use of force, except in self-defense, and the defense of students, non-students, and staff (Use of Force Policy 8-01). However, when forced to detain or arrest a suspect, the DSO will take into consideration his/her training and experience in making such detention or arrest, their own safety, the safety of the students and faculty, as well as the safety of the suspect. If the DSO has the ability to identify the suspect, or provide sufficient detailed description for later identification, it is recommended that detentions and arrests be conducted by law enforcement officials. This recommendation does not preclude a DSO from making an arrest or detaining a suspect within the guidelines of DSO Use of Force Policy 8-01, and without the safety of the DSO being jeopardized.

3-12 Report Writing

All reports will be clear, concise, and accurately relate the circumstances of the event. Every report will be free of error and grammatically correct. All reports will be completed, submitted, and approved prior to the end of shift on the same day the event occurred, except with the prior approval of the Lead DSO or District Safety Supervisor. Reports will be submitted to the Lead DSO or District Safety Supervisor. Copies of Lead DSO will be prepared and presented to School Administration for purposes of handling student or school related issues. Reports should be typed using a District computer.

Chapter 4 – Radio Procedures

Utilizing proper radio procedure is important for the safety of DSO's, students, non-students, and staff. The ability to broadcast information quickly, calmly, and accurately, for the purpose of requesting help during an emergency, describing suspects and suspect vehicle descriptions, or requesting medical aid, is essential for the safety of the campus and staff. All DSO's will be familiar with, and competent in, the use of the handheld radio and all District and school radio procedures.

4-01 Ten Codes

DSO's and administrators will use the "Ten Code" radio abbreviations when applicable. The use of Ten Codes greatly reduces the airtime used to broadcast information and helps reduce the possibility of misunderstanding the information. All DSO's will be familiar with, and competent in the use of the Ten Code procedure. (Refer to the attached addendum I for a complete list of the required Ten Codes).

4-02 Phonetic Alphabet

All DSO's will utilize the phonetic alphabet to spell words, broadcast license plates, or names, etc., when broadcasting such information on the radio. The use of the phonetic alphabet reduces the possibility of misunderstanding the broadcast. All DSO's will be familiar with, and competent in the use of the phonetic alphabet. (Refer to the attached addendum II for a list of the phonetic alphabet).

4-03 Proper Radio Demeanor

It is incumbent upon DSO's to broadcast information calmly and accurately during emergencies. All radio broadcasts should be brief and accurate. A calm, professional demeanor on the radio more clearly broadcasts the information and reduces the amount of airtime in case of other emergency radio traffic.

4-04 Suspect and Suspect Vehicle Description

It is important to broadcast suspect and suspect vehicle descriptions quickly and accurately. Concise and detailed broadcasting of information is essential for the proper response tactics of law enforcement. When relaying a suspect's description over the radio, broadcast the following information:

- Type of call: Describe what crime has occurred. (Robbery, assault, graffiti, etc.).
- Weapon involved: Broadcast if a weapon was used or seen in the possession of the suspect. Describe the weapon.
- Gender
- Race
- Age
- Height
- Weight
- Clothing description: Give as many details as possible. (Color, pants or shorts, shirt color, hat, shoes, etc.).
- Name: If the suspect is known, broadcast his/her name.
- Direction of travel

When relaying suspect vehicle descriptions over the radio, broadcast the following information:

- Color
- Make/model
- Year
- Body style (Two door, four door, truck van, etc.)
- License number (write down the license number if possible)

- Other features of the vehicle (Lowered, damage, custom wheels, etc.)
- Direction of travel

4-05 Broadcasting Location

Every DSO must be completely familiar with his/her assigned campus. A DSO must familiarize himself/herself with the campus, buildings, hallways, and areas where potential problems may occur. Every DSO should be knowledgeable with the surrounding streets of the school, as well the geographic directions, north, south, east, and west. The DSO must always know his/her location on the campus. During an emergency he/she may need to call for help or broadcast crime information over the radio. A DSO must be able to give accurate information to responding law enforcement units regarding location and direction of travel of suspects or suspect vehicles.

4-06 Unauthorized Radio Traffic

Radio traffic is limited to school and security related information. Personal conversations and non-school related information are prohibited from broadcast on the radio. Normal school related radio broadcasts should be short and concise, utilizing the Ten Codes. This will reduce the amount of airtime on the radio, and free airtime for emergencies.

4.07 Confidentiality

When using the radio DSO's will be aware of the confidentiality of certain information. When possible, DSO's will refrain from using student and staff names on the radio when the information is of a confidential nature. DSO's will not air confidential information on the radio, except as when necessary during emergencies.

Chapter 5 - General Law

5-01 Definition of a Crime

Penal Code 15 states, "A crime or public offense is an act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments: 1. Death; 2. Imprisonment; 3. Fine; 4.

Removal from office; or, 5. Disqualification to hold and enjoy any office of honor, trust, or profit in this State.”

5-02 Classifications of Crimes

- A felony is a crime punishable by death or imprisonment in state prison.
- A misdemeanor is a crime punishable by imprisonment in county jail for a maximum sentence of one year.
- An infraction is punishable by fine and not punishable by imprisonment. A person charged with an infraction is not entitled to a trial by jury.

5-03 Elements of a Crime (Corpus Delicti)

- Every crime requires that all elements of that crime be satisfied before the crime is established.
- Human culpability is required as well as the crime’s elements.
- Identity of the suspect and motive are not part of the corpus delicti (elements).
- Corpus delicti of every crime consists of the following: Commission of a prohibited act, or failure to perform a required act, by one or more human beings; the presence of a designated state of mind to distinguish the crime from an accident or mistake of fact; a union of the act or omission with the required state of mind: In some crimes it must be established that the act or omission was the legal (proximate) cause of the injury that the law seeks to prevent.

Corpus delicti cannot be proved solely on the basis of out of court admissions or confessions.

5-04 Frequently Used Codes

Every DSO should be familiar with frequently used Penal Codes, Vehicle Codes, and other applicable laws, and the elements of each violation. Refer to the attached addendum # IV for a list of frequently used codes.

Chapter 6 – Search and Seizure

6-01 Search and Seizure by School Officials

Because of the prevalence of drugs and weapons on school grounds, District Safety Officers must know the rules and laws pertaining to searches by school officials. During searches, DSO’s are not held to the probable cause standard, nor is a warrant required to

search. DSO's have only to show "reasonable suspicion" to search a student. In order to establish reasonable suspicion a DSO must rely on recent, credible information from first-hand observations or eyewitnesses. Searches shall be made in the presence of at least one other district employee pursuant to Fontana Unified School District 5000, AR 5145.12.

6-02 Reasonable Suspicion

In a court of law, a DSO may be called upon to establish "reasonable suspicion" as determined by the judge. A DSO should consider the following factors when making the determination of whether he/she has sufficient reasonable suspicion to conduct a search:

- Suspicious movements
- Illicit behavior
- Unusual odors
- Intoxicated appearance
- Prior contacts with the student for similar illegal behavior
- Similar illegal activity in the area
- Unusually nervous demeanor
- The appearance of bulges in pockets and clothing which could be potential weapons
- Reliable information from eyewitnesses describing illegal activity

A DSO must be able to explain the facts surrounding the incident that lead him/her to believe a search was necessary. The DSO must also be able to connect the student who is searched to the suspected violation of laws or rules.

6-03 Reasonable Scope

Reasonable scope is defined as the extent or area to which a search is conducted, whether to the person, locker, bookbag, purse, desk, or vehicle. If a DSO determines that he/she has reasonable suspicion to conduct a search, he/she then must determine the extent of the search. The circumstances of the incident may determine the scope of the search. A DSO must be prepared to explain in court that the extent of the search was reasonable under the circumstances known at the time of the search. A search may intrude only as far as reasonable under the circumstances to recover the contraband. A DSO may search no more than is reasonably necessary. The greater the need for immediate protection of staff and students, the more extensive the scope of the search. *Under no circumstances should a District Safety Officer conduct a strip or body cavity search (the mouth is not considered a body cavity for these purposes. However, the only type of search authorized to be conducted of a subject's mouth is a visual search).*

6-03.1 Requirements for Search of Students and Non-Students

A DSO may only conduct a search in the presence of another DSO school administrator or staff member. Special caution should be taken when it is necessary to search the person of the opposite sex. Unless exigent circumstances

exist, only a DSO of the same sex should conduct the search of a student or non-student.

6-04 Seizure of Contraband and Evidence

All items of contraband and or evidence that are confiscated from students or non-students shall be secured and released only to a law enforcement official, or an authorized school administrator. Any item of evidence of a crime will be turned over to the law enforcement agency with jurisdiction. Items of contraband not deemed a part of a criminal investigation may be released to an authorized school administrator for later release or disposal. Any incident where an item of property is seized shall be documented in a written report. Proper documentation of the chain of custody is essential for prosecution of suspects, disposal, or release of property, and legal responsibilities of the person conducting the search and seizure.

Chapter 7 – Arrest and Detention Procedures

7-01 Arrest

The primary function of a District Safety Officer is *Prevention* of violations through *High Visibility, Observation, and Reporting*. However, incidents may arise where a DSO is obligated to make an arrest, either as the victim of a crime, or having observed the commission of a misdemeanor or felony. When possible, a DSO should allow the proper law enforcement agency to make the arrest of a suspect. An arrest is taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a police officer, or a private person.

7-02 Detention

Detention is defined as a period of temporary custody. DSO's are allowed to temporarily detain students and non-students for investigation of violations of the law, as well as District and school policies.

7-03 Private Person Arrest PC 837

Penal Code 837 allows any person to make an arrest under the following circumstances:

- For a public offense attempted or committed in his/her presence.
- When the person has committed a felony, although not committed in his/her presence.
- When a felony has in fact been committed and he/she has reasonable cause to believe the person being arrested has committed it.

7-04 Making an Arrest

An arrest is taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a police officer, or a private person. District Safety Officers are not prohibited from making a private person's arrest as allowed by California law. However, when crimes occur on campus, arrests should be made by Fontana Unified School District School Police or the local law enforcement agency with jurisdiction.

7-05 Notice of Authority and Intent to Arrest PC 841

The arresting officer must inform the person to be arrested of:

- The intent to arrest.
- The cause of arrest.
- The authority to arrest.

A person making an arrest must, upon request of the person he/she is arresting, inform the latter of the offense for which he/she is being arrested. Simple clear phrases should be used when notifying the arrested person (ie; "You are under arrest for trespassing on the school grounds").

7-06 What to do with the Arrested or Detained Person?

When a District Safety Officer detains a student or non-student for a District or school rule violation, the DSO will immediately notify a school administrator of the detention. The detained person will be escorted, when safe to do so, by the DSO to the

administrative office of that school, or to the authorized administrator of that school. When a DSO detains a student or non-student for a crime on campus, the DSO will immediately notify a school administrator from that campus and notify the Fontana Unified School District School Police. If it is not safe to escort the detained person to the administrative office, the DSO may detain the subject at the scene of the detention until the arrival of law enforcement.

7-07 Taking Statements and Confessions from Students

Statements may be taken from students by school officials (DSO's) who are not law enforcement officers without any legal formalities (such as "Miranda Warnings"). It is legally acceptable for a school official to report a student's statements to law enforcement officers. School officials can reveal student statements in court, even if the student was led to believe that it would not be disclosed. Statements made to school staff must be voluntary and may not be "forced" or made as the result of threats or coercion.

Chapter 8 – Use of Force

8-01 Role of the District Safety Officer – Use of Force

The role of the District Safety Officer is *Prevention* through *High Visibility, Observation, and Reporting*. DSO's are not law enforcement officers and have neither the training nor the liability protections of sworn law enforcement officers. Therefore, DSO's use of force is limited to only the *minimum force necessary* for self defense and the defense of

students, non-students, and staff from physical bodily harm. DSO's may use verbal commands and "simple restraint" to break up fights and detain subjects suspected of criminal activity. DSO's may use any reasonable lawful force necessary in self-defense, or in defense of students, non-students, and staff. Any use of force by a DSO will be immediately reported, as soon as practical, to a school administrator and the District Safety Supervisor, and school administrator. Every use of force by a DSO will be thoroughly documented in a written report.

Definitions

Verbal Commands: The use of voice and words to order a person to cease activity, stop, remain in place, go to a specified destination, submit to search, or to follow the directions of the person giving the order.

Simple Restraint: The use of hands or arms by grasping and holding of a subject about the hands, arms, or torso, to prevent escape, overcome resistance, or prevent violent behavior.

8-02 Verbal Judo

Verbal Judo emphasizes the mastery of communication by redirecting behavior with words. It is a series of tactics based on the principle of non-resistance. Verbal Judo teaches you to turn other's aggressiveness aside, and to use another's energies to achieve positive goals. By using professional language and employing Verbal Judo tactics, you will significantly lessen the chances of becoming involved in a physical confrontation.

8-03 When to Use Force

Use of force by a DSO is only authorized for the purpose of self defense and in the defense of students, non-students, and staff. The amount of force is limited to the minimum amount necessary to overcome the resistance of the suspect for the purpose of self defense and in the defense of others. DSO's may use verbal commands, and or simple restraint (physically holding the subject with hands and/or arms) to detain persons suspected of committing crimes, breaking up fights on campus, or to prevent violent actions of subjects.

8-04 Use of Force Options

District Safety Officers are prohibited from carrying weapons while on duty, including, but not limited to; firearms, knives, batons or billy clubs, Tazers or other electrical stun devices or restraining devices. DSO's are issued Oleoresin Capsicum (O/C) Spray and handcuffs.

8-05 Verbal Confrontations

When a verbal confrontation occurs with a student or non-student, the DSO will call for additional back up from other DSO's or administration as available. The situation should be assessed as to the degree of the confrontation. If there is potential for further escalation, Fontana Unified School District School Police should be called for immediate

assistance. The DSO should guard against making statements that would escalate the confrontation and apply “Verbal Judo” tactics if possible.

Chapter 9 – Emergency Procedures

9-01 Fights on Campus

District Safety Officers are frequently the first to arrive at the scene of a fight on campus. Breaking up fights and detaining the participants is one of the responsibilities of every DSO. DSO’s must adhere to the use of force policy when stopping fights, and only the minimum force necessary for self defense, and the protection of students and non-students is authorized. The use of force, above verbal commands and simple restraint (use of force policy 8-01), is not authorized for the apprehension and detention of suspects. DSO’s responding to fights on campus will utilize the following procedure:

- Call for back-up.
- Assess the situation for weapons, injuries, identity of participants, and the number of participants.
- Notify school administration and District Safety Supervisor.
- Separate and detain the participants if possible.
- Disperse non-participants and on-lookers.
- If weapons are involved, advise Fontana Unified School Police and Administration so proper tactics can be used in the law enforcement response. Disperse non-participants to areas of safety. Great care should be taken in any attempt to disarm any suspect. DSO’s may remove weapons from suspects, if in the opinion of the DSO; it is clearly safe for the DSO, students, and non-students in the area. If the DSO determines it would be unsafe to disarm a suspect, the DSO should move himself/herself to a position of safety and wait for law enforcement.
- Evaluate the need for medical attention of injured persons. Advise Administration and Fontana Unified School District Police of the need for medical service response. Administer first aid as needed.
- Written documentation of the incident, including any use of force by a DSO, is required.

9-02 Irate Persons

- Assess the situation for potential escalation.
- Utilize “Verbal Judo” tactics to diffuse the situation.
- Notify school administration. Notify FUSD Police if necessary.

9-03 Weapons on Campus

If a DSO observes an armed subject on campus, whether armed with a firearm or other weapon, he/she should immediately notify FUSD Police and the school administration and call for back-up. Observe the suspect from a safe distance, and direct students, non-students, and staff to areas of safety. Only armed law enforcement officers should

confront suspects believed or known to be armed. DSO's are sometimes called upon to remove weapons from subjects in a non-hostile or non-confrontational situation, such as removing a knife from a student's backpack or locker. DSO's are authorized to remove and secure weapons when, in the opinion of the DSO, there is no danger to the DSO, students, non-students, or staff. In all other cases, weapons should be removed only by armed law enforcement officers.

9-04 Fleeing Suspects

DSO's may, under certain conditions, chase and apprehend fleeing suspects. If the suspect is armed, or suspected of being armed, the DSO will immediately withdraw and, if possible, observe at a safe distance. DSO's may not pursue fleeing suspects off school grounds. If the suspect flees off school grounds, the DSO will discontinue the pursuit, and notify law enforcement of the description and direction of travel of the suspect. Use of force, above verbal command and simple restraint to apprehend a fleeing suspect is not authorized in accordance with the use of force policy. DSO's are prohibited from using punches, kicks, control holds, or any other force above verbal commands and simple restraint to detain a fleeing suspect except in self defense, and in defense of students, non-students, and staff. Vehicle pursuits by DSO's are strictly prohibited.

9-05 Sniper/Ambush

Should an armed suspect enter the school grounds and begin firing a weapon, the DSO will immediately notify law enforcement and school administration. The DSO will seek a position of cover, and escort students, non-students, and staff to areas of safety. If possible, the DSO will attempt to locate the suspect's position. The DSO should not sacrifice his /her safety, or a citizen's safety, by trying to move or to locate the suspect's position while under fire.

9-06 Felony in Progress

When a District Safety Officer observes a felony in progress on school grounds, the following procedure should be followed:

- Assess the situation. Is the suspect armed?
- Notify FUSD School Police and school administration.
- Call for back-up.
- Identify suspects if known.
- Observe and note the suspect's description and clothing.
- Observe and note any suspect vehicle description and license number.
- Advise police of vehicle and suspect description and direction of travel via radio.
- Written report is required for observation of any felony.

9-07 Misdemeanor in Progress

There are many different misdemeanor crimes where a District Safety Officer should intervene and attempt to detain suspects. Any misdemeanor involving a weapon should be handled in the same manner as a felony. Other misdemeanors, such as graffiti or battery, may require a DSO to intervene and stop the crime. DSO's should have a good knowledge of the most common misdemeanor and felony crimes, as well as the elements

of those crimes. The following procedure should be utilized for misdemeanors in progress:

- Assess the situation. Are any weapons involved? What type of crime is occurring?
- Notify FUSD Police and school administration.
- Call for back-up.
- Identify suspects, if known, and obtain description of suspects and suspect vehicles.
- Detain suspects for law enforcement, if possible. Use of force, above verbal commands and simple restraint is prohibited for detaining suspects, and may only be used in accordance with department policy to prevent injury to students, non-students, and in self defense (use of force policy 8-01).
- Written report is required for any observation of a misdemeanor.
- Observation of a misdemeanor, in some instances, may require a private person's arrest by a DSO.

9-08 Alcohol and Narcotics

District Safety Officers will occasionally encounter persons under the influence of alcohol or narcotics, and/or in possession of alcohol or drugs. DSO's should be familiar with the symptoms of someone under the influence and should be equally familiar with the identification of common illegal drugs and drug paraphernalia. DSO's should be familiar with current laws regarding subjects under the influence or in possession of narcotics.

9-08.1 Under the influence

If a DSO encounters a subject believed to be under the influence of alcohol or drugs, he/she should immediately notify FUSD Police and school administration. Call for back-up. DSO's should not attempt to detain subjects believed to be under the influence without back-up. If the subject is cooperative, escort him/her to the school administrative office. If the subject is not cooperative, but it is safe to detain him/her at the scene, detain the person where located, and notify police of your location. If the subject is not cooperative, and cannot be safely detained, identify the subject if possible, and notify law enforcement of his/her description, location, or last direction of travel. Use of force to detain a subject under the influence is not authorized except in self defense, or for the protection of students, non-students, and staff per department policy.

9-08.2 Possession

If a DSO encounters a subject believed to be in possession of alcohol or narcotics, he/she should immediately notify FUSD Police and school administration. Call for back-up. DSO's should not attempt to detain subjects believed to be in possession of alcohol or narcotics without back-up. If the DSO is able to safely take possession of the alcohol or suspected narcotics, the contraband should be secured and kept in the possession of the DSO until it can be turned over to law enforcement. If the subject suspected of being in possession is cooperative, escort him/her to the school administration office for contact by law enforcement officials. If the subject is not cooperative, but it is safe to detain him/her at the

scene, detain the person where located, and notify police of your location. If the subject is not cooperative, and cannot be safely detained, identify the subject, if possible, and notify law enforcement of his/her description, location, or last direction of travel. Use of force, above verbal commands and simple restraint, to detain a subject in possession of alcohol or narcotics is not authorized except in self defense, or for the protection of students, non-students, and staff per department policy.

9-09 Bomb Threat

If a DSO becomes aware of a bomb threat on campus, he/she should immediately notify FUSD Police and school administration. The DSO receiving the threat should attempt to gain as much information as possible. After notifying FUSD Police and school administration, the DSO will stand by for further instruction. If a suspicious object is located, do not touch or move the object. Isolate the object, and notify FUSD Police and school administration. Because radio transmissions may trigger an explosive device, DSO's will not use radios or cellular telephones for communication.

9-10 Fire on Campus

If a DSO discovers a fire or suspected fire on campus, he/she will immediately notify school administration of the circumstance and location. If a fire has been verified on campus, the fire alarm should be activated. Evacuation of students and staff should begin at the direction of school administrators and/or fire department officials. If it is apparent that the fire is endangering students and staff, immediate evacuation should begin at the discretion of the DSO without approval from school administration or fire department personnel. DSO's will be familiar with all emergency procedures for fires and other natural disasters.

9-11 Earthquake and Natural Disasters

DSO's will be familiar with all procedures for earthquake and natural disasters on campus. In the event of earthquake and/or natural disaster DSO's will carry out all emergency procedures at the direction of school administration. Disaster response plans are kept in the administrative office on every campus.

9-12 Medical Emergencies

DSO's will have current Red Cross first aid and CPR certification as per School District policy and State law. In the event of a medical emergency, DSO's will immediately notify school administration of the emergency, describe the nature of the emergency, and request appropriate medical assistance. DSO's will render first aid as needed until the arrival of medical services.

9-13 Child Abuse

If a DSO becomes aware of an incident of child abuse or suspected child abuse, he/she will immediately notify FUSD Police and school administration. If the child requires immediate medical attention, the DSO will request medical aid, and administer first aid as needed until the arrival of medical services. DSO's are required by School District policy and California State law to report all incidents of suspected child abuse to the

proper authorities. A written report is required for any incident of suspected child abuse. (Per Penal Code 11165.7 Mandated Reporter)

9-14 Sexual Assault

If a DSO becomes aware of an incident of sexual assault, the following procedure should be followed:

- Immediately notify FUSD Police and school administration.
- Request medical aid for the victim if needed.
- Render first aid if needed until the arrival of medical services.
- Identify and secure the scene until the arrival of law enforcement. The scene of a sexual assault is a crime scene, and there may be evidence within the scene. No unauthorized person should enter a crime scene.
- A written report is required detailing the circumstances relating to the discovery of the incident by the DSO.

9-15 Sexual Harassment

If a DSO becomes aware of any incident of suspected sexual harassment, he/she should immediately notify school administration. School District policy and State law procedure will be strictly followed regarding the reporting of suspected sexual harassment. A written report regarding any incident of suspected sexual harassment is required (refer to FUSD Sexual Harassment policy, Chapter 14 of this policy and procedure manual).

Chapter 10 – First Aid

10-01 CPR and First Aid Certification and Requirements

All DSO's will maintain current Red Cross certification for CPR and First Aid as required by School District Policy and California State law. DSO's are required to carry their current CPR and First Aid certification card while on duty.

10-02 Duties and Responsibilities

Safeguarding the students and staff on campus is the duty of all District Safety Officers. Every DSO is required to complete CPR and First Aid training. District Safety Officers will administer CPR and First Aid as needed and pursuant to their training during emergencies until the arrival of medical services.

Chapter 11 – Use of Bicycles and Golf Carts

11-01 Bicycle Use Requirements

District Safety Officers may use bicycles on campus during their duties as directed by school administration. DSO's must have completed a "Bicycle Training Course" through FUSD Police Department or other authorized training facility prior to using bicycles on campus. Certification of having successfully completed the training must be on file with FUSD Human resources or FUSD Police Department prior to use of a bicycle. A bicycle safety helmet is required for use of any bicycle by all DSO's in the performance of their duties.

11-02 Golf cart Use and Requirements

District Safety Officers may use golf carts in the performance of their duties as allowed and directed by the school administrator on campus. Golf carts may be used to assist DSO's patrol school grounds, and for routine duties. DSO's are prohibited from riding golf carts in pairs or other groups while on routine patrol, unless authorized by school administration or District Safety Coordinator. Golf carts shall not be used for transporting students or non-students except in emergencies or at the direction of the school administrator or District Safety Coordinator. Golf carts will be always driven with due care and regard for students, non-students, and staff. Generally, a single DSO will patrol in a golf cart unless a specific need dictates a need for more than a single individual.

Chapter 12 – Handling Evidence, Found Property, Contraband

12-01 Evidence Handling

District Safety Officers will frequently locate items of evidence during their duties. DSO's who come into possession of items of evidence, will secure the item, and keep the item in his/her control until that item can be turned over to a FUSD Police Officer or a law enforcement officer with jurisdiction over the incident. Under no circumstances should any item of evidence be left unattended or left with non-police personnel.

12-01.1 Chain of Custody

In court it must be shown that evidence was handled properly and that there was an unbroken chain of officers who handled the evidence. A DSO who recovers evidence is the first link in the chain of custody and must follow strict rules of protocol to preserve the chain of custody for that evidence to be admissible in court.

12-02 Found Property

DSO's will often locate items of property, and the owner of the property is unknown. Every reasonable effort will be made to locate and return the item to the rightful owner. Items of found property may be held in the administrative office for a reasonable time during the attempt to locate the owner. If the owner cannot be identified or located, the item will be turned over to FUSD Police for booking into Property. If the item has little or no value (example; cigarettes, lighters, notebooks, clothing, etc.) it may be destroyed at the discretion of the school site administrator. Under no circumstances will any item of property received by the DSO during his or her duty hours be converted to personal use.

12-03 Drugs and Alcohol

All narcotics and alcoholic beverages located on campus will be secured and handled as evidence. These items will be released to FUSD Police as soon as possible. Any suspected narcotics will be handled carefully, secured, and turned over immediately to FUSD Police. Items of drug paraphernalia will be handled in the same manner as narcotics. Any recovery of narcotics or drug paraphernalia requires a written report.

12-04 Weapons

Any weapon located by a DSO should be handled with caution. The weapon may be inherently dangerous and may also be evidence of a crime. Chain of custody must be preserved. The recovery of any weapon on school grounds requires a written report.

- **Firearms:** Firearms should be immediately turned over to a FUSD Police Officer or other law enforcement officer with jurisdiction over the incident.
- **Sharp Objects:** Sharp objects, such as knives should be handled carefully. When securing fixed bladed knives, the blade should be covered with cardboard or some other material. Any sharp object will be turned over to a FUSD Police Officer as soon as possible.
- **Hypodermic Syringes:** Hypodermic syringes should be handled with extreme caution. When located they should be placed in a Sharps container. If no Sharps

container is available, a syringe should be safely secured in a place where there will be no accidental contact. Syringes should be immediately turned over to a FUSD Police Officer.

12-05 Money

When money is found, DSO's will notify the school administrator at the time and place where it is located. He/she will request a school administrator respond to the scene where the money is located. If an administrator is not available, the DSO will request the Lead Safety Coordinator or other Lead DSO to verify the location where the money was located and count the money in the presence of the Lead DSO or administrator. All found money will be turned over to school administration to attempt to locate the owner. After a reasonable search, the money will be turned over to FUSD Police for booking into Property. A written report is required for any found money by FUSD Police.

If a DSO recovers money that is evidence in a crime, he/she will immediately notify FUSD Police and school administration. He/she will request a police officer or school administrator respond to the scene where the money was located, and the money shall be counted in the presence of the police officer or school administrator. If a police officer or administrator is not immediately available, the DSO will request the District Safety Coordinator or other Lead DSO to respond to the scene to verify the location and the amount of money located. As soon as practicable, the money will be turned over to a police officer or school administrator and counted in their presence. A careful accounting of any money recovered as found property, or as evidence, is required. The amount of money shall be verified by a school administrator, police officer, Lead DSO, or other DSO (only if none of the above is available). All money located will be secured by the DSO, and immediately turned over to a FUSD Police Officer or other law enforcement officer with jurisdiction over the incident. A written report is required for any money recovered as evidence.

13-01 Securing the Scene

Securing the scene of a major crime is important for the preservation and collection of evidence, assuring the chain of custody of evidence, and the prevention of contamination of the crime scene. If a major crime occurs on school grounds, District Safety Officers may be among the first to arrive on scene. It will be the responsibility of the DSO first to arrive to secure the crime scene. If there are injured persons within the crime scene, medical personnel and persons giving first aid are allowed into the scene to treat and remove the injured. The DSO will maintain responsibility for securing the crime scene until relieved by the responding law enforcement agency.

13-01.1 Posting DSO's

It is the first DSO on scene that will be responsible for securing the crime scene on campus. It is important to identify the crime scene and establish a perimeter. Depending on the size and location of the scene, the DSO will request enough additional personnel to secure the perimeter of the scene. Each DSO will take a position outside of the crime scene, and all DSO's will then prevent anyone from entering. DSO's may use additional school staff to assist in securing a crime scene if DSO's are not available. The responsible DSO will maintain security of the scene until relieved by the responding law enforcement agency.

13-01.2 Crime Scene Tape

If crime scene tape is available, it may be used by the DSO to surround and secure the crime scene.

13-01.3 Authorized/Unauthorized Entry into Crime Scene

Once the scene of a major crime has been identified and secured, no one is allowed to enter until the investigative agency arrives and takes control. School officials, staff, students, non-students, and other DSO's are prohibited from entering the scene. Medical personnel may enter a crime scene to treat and remove injured persons.

13-01.4 Turning over the Scene to Law Enforcement

Any major crime will be investigated by the agency with jurisdiction at that school. That agency has control over the investigation and the crime scene. When the investigating agency arrives, the crime scene will be immediately turned over to the investigating officer. DSO's, at the request of the investigating agency, may assist in keeping the scene secure as needed.

Chapter 14 – Sexual Harassment Policy

14-01 Purpose

The Fontana School District is committed to a work environment in which all employees are treated with respect and dignity. Each employee has the right to work in a professional atmosphere that promotes equal employment opportunity and is free from discriminatory practices.

Sexual harassment is a form of sexual discrimination which violates Title VII of the Civil Rights Act of 1964, California Education Code Sections 210 through 214, inclusive, and Government Code 12900-12996 (Fair Employment and Housing).

Therefore, the District strongly condemns, opposes, and prohibits sexual harassment of employees or applicants by any person.

Any employee who violates this policy may be subject to discipline, up to and including termination.

14-02 Definition

Pursuant to definitions set forth in Education Code 212.5 and other state and federal laws. The following categories of conduct are included within the scope of sexual harassment.

As used in this policy and regulation “sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions.

1. Submission to the conduct is explicitly or implicitly made a term of a condition of an individual’s employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honor programs, or activities available at or through the educational institution.

Sexual harassment includes but is not limited to:

1. Verbal harassment such as repeated, derogatory comments or slurs, or continued request for social or sexual contact after being advised such is unwelcome.
2. Physical harassment such as physical interference or contact which is unwelcome or which impedes normal work movement when directed at an individual.
3. Visual harassment such as posters, cartoons, or drawings, staring, or leering.

4. Sexual favors such as sexual advances which condition an employment benefit in exchange for sexual favors, or which may be perceived as such.

Types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual flirtations or propositions.
2. Sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions.
3. Graphic or verbal comments about individual's body, or overly personal conversation.
4. Sexual jokes, notes, stories, drawings, pictures, or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students enrolled in a predominantly single sex class.
7. Touching an individual's body or clothes in a sexual way.
8. Purposefully cornering or blocking normal movements.
9. Limiting a student's access to educational tools.
10. Displaying sexually suggestive objects.
11. Offering educational benefits in exchange for sexual favors.
12. Making or threatening reprisals after a negative response to sexual advances.
13. Pictures, graffiti, or posters.
14. Verbal sexual advances or propositions.
15. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual, suggestive or obscene letters, notes, or invitations.
16. Retaliating against an individual after the individual makes a sexual harassment complaint.
17. Whistling at other students and/or school employees.
18. Threatening rape.
19. Intentionally pressing or rubbing oneself around another person.
20. Unwanted deliberate hugging, kissing, touching, patting, pinching, grabbing, leaning over, or cornering a student or school employee.
21. Flipping up skirts.
22. Pulling down someone's pants, shorts, skirt, bra, or skirt snapping.
23. Holding a person against his/her will.

The responsibility of the Title IX Coordinator(s) will include:

1. Coordination and oversight of all student's sexual harassment complaints to ensure consistent districtwide practices and standards in addressing sexual harassment complaints.
2. Monitoring District actions in response to allegations of sexual harassment, including maintaining a confidential record-keeping system of allegations of sexual harassment made by or against employees.

For complaints involving student to adult, or adult to adult allegations of sexual harassment, the Title IX Coordinators are the Associate Superintendent, Human Resources, the Director of Personnel Services and Employee Relations, and the Director of Certificated Employees.

All Title IX officers are located in the offices of the Fontana Unified School District, 9680 Citrus Avenue, Fontana, Ca, 92335 (phone 909-357-5000).

14-03 Dissemination

Information regarding this policy and related regulations will be disseminated to all employees at the beginning of the first semester of the school year and shall be provided to each new employee.

Additionally, this policy will be posted in a prominent place at each school and work site and at the District office and will become a part of every employee handbook and department manual.

All administrators and supervisors shall be knowledgeable of this policy and their responsibilities for its implementation.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Housing or a copy of District information sheets, which set forth, at a minimum, the following information:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, utilizing examples.
4. The District's complaint procedure available to all employees.
5. The legal remedies and complaint process available through the Department of Fair Employment and Housing.
6. Directions on how to contact the Department of Fair Employment and Housing.

14-04 Obligations of All Employees

1. All employees (administrator, certificated staff, and classified staff) are responsible to familiarize themselves with all District sexual discrimination policies and complaint procedures (including sexual complaint procedures). Employees are responsible to be familiar with their duties in reporting incidents of sexual harassment, which will be used in investigating the allegation.
2. All employees shall report to their immediate supervisor any conduct on the part of other employees or non-employees, such as sales representatives or service vendors, who sexually harass any employee of the District. Immediately following notification of the supervisor, the employee shall submit, in writing, a detailed and specific account of the incident, which will be used in investigating the allegation.

3. All employees shall cooperate with any investigation of an alleged act of sexual discrimination/harassment conducted by the District or by an appropriate state or federal agency. However, no employee may be required to directly confront the individual accused of harassment prior to or during the investigation of a sexual harassment complaint.
4. No employee of the District shall take any action to discourage a victim of harassment from reporting such an instance. In addition, the District prohibits any retaliation against the complaining party or other involved parties. Any person who violates this prohibition is subject to disciplinary action.
5. Because different procedures apply after a formal governmental administrative charge or complaint is filed, any employee receiving such a charge or complaint is directed to deliver it to the Superintendent immediately.
6. Although the goal of this policy is to identify and prevent sexually harassing behavior, if the problems and/or concerns arise, the affected employee is urged to make use of the process set forth above. However, any employee has an absolute right to go directly to the California Department of Fair Employment and Housing (1845 South Business Center Drive, Suite 127, San Bernardino, Ca, 92408. Phone 909-282-4373) or the Federal Equal Employment Opportunity Commission for assistance.

14-05 Supervisor's Role

1. The Office of Human Resources shall be notified immediately of any allegations of sexual harassment by or against an employee.
2. Individual supervisors are responsible to report and/or handle sexual harassment incidents where the supervisor knows or should have known of the incident by nature of his/her supervisory position.
3. Whether the complaining party requests formal or informal action, the supervisor must follow through with appropriate investigatory activity and documentation pursuant to this policy.
4. It is the responsibility of all supervisors to establish and maintain a working and learning environment, which is free from discriminatory intimidation, ridicule, and insult. In the furtherance of this goal, it is the responsibility of supervisors to provide annual training to update and improve the understanding of employees regarding their rights and responsibilities related to sexual harassment.

14-06 Complaint Procedure

1. Employees shall first present their complaint to their immediate supervisor within a reasonable time after occurrence (generally not to exceed 30 days). If an employee's immediate supervisor is the alleged harasser, the employee may present his/her complaint to the next level of supervision. Upon receiving a sexual harassment complaint, the appropriate supervisor shall:
 - a. Counsel the alleged victim and outline the options available.
 - b. Obtain a factual written statement of the complaint.

- c. Conduct a follow-up investigation, interviewing the accused, witnesses, and supervisor, as appropriate, and recommend the disposition of the complaint.
 - d. The supervisor will document all incidents, investigatory actions, witnesses and disposition of any sexual harassment allegation.
2. The immediate supervisor, or other appropriate supervisor/administrator, will review the factual information collected to determine whether the alleged conduct constitutes sexual harassment, giving consideration to the record as a whole and the totality of the circumstances, including the nature of the sexual advances and the context in which the alleged incidents occurred, and will take and/or authorize appropriate action. This policy does not preclude an employee accused of sexual harassment from invoking his or her right to representation by an appropriate bargaining unit representative.
3. The immediate supervisor will complete a report of all investigatory activity and shall forward the report and supporting materials to the Title IX officer.
4. The immediate supervisor will provide the complainant a written statement of findings and disposition of the complaint. The written statement will include the rationale for the disposition and a notice of the employee's right to appeal the decision to the Title IX officer or to submit the complaint independently within 180 days of the alleged harassment to the Department of Fair Employment and Housing or the Office of Equal Employment Opportunity (see address and phone information above).

14-07 Formal Resolution Process

1. If the complaint is not resolved at the supervisory level to the satisfaction of the alleged victim, the complainant may refer the matter to the Department of Human Resources. A full and complete investigation will be conducted through Associate Superintendent, Human Resources or designee. This investigation will comply with the Board policy 1312.4 (Uniform Complaint Procedure).
 - a. The complaint shall be reduced to writing and sent to the Associate Superintendent, Human Resources, in a timely manner.
 - b. Within 60 days from receipt of the complaint, the District's Human Resources Office shall complete the investigation of the complaint and prepare a written decision pursuant to the procedure set forth in Board policy 1323.4 (Uniform Complaint Procedure). This time period may be extended when the severity and complexity of the allegations require an extended investigation. In such cases the extension shall be by written notice with agreement of the complainant. The Human Resources Office shall insure that all persons responsible for investigation shall be knowledgeable about the laws related to sexual harassment and sexual discrimination.

- c. The investigation shall provide an opportunity for the complainant, or the complainant's representative, or both, and the District's representatives to present information relevant to the complaint.
- d. Any and all rights which exist regarding confidentiality and/or privacy in these matters will be fully protected to the fullest extent allowed/required by law. Files, which pertain to complaints handled under the Uniform Complaint Procedure process, shall be kept confidential and will not be made available except as allowed/required by law.
- e. No retaliation of any kind will occur because an employee made or participated in the investigation of a sexual harassment complaint.

Any and all rights which exist regarding confidentiality and/or privacy in these matters will be fully protected.

14-08 Legal Reference

EDUCATION CODE:

200-262.4 Prohibition of discrimination on the basis of sex especially:

GOVERNMENT CODE:

12900-12996 Fair Employment and Housing Act

LABOR CODE:

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

UNITED STATES CODE, TITLE 42

2001d-2001e Title VI, Civil Rights Act of 1964

2001e-2001e-17 Title VII, Civil Rights Act of 1962 as amended

2001h-2-2001h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination Policy

COURT DECISIONS

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct.1989

Oncala v. Sundowner Offshore Serv. Inc. (1998) 118 S.Ct. 998

Juarez v. Ameritech Mobile Systems, (N.D. Ill.) 746 F.Supp.798

Dornhecker v. Malibu Grand Prix Corp., (5th Cir. 1987) 828 F.2d. 307

Merito Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

MANAGEMENT RESOURCES:

Office of Civil Rights and National Associations of Attorneys General

Chapter 15 – Attendance/Punctuality Policy

15-01 Sign-In/Out Sheets

Every District Safety Officer will sign in daily at the beginning of every shift and sign out at the end of every shift. Sign-in/out sheets will be kept available in the school administration office of each school. Sign-in/out sheets will be maintained by the District Safety Coordinator. Sign-in/out sheets will contain the name of the DSO, date, time of arrival for work and the time the shift was completed by the DSO. Every DSO will record the time accurately to the nearest minute. Sign-in/out sheets will be written documentation of each DSO's time of arrival, and time of leaving work. The sign-in/out sheets will be signed by the DSO every day to certify accuracy.

15-02 Report of Absence

Every District Safety Officer shall make every effort to report for normal working hours and avoid disruptions/absences for personal reasons. Notification of intent to be absent because of illness shall be made at least two (2) hours prior to scheduled commencement of duty. Exceptions may be made for last minute emergencies. When advised by a licensed physician that absence is necessary, the employee shall call in immediately upon receipt of that advice. DSO's who have excessive absenteeism, or who may be developing excessive absenteeism may be counseled by their supervisor. DSO's who, after counseling, do not improve their attendance may be subject to discipline. DSO's who, after having been counseled and issued a notice of unsatisfactory service, may be terminated if their attendance does not show acceptable improvement.

15-03 Tardiness and Leaving Early

District Safety Officers shall make every effort to report to work on time. DSO's who have excessive tardiness, or patterns of leaving work early shall be counseled by their supervisor. DSO's who have excessive tardiness, and patterns of leaving work early, after having been counseled by a supervisor and issued a notice of unsatisfactory attendance, may be subject to discipline up to and including termination. Falsifying sign-in/out sheets shall be deemed fraudulent activity and reason for termination. All tardiness or early departures to and from the campus will be properly documented on time sheets. Specific use of leave time will be accurately reflected on the time sheets. Failure to properly document these areas will be grounds for disciplinary action.

Chapter 16 – DSO E-Mail Policy

16-01 DSO Daily E-Mail and FUSD Computer/Internet Use

District Safety Officer shall review their e-mail on a daily basis in order to stay current with any and all security information, policy changes, or special problems occurring in the FUSD. DSO's are encouraged to use the e-mail system to relay pertinent information to co-workers throughout the district, administrators, and FUSD Police Department supervision.

District Safety Officers shall adhere to all applicable FUSD rules and regulations pertaining to the use of School District computers, e-mail, and the internet.

Chapter 17 – Overtime Authorization

17-01 Authorization by School Site Administrator, FUSD PD Management

District Safety Officer's shall advise a school administrator or District Safety Supervisor in advance when working overtime. DSO's may only work overtime with prior approval or under the direction of the District Safety Coordinator. DSO's will be compensated at an overtime rate in concurrence with current District policies and specific MOU provisions.

Chapter 18 – Vacation/Time-Off Requests

18-01 Minimum Staffing

Each school site will establish minimum staffing levels for District Safety Officers. Vacation and time-off requests shall only be approved when minimum staffing levels can be met.

18-02 Emergency Leave

District Safety Officers desiring personal leave of absence, without remuneration, for not more than thirty (30) days may be awarded administratively to transact urgent personal business. The justification and duration of such leaves shall be left to the discretion of the Superintendent. Leaves of absence in excess of thirty (30) days are subject to ratification of the Governing Board (refer to FUSD Policy # 4361.2b).

Chapter 19 – Discipline

19-01 Background

The discipline process is based, in part, on the concept that discipline should be a positive effort to encourage employees to meet work standards. Therefore, discipline should be perceived as correcting and modifying employee behavior, rather than simply penalizing the individual.

In most cases, employee “corrective” discipline will be “progressively” applied. This means that when employee’s failures or deficiencies are observed, the employee is counseled and given an opportunity to improve. Work standards are reinforced and if failures continue, he/she is clearly informed of the disciplinary consequences. In general, there are four major employee disciplinary problem areas:

- Attendance
- Competence
- Misconduct
- Dishonesty

Progressive, corrective discipline concepts do not apply in all types of employee disciplinary problems. Attendance and competence related problems usually require application of corrective and progressive procedures. Misconduct and dishonesty related problems are usually singular events and may be dealt with outside the progressive discipline concept, should evidence support such action. In such instances, circumstances may support dismissal upon the first offense.

19-02 Disciplinary Action

Disciplinary action is defined as the suspension (removal from the job, usually for a period of not more than thirty days) without pay, demotion to a lower classification, or dismissal of an employee from the service for cause.

This is to be distinguished from counseling, a reprimand, Notice of Unsatisfactory Service or Act, and other less stringent forms of corrective action. Any formal disciplinary action affects an employee’s pay or status and requires Board of Education action.

19-03 Causes for Disciplinary Action

In addition to those prescribed in the Education Code or other statutes, the following are causes for disciplinary action:

1. Incompetence
2. Inefficiency
3. Insubordination or willful disobedience

4. Inattention to or dereliction of duty
5. Discourteous, abusive, or threatening treatment of the public, employees, or students, including sexual harassment; any violation of Government Code Section 12940, Paragraph (i); or malicious engagement in reprisals by managers or supervisors against employees or applicants, candidates, or eligibles who file a written complaint pursuant to Government Code Section 5329 regarding gross mismanagement or a significant waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.
6. Work related dishonesty, including examination deception or fraud.
7. Appearing for work under the influence of alcohol or drugs, or using alcohol or drugs illegally or having the smell of alcohol on the breath while on duty.
8. Immoral conduct.
9. Engaging in political activities during assigned duty hours.
10. Conviction by a court of competent jurisdiction of a felony or of a crime involving moral turpitude. A plea, verdict, or finding of guilty, or a conviction following a plea of nolo contendere is deemed to be a conviction. The record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of the fact, and the commission may inquire into the circumstances surrounding the commission of the crime in order to determine if the conviction is of an offense involving moral turpitude.
11. One or more criminal convictions where the nature of the crime is such that it would indicate that the employee is a poor employment risk for the particular job which he/she holds for the District.
12. Failure to disclose material facts, or the making of any false or misleading statement (verbal or written) on any application, examination form, or other official document of the District.
13. Frequent unexcused absence or tardiness.
14. Abuse of leave privileges by habitual use of illness leave for trivial indispositions, or by absence so frequent that, over a period of time, the efficiency of the service is impaired.
15. Absence without leave.
16. Failure to progress adequately in a training program that is required for the classification.
17. Willful or persistent violation of or failure to enforce regulations or procedures pertaining to health and safety.
18. Unauthorized use of District or student property.
19. Any failure of good conduct tending to injure the public service, or trust.

19-04 Standards

District Safety Officers, by the nature of their position and responsibilities, will be held to a higher standard of conduct; especially in the areas of misconduct and dishonesty.

Chapter 20 – Training and Hiring Requirements for new District Safety Officers

20-01 Hiring process

All District Safety Officer Candidates will be subject to existing hiring processes as is defined by Fontana Unified School District policies. This will include but not limited to passing an application screening, physical agility test, and comprehensive background to include a polygraph examination. A school administrator will be a part of the hiring process of individuals who will be assigned to work at their specific campus. However, the Chief of Police and or the Director of Classified Human Resources will have the final decision as to allowing an individual candidate to be hired in this job capacity.

20-02 Training requirements

Each newly hired District Safety Officer will be assigned to work alongside a senior DSO for a period of time until the new officer has had the opportunity to be fully acclimated to the position. Specific training guidelines and requirements are covered in the DSO training manual.

20-03 Competency

All newly hired DSO's will complete training as is outlined in the training manual and must demonstrate a proficient level of job knowledge in each area that is outlined in the training manual. Failure for a newly hired DSO to demonstrate competency will be grounds for dismissal.

Addendum I

Radio Ten Codes

10-1	Reception poor
10-2	Reception good
10-4	Message received
10-5	Relay
10-6	Busy
10-7	Out of service
10-8	In service
10-9	Repeat message
10-13	Weather conditions
10-14	Escort/transport
10-15	Prisoner in custody
10-19	Return to station
10-20	Location
10-21	Phone officer at...
10-22	Cancel
10-23	Stand by
10-28	Registration check
10-29	Check for wants
10-35	Confidential information
10-36	Correct time
10-48	Break
10-87	Meet the officer at...
10-97	Arrived at
10-98	Finished last detail
Code 3	Emergency lights and siren
Code 4	No further assistance needed
Code 5	Stake out
Code 7	Out of service to eat
999	Officer down needs help code 3

Addendum II

Law Enforcement Phonetic Alphabet

A	Adam
B	Boy
C	Charles
D	David
E	Edward
F	Frank
G	George
H	Henry
I	Ida
J	John
K	King
L	Lincoln
M	Mary
N	Nora
O	Ocean
P	Paul
Q	Queen
R	Robert
S	Sam
T	Tom
U	Union
V	Victor
W	William
X	X-ray
Y	Yellow
Z	Zebra

Addendum III

Common Abbreviation

PC	Penal Code
B&P	Business and Profession Code
BOLO	Be on the look out
CVC	California Vehicle Code
CHP	California Highway Patrol
DUI	Driving under the influence
ETA	Estimated time of arrival
GOA/UTL	Gone on arrival/Unable to locate
DOT	Direction of travel
H&S	Health and Safety Code
HBD	Has been drinking
F.I.	Field interrogation cards
D.B.	Dead body
FTA	Failure to appear
RAJ	Runaway juvenile

Addendum IV

Frequently Used Codes

PC 71	Threatening public officers, employees and school officials
PC 148	Resisting arrest
PC 148.1	False bomb threat
PC 207	Kidnapping
PC 211	Robbery
PC 242	Battery
PC 245	Assault with a deadly weapon
PC 261	Rape
PC 261.5	Statutory rape
PC 288	Child molest
PC 308(b)	Possession of tobacco by minor
PC 314	Indecent exposure
PC 330	Gambling
PC 381	Glue or paint sniffing
PC 415	Disturbing the peace
PC 417	Brandishing a weapon (knife or firearm)
PC 451	Arson
PC 459	Burglary
PC 487	Grand theft
PC 488	Petty theft
PC 594	Malicious mischief (vandalism)
PC 602	Trespass
PC 627.4	Denial of registration
PC 627.6	Refusal to register
PC 627.8	Subsequent offenses
PC 647f	Drunk in public
PC 21510(b)	Possession of a Switchblade knife
PC 12020	Possession of an illegal weapon
PC 254000(a) (1), (2) and (3)	Carrying a concealed firearm
PC 25850 (a)	Carrying a loaded firearm
PC 626.8	Trespass on campus
PC 626.9	Possess firearm on school grounds
HS 11357a	Possession of marijuana
HS 11357e	Possess marijuana on school grounds
HS 11359	Possess marijuana for sales
EC 48901.5a	Possession of pager
B&P 25608	Possess alcohol on school grounds
B&P 25658	Minor consuming alcohol