BILL NO.: **4968** **ORDINANCE NO.:** **4800**

Introduced by: City Manager Nathan Mai-Lombardo

AN ORDINANCE AMENDING CERTAIN BERKELEY POLICE DEPARTMENT GENERAL ORDER POLICY'S

WHEREAS, the City of Berkeley hereby finds and declares this ordinance is necessary, appropriate, and in the best interest of the City of Berkeley, Missouri, in accordance to the CALEA standards.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

Section 1. CALEA (The Commission on Accreditation for law Enforcement Agencies, Inc.) requires certain General Orders standard numbers and varies language be revised to be in compliance with CALEA rules and regulations.

Section 2. For the ease of reference, the following General Orders will be amended by the approval and adoption of the City Council.

- No. 39 Missing Adults
- No. 57 Property and Evidence
- No. 67 Canine Unit
- No. 71 Continuity of Operation
- No. 72 High-Speed Camera / Automated License Plate Reader Software / Gun Shot Detection

Section 3. The attached general orders are hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 4. This Ordinance shall be in full force and effect from and after the date of its passage.

1st Reading this 21st day of August 2023

2nd Reading this 18th day of September 2023

3rd Reading, PASSED and APPROVED, this **18th day of September 2023**

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as to Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Verges	Aye X	Nay __	Absent __	Abstain __
Councilwoman Williams	Aye X	Nay __	Absent __	Abstain __
Councilman Hoskins	Aye X	Nay __	Absent __	Abstain __
Councilwoman Anthony	Aye X	Nay __	Absent __	Abstain __
Councilman Hindeleh	Aye X	Nay __	Absent __	Abstain __
Councilwoman-at-Large Crawford-Graham	Aye X	Nay __	Absent __	Abstain __
Mayor Deinbo	Aye X	Nay __	Absent __	Abstain __

Amend GO 39, 57, 67, 71, 72

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

08/03/2023

G.O. 39 – Missing Adults

The general order was revised changing the adult age from seventeen (17) to eighteen (18).

Respectfully Submitted,

Captain Evelio Valdespino, DSN 419

missing person investigation started immediately. If an adult resides in this jurisdiction but was last seen in another jurisdiction, but the law enforcement agency in that jurisdiction chooses not to take a missing adult report, the Department will assume reporting and investigative responsibility.

PROCEDURES FOR INVESTIGATING MISSING ADULTS

A. *Responsibilities of Communications Division (Dispatch)* – Dispatchers who receive a call of a missing adult are to immediately determine if the adult is missing from the jurisdiction of this agency, the age of the adult, and the known facts surrounding why or how the adult is missing.

1. If an adult 18 years of age or older is missing from within the jurisdiction of this agency, and no unusual circumstances are suspected, the reporting person will be directed to respond to the Berkeley Police Department to complete a missing person affidavit. The reporting person should be advised to bring a recent photograph of the missing person, as well as any relevant custodial or physician's documentation.

2. An exception is when the location from where the adult is missing is a group home and the reporting person is unable to respond, an officer will be dispatched to the location to complete the report or pick up the required affidavit and photo to complete the report. If unusual circumstances are suspected, an officer shall be dispatched to the location.

3. If an adult 18 years of age or older is missing from within the jurisdiction of this agency and unusual circumstances are suspected, a police officer will be dispatched to the location to conduct an on-scene investigation. The Communications Division will also notify a field supervisor of the missing adult call for service. [CALEA 41.2.5 f]

B. *Responsibilities of First Responders* – Officers dispatched to a report of a missing adult call are to promptly respond and begin an immediate investigation into the incident.

1. Interviews at the scene - The officer is to interview the reporting person to ascertain critical information needed to conduct a search and investigation into the missing adult's status. Initial information to be gathered includes, but is not limited to, when and where the adult was last seen; a physical description of the missing person; what clothing was being worn when last seen; and friends or acquaintances whom may know the adult's whereabouts; any information relevant to individuals with whom the adult may have been recently conversing with, such as via phone, email, text messages, other forms of social media, or any other information that may identify where the adult currently is. [CALEA 41.2.5 a]

2. Missing Person Affidavit - The reporting person is to complete a missing person affidavit and should ensure that all information on the affidavit is complete, that it is signed by the reporting person, and that any pertinent documentation is attached.

3. Current photo of missing adult - The investigating officer should attempt to obtain a current photo of the missing adult and will issue a BOLO on the missing adult as soon as the information is obtained and the radio is available.

4. Foul play - If foul play is suspected, the event location is to be secured and protected as a crime scene.
5. Local checks - A check of local police databases, local hospitals, and correctional facilities is to be conducted to ascertain if the missing person is at one of these locations.

C. Criteria for supervisory notification - The investigating officer will notify a Patrol Supervisor of any missing adult 18 years of age or older, when unusual circumstances exist.

D. Responsibilities of the Patrol Supervisor - The Patrol Supervisor is responsible for requesting additional units be sent to the area and coordinating an area search for any missing adult 18 years of age or older if unusual circumstances are suspected.

1. Area search - The area search is to include a thorough search of the immediate premise, including all structures and vehicles on the immediate property, as well as an organized house-to-house search of the surrounding neighborhood or area, including the designation of which officer(s) are responsible for each block.

2. Unusual circumstances suspected - If unusual circumstances are suspected or if the circumstances suggest the need for additional staffing or resources, the supervisor will notify the on-call Detective Bureau supervisor.

E. Entry of missing adult data into NCIC, REJIS and MULES - The investigating member will contact the Communications Division to report the necessary identifying or descriptive information on the missing adult for NCIC, REJIS and MULES entry. The member will make note of the Dispatcher DSN number who took down the information for entry so it can be noted in the missing person affidavit. [CALEA 41.2.5 b]

1. Unless exigent circumstances exist, the NCIC, REJIS and MULES entry information will be made within two hours after receipt of the report and the BOLO given to all on-duty officers.

2. Upon entry into NCIC, REJIS and MULES, the Dispatcher will issue a BOLO to other local law enforcement agencies having jurisdiction in St. Louis County.

3. An adult will only be entered in NCIC, REJIS and MULES if foul play is suspected, or if the adult suffers from a documented physical or mental disability rendering the adult a danger to themselves or others. In the case of an adult suffering from a disability, the department must have documentation in its possession showing the disability. The documentation must be from a source outside the department, such as a legal guardian, next of kin, or physician. A hand written letter from next of kin or a letter from an attending physician will suffice. [CALEA 41.2.5 c]

F. Responsibilities of Investigators - The Bureau of Investigations (Detective Bureau) will be responsible for the follow-up investigation of all missing adult cases. The

Detective Bureau will verify the following steps have been completed: [CALEA 41.2.5 e]

1. Assume on-scene command responsibility for cases requiring immediate follow-up investigative efforts, such as suspected abductions or other concerns over possible foul play.

2. The missing person has been properly entered into NCIC, REJIS and MULES by the Communications Division. [CALEA 41.2.5 c]

3. The Detective Bureau is responsible for activating the Missouri Endangered Silver Advisory system if the established criteria are met. Refer to General Order 40 "Missouri Endangered Silver Advisory Alert" for specific criteria and procedures. [CALEA 41.2.5 e]

4. Press release: (CALEA 41.2.5.d)

   a. When circumstances dictate, such as missing under suspicious circumstances, foul play is suspected, or, a health risk is posed, with the approval of the Chief of Police, a press release may be disseminated that will include a photo or the missing person, the name, last known location, and possible destination. In the event the missing person is suspected to have travelled outside of the St. Louis metropolitan area, but his or her destination may be known in another area, the investigator may reach out to the media in the possible area and send the press release.

   b. If the missing person is located, those same media outlets shall be notified to cancel the public information.

   c. All press releases will be documented as a supplement in the original police report.

G. Follow-up responsibilities – After an initial on-scene investigation has been completed and all available investigative leads thoroughly exhausted, the Detective Bureau remains responsible for subsequent follow-up effort. Those responsibilities include the following required investigative actions. [CALEA 41.2.5 d, e]

1. Dental records are obtained and entered into NamUs for cases where the person has been missing for 30 days. If dental records are unavailable, this fact and efforts made to obtain the records are to be documented by supplemental report.

2. If a missing adult is not located 90 days after the initial report is taken, the Department will attempt to obtain a biological specimen for DNA analysis from the missing adult or from appropriate family members. This biological specimen can be obtained prior to the 90-day mark.

3. Conduct a monthly review of each missing adult case to determine if the case should remain in the NCIC, REJIS and MULES database.

H. Recovery or return of missing adult – Upon receiving information that a missing adult has been recovered or returned home, investigating members will personally verify that the located adult is, in fact, the missing adult. A determination should be made if the adult is in need of any medical services or physical examinations.

1. Cancel NCIC, REJIS and MULES - The officer or investigator, who comes in contact with a missing person or receives and confirms information that a missing person has been located, will contact the Communications Division via phone and give the operator the information for

removal from NCIC, REJIS and MULES. The officer will note the Dispatcher's operator ID number for the supplement report that will be written. [CALEA 41.2.5 c]

2. Cancel BOLOs – Cancel all alerts, teletypes, and BOLOs.

3. Supplement report – The investigating member will complete a supplement report to document the recovery or return of the missing adult, and will include investigative information relevant to why or how the adult went missing.

PROCEDURES FOR UNIDENTIFIED ADULT

A. Initial procedures - An officer assigned to the report of an unidentified person, whether living or deceased, who appears to be an adult shall obtain a complete description, submit a written event report, and ensure the unidentified adult's description is entered in the NCIC, REJIS and MULES Unidentified Person File.

   1. Officers shall attend to the welfare and needs of a living unidentified adult and contact the Missouri Department of Family Services to arrange for the care of the adult if family cannot be immediately determined or notified.

   2. Officers investigating a deceased unidentified adult shall contact detectives of the Detective Bureau for further follow up following Department procedures for death investigations.

B. Follow up investigative procedures – In cases of an unidentified living adult, the event report and investigative responsibility shall be forwarded to the Detective Bureau who is responsible for utilizing all available resources to aid in the identification of the adult, and subsequently cancelling all notifications after identification is confirmed.

DRAFTED BY: Capt. Evelio Valdespino, DSN 419	DATE: 8/03/23
BY ORDER OF: Colonel Art Jackson, DSN 386	DATE: 08/16/2023
APPROVED BY: Berkeley City Council	DATE: 09/18/2023

MISSING PERSON AFFIDAVIT

Case/Report number:

Missing Person's Name:

Date of Birth _____ Height _____ Weight _____ Hair _____ Eyes _____

Date Last Seen _____ Place Last Seen _____

I, _____ certify that _____ has been
(Reporting Person) (Missing Person)

missing since _____.
(Date)

The missing person is missing due to: Unknown Circumstances Physical or Mental Disability

Endangered Involuntary (i.e., abduction or kidnapping) Catastrophe

I am the: (Check all that apply) Parent Legal Guardian
Spouse Friend / Neighbor
Physician Other _____

I will notify the Berkeley Police Department to cancel this report if the missing person is located, and if I fail to do so, I will assume full responsibility for any action resulting from such failure to notify.

I understand that the Berkeley Police Department will not reveal the location of the missing person and will only verify their well-being.

I will also assume full civil liability for any legal invasions of privacy performed by the police department in their investigation to locate the missing person.

_____ _____
Signature of Reporting Person Date

_____
Address

_____ _____ _____
Home Phone Work Phone Officer's Signature

_____
Date and Time

Effective Date:

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

06/14/2023

G.O. 57 – Property and Evidence

This general order was updated to include Exculpatory Evidence and meet the requirements of Missouri Prescription Pill and Drug Disposal (P2D2)

Page 9 -10: Added was the procedure for collection of " Exculpatory Evidence" and "Unused Prescription Medication Collection and Disposal".

Respectfully Submitted,

Captain Valdespino, DSN 419

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	**GENERAL ORDERS: 57**
PROPERTY AND EVIDENCE		
ISSUE DATE: 8/25/2020	EFFECTIVE DATE: 8/25/2020	DISTRIBUTION: ALL PERSONNEL
Revised: 7/27/2023		RESCINDS: ALL PREVIOUS
ACCREDITATION STANDARDS: CALEA 42.1.6, 84.1.1, 84.1.2, 84.1.3, 84.1.4, 84.1.5, 84.1.6		NUMBER OF PAGES: 10

PURPOSE: The purpose of this directive is to establish procedures and guidelines for the collection, storage, safekeeping and disposition of evidence and property.

POLICY: It is the policy of the Berkeley Police Department to store evidence and personal property in such a manner as to preserve the integrity of the item(s) in its original received condition, as nearly as possible, and to maintain the chain of custody.

DEFINITIONS:

Audit – A documented accounting of high-risk items (e.g., cash, precious metals, jewelry, firearms, and drugs) and other evidence and non-agency property to establish that property is accounted for and records can reasonably be assumed correct and in compliance with established controls, policies and operational procedures.

Chain of Custody - A written record referring to the continuity of custody of items collected as physical evidence whether at the crime scene or not. The connotation under the law is the item introduced into court at the time of trial must be proven to be the same as obtained initially from the crime scene.

Evidence – Any property, substance or matter which may be used during criminal prosecution to establish guilt or innocence, or to prove facts of a crime before a court of law.

Evidence Room(s) - Designated secure area(s) that ensures the integrity of all property/evidence that is stored. Only authorized personnel have access to these area(s). Handling - Used in the broad connotative sense to indicate one or more of the following general actions that may be performed in the course of processing evidence or property: collection, identification, preservation, receipt, analysis, storage, trial presentation, and eventual disposition or destruction.

Inventory – The act or process of cataloging through a full accounting of the quantity of goods or material on hand, unless a standard specifically allows for a partial accounting. A detailed, itemized list, report or record of agency-controlled property which includes a definition or value and written certification by the person conducting the listing.

Exculpatory Evidence – Evidence which can be used favorably by the defendant, such as statement or physical evidence that can excuse, justify, or absolve the alleged fault or guilt of a defendant.

Property - Money, valuables, and other objects of personal ownership that has an apparent value which may have been lost, stolen, or abandoned.

RULES AND PROCEDURES:

ADMINISTRATION AND OPERATIONS

A. The Evidence / Property Clerk shall be responsible for the property and evidence control function for all property and evidence that is accepted by and stored in the Department's evidence storage areas.

B. Until accepted by the Evidence / Property Clerk or personnel authorized to accept property and evidence, the chain of custody is the responsibility of the member initially receiving the item(s).

C. All property/evidence must be logged and secured in a temporary storage locker before the end of the member's tour of duty. Any deviation from this due to exceptional circumstances must be approved by the member's Officer in Charge (OIC). [CALEA 84.1.1 a, b]

D. Written reports shall be submitted, listing the property obtained and detailing the circumstances associated with the custody. [CALEA 84.1.1 c]

E. All property/evidence must be properly packaged, labeled and sealed with evidence tape as outlined in General Order 56 regarding "packaging of evidence". [CALEA 84.1.1 d]

F. Property/evidence that requires added protection including money, precious metals, jewelry, weapons, narcotics, and dangerous drugs shall be stored in designated areas under additional security. [CALEA 84.1.1 e]

G. The Evidence / Property Clerk is required to make an effort to identify and notify the rightful owner of the property. All efforts shall be documented via a supplement report, including the final disposition of the item being destroyed, turned over to another jurisdiction, released to the court, or released to the owner. [CALEA 84.1.1 f]

DESIGNATED STORAGE AREAS

A. All evidence stored by the Evidence / Property Clerk will be within designated, authorized secured areas. Only authorized personnel assigned to each area have access to these facilities. [CALEA 84.1.2]

B. Designated areas consist of: 1.
Evidence Room
    a. Main Storage room
    b. Dry Storage
    c. Cold Storage
    d. Narcotics Room
    e. Money Cabinet
    f. Jewelry Cabinet
    g. Weapons Room
    h. Check-In Room

i. Temporary Storage Lockers
j. Bulk Storage Area
k. Bulk Temporary Storage Rooms
l. BPD Lab Services
m. Digital Media Server
n. Processing Room(s)
o. BPD Impound and Processing Facility (Sally Port)
p. Fenced in area (towing company)
q. Secured Building

AFTER-HOURS SECURITY

A. The Department provides temporary storage lockers and temporary bulk storage rooms to secure property or evidence items during periods when property and evidence personnel are not on duty. [CALEA 84.1.3]

B. Designated areas consist of:
   1. Temporary Storage Lockers
   2. Bulk Temporary Storage Rooms

C. Property and evidence personnel shall check all areas upon his/her arrival the next duty day and remove the contents.

RECORDS

The Evidence / Property Clerk shall maintain records and status of each piece of property/evidence that is received in the computerized tracking system. [CALEA 84.1.5]

INSPECTIONS/INVENTORIES/AUDITS (CALEA 84.1.6, a-d)

In order to maintain a high degree of evidentiary integrity over agency-controlled property and evidence, the following documented inspections, inventory, and audits shall be completed: --

A. An inspection to determine adherence to procedures used for the control of property and evidence is conducted semi-annually by the person responsible for the property and evidence control function or his/her designee;--

B. An audit of property and evidence occurs whenever the property and evidence custodian is assigned to and/or transferred from the position and is conducted jointly by the newly designated property and evidence custodian and a designee of the CEO to ensure that records are correct and properly annotated;--

   1. The below table has been developed as a when determining the appropriate sample size for conducting audits of high-risk property as required by Standard 84.1.6 (b) - Evidence Audits. This table only applies to high-risk property and only for those circumstances when there is a change in evidence custodian. The sample sizes in this table have been calculated based on a 95 percent confidence level and a confidence interval of +/- 3 percent.

2. When using this table, agencies should determine the total amount of high-risk property they currently possess and find that number under "Pieces of High-Risk Evidence/Property". The corresponding "Required Sample Size" should be applied when conducting the respective audit. If the exact number for "Pieces of High-Risk Evidence/Property" is not listed, the next higher number should be used.

3. If an error rate of more than 4 percent is discovered when conducting the audit, a complete inventory of the high risk property must be performed. However, the Evidence / Property Clerk should consider a complete inventory when other factors suggest it is necessary.

Pieces of High-Risk Evidence/Property	Required Sample Size
100	92
250	203
500	341
1000	516
1500	624
2000	696
2500	748
3000	787
3500	818
4000	843
4500	863
5000	880
5500	894
6000	906

C. An annual audit of property and evidence is conducted by a person not routinely or directly connected with control of property and evidence as directed by the Chief of Police;

1. The purpose of the annual audit is to ensure the continuity of custody and not to require the accounting of every single item of property, unless the total number of items in custody is small. A representative sample of property and evidence that is sufficiently large should be drawn to establish confidence that proper procedures and systems are being followed. Minimum sample sizes should be as follows:

a) 100 or fewer items in custody, then the status of all items should be reviewed.

b) 101 or more items in custody, then a sample of 100 items should be selected for the annual audit according to these criteria

c) 100 or more high risk items, then the annual audit should review a representative sample of 100 high risk items.

d) Fewer than 100 high risk items, then the annual audit should review all the high risk items, plus a representative sample of other items to bring the total reviewed to 100.

D. Unannounced inspections of property and evidence storage areas are conducted, as directed by the Chief of Police, at least once a year.

E. A written report will be submitted to the Chief of Police documenting all of the required audits and inspections. [CALEA 84.1.6 d]

DISPOSITIONS

Upon learning the disposition of a case (i.e., warrants refused, case closed, case dismissed, returned to owner) the officer will fill out an evidence disposition form and send it to the Evidence / Property Clerk for disposal. In most cases the evidence will not be disposed or released without approval. Periodically forms will be sent requesting disposition on cases. Complete the forms as soon as possible and return them to the Evidence / Property Clerk.

For Municipal Court cases, the Evidence / Property Clerk may review the Municipal Court dispositions and determine which cases may be disposed without approval from the case reporting officer.

To determine if evidence can be disposed, the case officer/detective should do the following case research.

A. Cases prosecuted by the St. Louis County Prosecuting Attorney's Office

Check the Missouri courts website - Case.net

1. Enter subjects name and year of filing (The year filed may be later than the year in which the arrest and warrant application was made.)

2. Identify your case and check the "CHARGES, JUDGEMENT & SENTENCES" tab.

3. If the disposition shows the case is closed, check the "DOCKET ENTRIES" tab. This will provide information on appeals, and special orders such as forfeiture of property.

4. The final check should be with the St Louis County Prosecutor's Office who can verify that there are no other appeals or reasons to hold the evidence. The St Louis County Prosecuting Attorney's Office uses the following general guidelines for determining when evidence should be held or disposed;

5. If the defendant has a bench or jury trial and there is a finding of not guilty, the evidence may be disposed of immediately.

6. If there is a finding of guilty at a bench or jury trial there is a direct appeal and a post-conviction motion. (The case officer will need to contact the St. Louis County Prosecuting Attorney's office to verify the appeal process has been completed)

7. If the defendant pleads guilty and is sent to prison, they have 180 days to appeal their case. If there is no appeal within the 180 days the evidence may be disposed.

8. If the defendant pleads guilty and receives probation (Suspended Imposition of Sentence or Suspended Execution of Sentence) the evidence may be disposed of 275 days later.

B. Cases prosecuted by the United States Attorney's Office

1. The case officer should contact the Assistant United States Attorney that prosecuted the case to determine if the evidence can be destroyed. A supplemental report should be prepared with the pertinent information provided by the Assistant United States Attorney.

DISPOSAL OF FOUND AND SAFEKEEPING PROPERTY:

A. Found / safekeeping property, owner known: property will be held for a period of ninety days. If not claimed by the owner within that period of time, a letter will be sent to the owner advising them that their property will be disposed of if not picked up within fifteen (15) days. If not claimed by the owner within that time period, the property will be considered abandoned and will either be placed into department use, sold at auction, given to charity, or destroyed per City Ordinance 200.050.

B. All unclaimed property, other than money or cash coming into the possession of the Police Department from any source whatever and having any value, shall be properly marked or catalogued so as to show its source and date of its receipt, and shall be kept and disposed of as herein provided. On the second (2nd) Saturday of September of each year all such property which has remained unclaimed for more than one (1) year and the owner of which is unknown, shall be sold at public auction by the Chief of Police at a suitable place at Police headquarters. Ten (10) days' notice of said sale shall be published in a legal newspaper of general circulation in the City; said notice to be published not more than three (3) weeks prior to date of said sale. All monies received from the sale of such property shall be turned over to the Director of Finance to be deposited in the General Revenue Fund of the City. All property for which no bid is received at such sale shall be destroyed by the Chief of Police in the presence of at least two (2) other members of the Department, and a certificate of such said destruction, signed by the officers present, shall be filed with the City Clerk. In lieu of the destruction, the Chief of Police, with concurrence of the City Manager, may turn over all unclaimed and unsold personal property not sold to a charitable organization.

1. The original finder of said property may file a claim pursuant to guidelines set forth in RSMo 447.040.

C. When found property can be released to its owners or authorized representatives by an officer, they will do so. The officer will have the owner complete and sign the property release form NCPC 045 and the evidence receipt form # F-54-R. A photo ID should be obtained and photo copied for tracking purposes.

C. Large items, such as motor vehicles or other objects that will not be introduced as evidence in a courtroom can be released as follows:

1. Approval from the Evidence / Property Clerk or Watch Commander will be indicated on the report.

2. Photograph the items of evidence with the owner at the time of release

D. Perishable food items in misdemeanor shoplifting cases can be released as follows:

1. Photograph the perishable item with the owner or person from store before releasing item.

2. If possible, the officer and store representative will initial the label of the perishable item. The label will then be removed and placed in evidence.

RELEASE OF PROPERTY

All items of found property and evidence in the custody of the Evidence / Property Clerk will be released by the Evidence / Property Clerk between the hours of 0900 - 1600 on weekdays. The release of property on holidays, weekends, or after hours will require prior arrangements with the Evidence / Property Clerk. After property or evidence is released to its owner or disposed of, the paperwork will be forwarded to the Records section for inclusion in the case file. Any officer, other than the Evidence / Property Clerk, checking out evidence for the purpose of taking it to court, will sign for the evidence on the property receipt in the space provided.

A. If the evidence is admitted at trial, the officer will have a representative of the court sign the property receipt for the evidence, and the officer will advise the Evidence / Property Clerk of the court's action.

B. If the evidence is not used in the trial, the evidence is to be returned to the Evidence Section within 24 hours from the time it is originally checked out. At that time, the officer checking such evidence out will sign the evidence back into the Evidence Section on the back of the evidence receipt.

SPECIAL USE OF SEIZED ITEMS

A. All property that is disposed of (i.e., lost and abandoned property, seized, forfeited and unclaimed evidence) may be used as follows. All final dispositions shall be documented via a supplement report in the original case file.:

1. Retained to be used by the Department except any type of weapon.
2. Retained to be used by City Departments.
3. Transferred to another unit of local government or state agency.
4. Donated to a non-profit charitable organization.
5. Surrendered to the finder, if he/she has made such a request at the time of its delivery to the police department.

C. Narcotic evidence may be used for K-9 Unit training purposes as defined in General Order 67. [CALEA 84.1.4]

PROCEDURES FOR INTERNAL CONTROL

A. To maintain uniformity and accountability with the evidence collection, packaging, storage, and disposition process, the Berkeley Police Department provides training as part of the Field Training Program to new officers. The department also utilizes PMI Evidence Tracker software that is the backbone of the evidence control system. Property Control Officers are trained in this system, and the bar-code tracking method provides instant status information of all evidence on hand.

B. All evidence will be logged into daily reports via the C.A.R.E. system, and approved daily by supervisors.

C. All temporary evidence lockers shall be checked routinely by the Evidence / Property Clerk, and evidence will be scanned into PMI and stored accordingly.

D. The evidence room shall be inspected monthly by a command staff officer to ensure it is maintained in a neat an orderly fashion.

E. As evidence is relocated to and from the St. Louis County Crime Lab, released to owner, destroyed per court orders, or utilized per department policy, all actions taken regarding the change in status shall be recorded in the PMI Evidence Tracker software, and also via supplement report in the original case file.

F. All required inspections and audits shall be performed as directed in this General Order, and reports of those inspections and audits shall be maintained in the Office of the Chief of Police.

G. All officers and Evidence / Property Clerks shall be trained annually on this General Order and that training shall be documented. Any revisions to this General Order shall be cause for re-training and that training shall be documented.

Exculpatory Evidence [CALEA 42.1.6]

All relevant information gleaned from the current investigation is to be provided to prosecutors. The intent is to ensure a process by which to provide information to prosecutors should the agency become aware of previously unknown or unrecognized exculpatory evidence for which a defendant is subject to, or is experiencing, a significant and on-going deprivation of liberty.

Should officers or investigators become aware of any potential exculpatory evidence, which suggests a suspect's innocence, it is the duty of the officer or investigator agency is to ensure the information and evidence is provided to the prosecuting attorney when the agency becomes aware of the information.

A. A report is to be written on Exculpatory Evidence indicating by who the evidence was discovered, received, or found, and if or when it was presented to the prosecuting attorney.

Unused Prescription Medication Collection and Disposal

The collection and disposal of unused prescription medication must be conducted under the guidelines set forth by the Drug Enforcement Administration. These guidelines require that law enforcement agency personnel are the primary components of any collection effort.

A. A metal collection box, with a locking device, will be secured in the lobby of the police department provided by Missouri Prescription Pill and Drug Disposal (P2D2).

B. The metal collection box will display graphics that will instruct the public of accepted items. Items accepted are: Prescription medications (including controlled substances); over the counter medication; pet medications; vitamins and supplements; medicated ointments, lotions, creams and oils; liquid medications in leak-proof containers; homeopathic and herbal remedies and suppositories. Item NOT accepted: Illegal drugs; needles/sharps; syringes with needles; thermometers; IV bags and tubing; bloody or infectious waste; personal care products; empty containers; hydrogen peroxide; aerosol cans and inhalers.

C. The Evidence / Property Officer will be responsible for the general monitoring of the collection drop box and answering any related questions from the public. Responsibilities include:

    1. Maintain a log recording each time the collection box is emptied.
    2. Emptying the collection drop box container and sealing the contents in an appropriate container.
    3. Label the container for disposal and arrange for disposal through incineration or surrendering them to the Drug Enforcement Administration during their sponsored Prescription Drug Take-Back Events.

D. The collected unused medication will be disposed of through incineration at an appropriate location approved by the Chief of Police, and in accordance with all Drug Enforcement Administration and Environmental Protection Agency Guidelines.

DRAFTED BY: Capt. Evelio Valdespino	DATE: 7/27/2023
BY ORDER OF: Colonel Art Jackson	DATE: 08/16/2023
APPROVED BY: Berkeley City Council	DATE: 09/18/2023

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

08/03/2023

G.O. 67 – Canine Unit

This general order was updated to include the selection of department canine on page 3.

Removed from training was letter J. Crowd Control on page 5.

Respectfully Submitted,

Captain Valdespino, DSN 419

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	GENERAL ORDERS: 67
Canine Unit		
ISSUE DATE:	EFFECTIVE DATE:	DISTRIBUTION: ALL PERSONNEL
AMENDED:		RESCINDS: ALL PREVIOUS VERSIONS
• ACCREDITATION STANDARDS: 41.1.5		NUMBER OF PAGES: 12

CANINE UNIT

PURPOSE

The purpose of this General Order is to establish the policy and procedures for the effective use of trained canine (K-9) team(s) as authorized by the Chief of Police. The primary objective of the K-9 Unit is to enhance the capabilities of all commissioned members of this department and to increase the probability of locating and apprehending dangerous offenders, by increasing the ability to locate persons during a building search, locating lost children or adults, and improve the ability to identify and locate narcotics and paraphernalia.

POLICY

This department recognizes the value and special qualities of a well-trained canine unit that will tend to improve the overall effectiveness of police operations. While the use of the K-9 Unit is primarily used in the apprehension of criminals, lost persons, crime prevention, building searches and narcotic detection, we also recognize the special contribution of a K-9 Unit in enhancing the image of the Berkeley Police Department while simultaneously ensuring that the quality of life and public safety issues are improved by the deployment of this unique police tool.

DEFINITIONS

A. ***Article Search*:** Utilizing the "scent tracking" capabilities of a K-9 Unit to locate an item, or article that may be evidence such as personal belongings, firearms, knife or any other article capable of leaving a human scent detectible by a K-9.

B. ***Building Search*:** The utilization of the K-9 Unit to locate suspect(s) believed to be or known to be hiding in a building or structure.

C. ***Criminal Apprehension***: Utilizing the special capabilities of the K-9 Unit to chase, locate, and apprehend a fleeing criminal suspect based on the commands of the K-9 Officer.

D. ***Handler/Officer Protection***: Specialized training of a K-9 Unit to offer protection to the handler and other Officer(s) to prevent or stop a physical attack against them.

E. ***K-9:*** A highly trained dog which has been taught a wide variety of police-related duties, such as tracking, building searching, article searching, and area protection, all of which make use of the K-9's speed, agility, and scenting abilities.

F. ***K-9 Officer:*** A police officer specially trained in the care, handling, and utilization of a police K-9.

G. ***Narcotic Detection***: Locating or attempting to locate various narcotics, which may be hidden in vessels, aircraft, vehicles, buildings, or on a person.

H. ***Obedience Training***: Special training the K-9 receives which conditions him to respond to voice or hand signals given by the K-9 Officer.

I. ***Engage***: Police Canine Dog bite

SELECTION OF OFFICERS and CANINE

Candidates for the K-9 Officer position must meet the following criteria. Those interested officers shall submit in writing a request through their respective watch commander who will then forward that request on to the Commander of the Bureau of Field Operations. The Chief of Police will make the final selection of the K-9 handler.

A. Qualifications

1. The K-9 Officer will be a sworn police officer below the rank of sergeant, who has successfully completed his/her probationary period and has a satisfactory performance and disciplinary record.

2. The officer assigned as the K-9 Officer must be willing to make a minimum commitment of six years to the position.

3. If the officer is married, the officer's family must consent to the officer's participation in the program and must be willing to assist in the care of the K-9. The officer must also have a suitable residence that will allow for the care and control of the K-9 during off duty hours

4. The officer must be willing to participate in an intensive initial training period followed by weekly training to ensure the canine team maintains its skills and meets its objectives.

5. The officer must be willing to respond at any time, day or night, on or off duty to a call requesting their presence.

6. Consideration will be based on the distance the officer lives from the police department for call out response purposes.

B. Assignment

1. The K-9 Officer(s) will be assigned to the Patrol division and shall be supervised by the Platoon Sergeant or otherwise designated Platoon supervisor.

C. Canine Selection

1. The Berkeley Police Department will take into consideration the recommendation for the selection a patrol K-9 from a qualified law enforcement canine trainer or American Mantrailing Police Working Dog Association, the National Police Canine Association, or similar training facility

AUTHORIZATION, CONDITIONS, LIMITATIONS ON USAGE.

A. During normal duty hours, the K-9 team(s) will receive their patrol assignments from the supervisor. They are available to provide assistance to other patrol units of this department and other agencies requesting assistance for help at a crime scene where tracking, narcotics detection, or building searches may be required. Additional duties include, but are not limited to, the following;

1. To detect the presence of concealed narcotics
2. To conduct building searches for offenders in hiding
3. Assist in the arrest or prevent the escape of serious or violent offenders
4. Track suspects
5. Locate lost or missing persons
6. Locate hidden objects or evidence of a crime

B. The K-9 team(s) are subject to off-duty call out, the officer(s) are assigned a department issued cell phone to carry at all times, to include all on-duty, and off-duty and times when they are away from their residence.

C. Whenever this department or any other police agency requests the K-9 Unit, the on-duty Shift Commander approving the use of the K-9 Unit will contact the communications section who will then notify the on-call supervisor. The on-call supervisor will make the final decision and determine which K-9 team will respond.

D. It is the responsibility of the K-9 officer to keep the dispatcher appraised of how he/she can be contacted due to issues as diverse as off-site training, temporary assignments or assistance to other police departments, to include DEA or other government agencies.

E. The Chief of Police must approve requests for public relations demonstrations by the K-9 Unit.

F. The use of the K-9 for tracking, or locating of suspects is subject to the following rules;

1. If the use of a K-9 team is anticipated, on scene officers should attempt to secure a perimeter and make every effort to avoid contaminating the scene with the scent of officers or bystanders.

2. The K-9 Officer will evaluate each situation and determine if the use of a K-9 is technically feasible. If the officer determines that the K-9 should not be deployed due to technical reasons, he will advise the on-site supervisor.

3. A verbal warning or announcement will be made prior to initiating all building searches, the K-9 officer will identify that this department will utilize and release a trained police dog to search the area in question. The K-9 Officer shall also verbally advise the person(s) suspected of being in the building that failure to surrender in a reasonable amount of time will result in a search by the K-9 Unit.

4. Searches for lost or missing persons will be subject to the approval of the on-duty supervisor.

5. The K-9 shall not be deployed to detain a suspect unless a crime has occurred.

6. Department employees will heed the directions of the K-9 Officer when they are involved in a specific situation relating to the deployment of the unit.

F. Department owned K-9 shall not be used in secondary employment.

G. Department K-9 shall not be bred.

H. Use of the K-9 to unlawfully intimidate or threaten subjects is strictly forbidden.

I. The K-9 will not be used for crowd or riot control.

J. Only an approved medical provider (veterinarian) can be used for the K-9 except for emergencies. All K-9 medical files will be maintained by the K-9 Officer.

TRAINING

Both the K-9 Officer and the K-9 shall be required to attend both monthly and annual training.

A. New K-9 Officer will be required to attend and complete a minimum 6-week course at a certified and recognized training facility approved by the Berkeley PD Training Coordinator such as an approved course by the American Mantrailing Police Working Dog Association, the National Police Canine Association, or similar training facility.

1. The basic training program will consist of but is not limited to:

a. Detection skills for the following controlled substances:
(1). Heroin
(2). Cocaine
(3). Marijuana
(4). Methamphetamine

b. Criminal apprehension
c. Obedience
e. Evidence search
f. Tracking and area search for lost or missing persons / suspects
g. Building searches
h. Officer protection
i. Traffic stops

B. A minimum of 16 hours a month of hands on-training will be required of both the K-9 Officer and the K-9 at a certified and recognized training facility approved by the Berkeley PD Training Coordinator.

DRUG TRAINING AIDS

A. The Berkeley PD Training Coordinator will be responsible for the procurement of drug training aids from DEA and shall ensure the unit's DEA and State of Missouri registration numbers remain current.

B. Training aids may also be procured from the Berkeley Police Department Property Room after proper, court ordered disposition has been received.

C. When training aids are received, substances may be packaged in individual packets by varying weights by the Berkeley PD Training Coordinator. These weights will be documented for future inventory on a card that is maintained with the respective drug training aid.

D. Training aids for the K-9 Unit drug detection will be maintained in separate airtight containers and marked as the following:

1. MJ – Marijuana
2. CO – Cocaine
3. HE – Heroin
4. ME- Methamphetamine

E. Training aids will be checked out and checked in by the K-9 officer on the narcotics training control log. The training aids will be secured in a safe inside the armory.

F. The K-9 Officer(s) will be solely responsible for the accountability of the drug training aids they check out.

G. In the event a container of drugs or any portion thereof is damaged or lost, the officer checking out the container(s) will:

1. Contact the on-duty supervisor
2. Complete a written e-mail to the supervisor detailing the following:

a. Name of people involved

b. Name of canine involved
c. Location of occurrence
d. Type of drugs involved
e. Check-out weight of the damaged package
f. Check-in weight of the damaged package
g. Complete details of the incident

(1). If DEA-issued narcotics are lost or stolen, DEA form 106 shall be completed and submitted to the DEA.

(2). If narcotics procured from the Berkeley Police Department are lost or damaged, this information will be forwarded to the Property Room Manager to be recorded in the Property Unit's tracking software.

H. Drug Training Aid Inventory Control

1. The Berkeley PD Training Coordinator will conduct a monthly inventory inspection of all drug training aids issued to the K-9 Unit. This will be documented on the Berkeley PD Drug Training Aid inventory inspection form.
2. The BFO Commander will conduct a quarterly inventory inspection of all drug training aids issued to the K-9 Unit.

I. Destruction of Training Aids

1. Training aids that are damaged or can no longer be used shall be submitted to the property room for destruction.
2. When training aids issued by the DEA are to be destroyed, DEA Form 41 will be completed and submitted to the DEA. A copy of the form will be maintained in the DEA drug file.

EQUIPMENT REQUIRED

The K-9 Officer is responsible for the daily care and maintenance of both K-9 and the assigned equipment, including the vehicle. The following equipment will be issued to the unit:

A. Two leads

B. Oner 50-foot nylon lead with heavy duty strap

C. Tracking harness (if used)

D. Two heavy duty chain collars

E. Water and drinking dish

F. Agitation muzzle

G. Bite sleeve

H. First aid kit

I. Temperature / bailout system installed in the assigned vehicle

USE OF FORCE:

A. The Department considers a bite by a canine to be a use of less-than-lethal force.

B. The K-9 Officer will only allow their K-9s to engage a suspect by biting if the suspect poses a risk of imminent danger to the handler or others or is actively resisting or escaping. In the case of concealment, consistent with the use of force policy, handlers will not allow their K-9 to engage a suspect by biting if a lower level of force could reasonably be expected to control the suspect or allow for the apprehension. Imminent danger means a suspect is armed with a weapon or other instrumentality capable of producing significant bodily injury.

C. In instances where the use of force by the K-9 is justified under this policy, the K-9 Officer will first verbally warn the suspect that the K-9 is about to be deployed. This mandate does not mean a verbal warning should be given if this would endanger the officer by giving away his position. The K-9 Officer should issue the verbal warning when it can be done safely.

D. When a K-9 apprehends a suspect by biting, the officer will call the dog off at the first moment it can be safely released.

E. Should a department K-9 bite a person, whether accidental or consistent with training, and whether on or off duty, the following procedures will be followed:

1. The K-9 Officer will ensure that the appropriate medical care is rendered to anyone in need of treatment. Photos of injuries will be taken post medical care.

2. The K-9 Officer shall immediately notify the on-duty supervisor.

3. The investigating supervisor shall ensure that an officer other than the K-9 Officer prepares a police report or supplemental report of the incident. The supervisor will review the report and complete the Use of Force Report Form.

4. If the bite occurs while the K-9 unit is assisting another jurisdiction, the officer will immediately notify the supervisor of that jurisdiction. He/she will then notify the on-duty as soon as is practical. An on-duty supervisor will respond and gather necessary information so that a Use of Force Report can be completed. The K-9 Officer will cooperate fully with the local jurisdiction in the preparation of any applicable reports.

REPORT WRITING / RECORDS PROCEDURES

A. All K-9 deployments will be documented via a supplement to the original report. If the deployment was an assist to an outside agency, the deployment will be documented via e-

mail to the agency, and a copy of the e-mail will be placed in the K-9 Officer's activity file.

1. A monthly deployment activity sheet for all K-9 deployment activity will be maintained by the K-9 Officer either in writing, or by an approved software program.

    a. The data collected by the officer for each deployment shall include, but not be limited to the following:

        (1). Age, Race, Sex of suspect
        (2). Nature of incident (traffic stop, crime in progress, pursuit, etc)
        (3). How incident came to an end
        (4). Length of time of track (if applicable)
        (5). Length of time of the search (if applicable)
        (6). Description of what was searched (building, car, etc)
        (7). Indicate if outside agency assist
        (8). Was suspect, officer, or K-9 injured
        (9). Indicate if Use of Force forms were completed

B. The K-9 Officer(s) will maintain a monthly activity file for all training

    1. These forms will document the satisfactory or unsatisfactory performance of the K-9.

    2. These forms will be sent to the Berkeley PD Training Coordinator

C. Drug Detection records

    1. The K-9 Officer(s) shall maintain records that document the use and proficiency of the K-9 in drug detection. This documentation shall be readily available for other officers or law enforcement agency who may need it when seeking warrants.

DRUG DETECTION

Use of a K-9 Unit in a drug detection capacity is authorized in the following situations:

A. Random exploratory sniffing of luggage. Packages or other inanimate objects may be conducted in public facilities such as airports or bus terminals.

    1. Whenever possible, exploratory sniffing shall be conducted with advance knowledge and consent of the appropriate facility manager.
    2. Exploratory sniffing shall be conducted without interference or annoyance to the public or interruption of facility services.
    3. Officers may detain specific checked luggage or related items for purposes of requesting a K-9 sniff if reasonable suspicion exists, but may not detain the items so long as to interfere with the owner's scheduled travel.
    4. When a K-9 indicates on the item sniffed, a warrant or consent to search must be obtained before a search is completed.

B. K-9 Officers shall not initiate a sniff of an individual's person with an aggressive alert dog.

C. Searches based on the curtilage area of residences – either individual dwellings or the common areas of multiple unit dwellings -are not permitted with consent to search or a search warrant.

D. A K-9 may be used to search the exterior of a vehicle on a valid stop. An alert by the K-9 shall serve as probable cause for a search.

BUILDING SEARCHES FOR SUSPECTS IN HIDING

K-9's can be used for locating suspects in buildings or other structure where a search by officers would create an unnecessary risk. These searches shall be governed by the following:

A. The building perimeter shall be secured by police personnel.

1. Whenever possible, the building's owner should be contacted to determine whether there may be tenants or others in the building to ascertain the building's layout.
2. Upon entrance into the building, all exits should be secured, and communications limited to those of a tactical nature.
3. The K-9 may be unleashed during a building search unless there is imminent risk of injury to innocent persons within the building.
4. Before commencing the search, the K-9 Officer shall give a minimum of two warnings prior to deploying the K-9. The warnings shall include:

b. Declaration of identity (i.e., Berkeley Police)
c. Instructions for the person (i.e., speak to me, come out, etc)
d. Consequences for non-compliance (i.e., I will send my dog)

TRACKING

K-9 units may be used for tracking suspects or lost / missing persons.

A. K-9's used for tracking should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the K-9's tracking abilities.

B. A minimum of one officer shall accompany the K-9 team while tracking suspects.

1. This officer shall serve as a backup officer to assist with lethal cover if needed and handcuffing the suspect(s) if located an apprehended.
2. The backup officer shall stay with the K-9 team until released by the K-9 Officer.

C. Communications will be notified via radio when a track has begun as well as when a track has ended.

ADDITIONAL RESPONSIBILITIES

In addition to his/her routine patrol responsibilities, K-9 Officers will:

A. Provide for the care, control, training, and re-certification of the K-9. Re-certification and health-related care shall be conducted at facilities selected by the department as needed. All requests for professional grooming and boarding must receive prior authorization from the Community Response Unit Commander.

B. Maintain, care for, and clean all specialized equipment, training aids, supplies, kennel, and vehicles related to the canine handler assignment and is subject to inspection by his supervisor.

C. Remain current on recent court rulings pertaining to canine use.

D. Maintain accurate records regarding training and certification of the canine and provide copies of such to the training coordinator.

E. Maintain detailed records of all calls for service involving the use of the K-9 including the date, time, and location of search/activity, results of the search, bites and/or injuries, and complaint number if applicable. A monthly canine report shall be submitted to Field Operations Commander summarizing all canine activities for each month. The K-9 Officer(s) are required to make notations in the case notes section of each canine operation to assist them in the preparation of their monthly reports.

F. Care of the K-9 - The K-9 Officer is afforded one hour of paid duty time per each working day for the care of the canine and maintenance of the vehicle and equipment.

G. The officer should inspect the canine daily for signs of illness, injury, insects, and cleanliness.

H. The K-9 kennel and exercise area should be cleaned and stools removed daily. When weather permits, the kennel should be hosed daily to eliminate urine and odors. During the summer, the kennel should be disinfected weekly. During the winter months, ice and snow should be removed from the kennel as soon as possible.

I. No person may taunt, torment, tease, beat, strike, interfere with, endanger, injure or kill, or administer or subject any desensitizing drugs, chemicals, or substance to any dog used by a Law Enforcement Officer in the performance of his/her duties or when the dog is placed in a kennel or any enclosure while on or off duty.

K-9 OFFICER VACATION

At times when the K-9 Officer will be on vacation or otherwise absent from the city and therefore unavailable to care for the K-9, it is the responsibility of the officer to arrange for the care of the K-9. Arrangements should be made through the approved veterinarian.

K-9 Vehicle

In addition to the regularly approved usage of the Department vehicle, the K-9 vehicle, which is assigned to the K-9 officer as a take home vehicle, may be used:

A. To transport the K-9 to and from off-duty training sessions in or out of the Berkeley Police Department.

B. To and from veterinary clinics for the purpose of annual medical checkups, routine medical care, and emergency care.

C. To and from dog supply businesses for the purpose of purchasing and transporting dog food and other dog supplies.

D. A sufficient amount of fuel will be maintained in the K-9 vehicle during off-duty status to enable the team to respond to an off-duty call out without having to refuel while enroute.

E. K-9 vehicles may be left with the engine running and the air conditioner unit on when the K-9 officer is out of the vehicle and the outside temperature is such that the K-9's health may be in danger.

F. The exterior of the K-9 vehicle will be kept as clean as possible. The interior will be cleaned and vacuumed as needed to maintain a presentable and sanitary condition.

G. The K-9 Officer will not permit anyone to pet the K-9 while the animal is in the vehicle.

H. When the K-9 vehicle is left unattended with the K-9 inside, the vehicle will be locked and secured, however, the rear-screened windows may be left open for ventilation. The driver and passenger windows may be partially rolled down only if the sliding door on the cage is closed.

INTERACTION BETWEEN OFFICERS AND K-9 UNITS

A. Officers must refrain from approaching, petting, or agitating the K-9.

B. Officers should not approach the K-9 Officer in a hurried or aggressive fashion when the K-9 is present. If the K-9 perceives your actions as threat to the officer's safety, it will react accordingly.

C. Do not make physical contact with the K-9 Officer when the K-9 is present. A friendly slap on the back may be perceived as a threat.

D. Do not reach in the K-9 vehicle when the K-9 is present unless directed to do so by the K-9 Officer.

E. There will be times when the K-9 may be kept in a portable kennel in the police department when the K-9 Officer is not present. Do not pet the K-9 while he is confined. Do not feed the K-9 anything without permission of the officer. Some food stuffs are harmful, and a full stomach while working, may be fatal to the K-9.

F. If a K-9 Officer is injured, the K-9 may become aggressive toward anyone approaching.

Anyone attempting to assist the officer should not approach the K-9 or the officer until directed to do so by the officer. If the officer is unconscious and/or cannot maintain control of the K-9, alternate action such as contacting the health department unit may be necessary.

G. Department employees should not approach a department K-9 without the permission of the handler.

DRAFTED BY: Capt. Evelio Valdespino, DSN 419	DATE: 8/3/2023
BY ORDER OF: Chief Art Jackson, DSN 386	DATE: 08/16/2023
APPROVED BY: Berkeley City Council	DATE: 09/18/2023

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

07/25/2023

G.O. 71 – Continuity of Operation

General Order 71 was drafted to set a procedure for the continuance of police operation and function in the wake of a disaster natural or man-made and/or during another pandemic situation.

Respectfully Submitted,

Captain Evelio Valdespino, DSN 419

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	GENERAL ORDER: 71
Continuity of Operation		
ISSUE DATE:	EFFECTIVE DATE:	DISTRIBUTION: ALL PERSONNEL
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PURPOSE: This order establishes a Continuity of Operations Plan (COOP) for the Berkeley Police Department.

POLICY: The Berkeley Police Department shall establish a Continuity of Operations Plan (COOP) to ensure the continuation of the essential functions of the Department during any incident or emergency that may disrupt typical, normal operations and cause the loss of the police facility, information technology capability, or manpower due to pandemic.

I. DEFINITIONS

A. **Pandemic**—A disease affecting persons over a wide geographical area.

B. **Reconstitution**—The process by which surviving and/or replacement organizational members resume normal operations from the original or replacement primary operating facility. Reconstitution embodies the ability of an organization to recover from an event that disrupts normal operations and consolidates the necessary resources so that the organization can resume its operations as a fully functional entity.

C. **Vital Records**—Information systems and applications, electronic and hardcopy documents, references, and records needed to support essential functions during a continuity situation.

II. CONTINUITY OF OPERATIONS

A. Continuity of Operations (COOP) planning is an effort to assure that the capability exists to continue essential Department functions throughout any potential emergency. The primary objectives of this plan are to:

1. Ensure the continuous performance of the Department's essential functions and operations during an emergency.

2. . Protect essential facilities, equipment, vital records, and other assets.

3. Reduce or mitigate disruptions to operations.
4. Assess and minimize damage and losses.
5. Facilitate decision-making during an emergency.
6. Achieve a timely and orderly recovery from an emergency.
7. Resume full service to the community

B. A viable COOP capability includes plans and procedures that delineate the following:

1. Essential functions.
2. Succession to office and the emergency delegation of authority;
3. Safekeeping of critical records and databases;
4. Identification of alternate operating facilities;
5. Provision for interoperable communications; and
6. Validation of the capability through tests, training, and exercises.

C. COOP capabilities must be maintained at a high level of readiness, capable of being activated both with and without warning, ready to achieve operational status no later than twelve (12) hours after activation, and able to maintain sustained operations for up to thirty (30) days (ninety (90) days in a pandemic influenza scenario) or until termination.

D. COOP capabilities are designed to address the loss of one or more of these three mission critical functions of the Berkeley Police Department:

1. Use of the police facility due to natural or man-made disaster
2. Information technology due to loss of infrastructure
3. Manpower and staffing due to pandemic

E. This COOP plan provides for the continuation of the essential functions of the Berkeley Police Department and assumes that the mission critical function failure will be of long duration. There is a distinction between short-term situations and those in which facility access, information technology, and/or adequate staffing may be denied for an extended period of time. **(46.1.5.c)**

F. Every effort will be made to continue to provide prioritized essential functions while it is accepted that non- prioritized functions may be temporarily curtailed for the period of COOP operations.

III. OPERATIONAL PHASES

A. The Continuity of Operations Plan addresses the following four phases of continuity operations:

1. **Readiness and Preparedness:** Readiness is the ability of a government or agency to respond to a disruptive incident or event with little or no warning. To be prepared, the Berkeley Police Department established this COOP that provides for the continued performance of essential functions. The diversity of emergencies that could affect and disrupt Department operations requires activation and relocation procedures to instruct members on when and how to respond to the emergency and the potential COOP situation.

2. **Activation and Relocation:** The activation and relocation phase cover the period just after the disaster occurs through the first 12 hours of notifying all members and, when needed, relocating operations to alternate facilities.

3. **Continuity of Operations:** The continuity of operations phase covers the period from 12 hours after activation up to 30 days while essential functions are being conducted. Once the COOP has been activated and all members have been notified of their roles and responsibilities, individual sections will deploy assigned staff and commence continuity operations to deliver essential functions. Non-essential staff, depending on the situation, could be sheltered in place, sent home, or assigned to other supporting functions in another section.

4. **Reconstitution:** Reconstitution of normal operations is initiated immediately after the emergency event concludes. Reconstitution is the process of terminating COOP operations and returning to normal operations. This may or may not involve deactivating alternate facilities and returning equipment, records, and members to the original or a replacement primary site and resuming normal operations.

IV. POLICE FACILITY—GENERAL

A. The police department administration recognizes that normal operations may be disrupted by natural or man-made disasters and that there may be a need to perform mission essential functions at a continuity location. Access to the Berkeley Police Department facility may be denied for an extended period of time. There will be a need for the deliberate, pre-planned relocation of selected key staff to an alternate (continuity) location from which minimum essential functions can be performed, beginning no later than twelve (12) hours after activation while an assessment of longer-term alternatives is undertaken. Key staff members are those that are essential to the accomplishment of identified services. The alternate location will support the full complement of mission critical staff assigned there for up to thirty (30) days, with telephone communications, information technology support, supplies and materials, and a secure environment.

B. Natural disasters causing a loss of access to the police facility include but are not limited to:

1. Extreme heat
2. Extreme cold
3. Severe winter storm
4. Lightning
5. Tornado
6. Straight line wind
7. Flash flood
8. Biological (e.g. anthrax, ricin, mold, etc.)

C. Man-made disasters causing a loss of access to the police facility include but are not limited to:

1. Structural fire
2. Nuclear event
3. Hazardous materials event
4. Riot/demonstration/civil disorder
5. Terrorism
6. Explosion
7. Power failure

V. POLICE FACILITY—PLANNING ASSUMPTIONS

A. The Berkeley Police Department will use the following assumptions when planning for a loss of use of the police facility:

1. Most or all sections of the department will be required to move to another location to continue operations.
2. Current resources will not be immediately available at the new location.
3. Communications will likely be disrupted. Telephone and cellular communications may be affected by the emergency.
4. Transportation may be disrupted. Roads, bridges and other transportation infrastructure damage may limit normal transportation, including the ability of members to report to work.
5. Critical lifeline utilities may be interrupted, including water delivery, electrical power, natural gas, telephone communications, microwave and repeater-based radio systems, cellular telephones, and information technology systems.

6. Damage may cause injuries and displacement of people in the community.

7. Normal suppliers may not be able to deliver materials.

8. The Emergency Management Manager will declare an emergency if local emergency response resources are exhausted or nearing exhaustion.

9. The Emergency Operations Center (EOC) will coordinate outside assistance and resources.

10. Internet service and network access will not be available for at least 10 days at the alternate site.

11. Many of the catastrophes that require activation of the department COOP will cause extensive damage to more than just department facilities.

12. Emergency responders may be responding to a multitude of emergencies throughout the city in a COOP event.

VI. Police Facility—Transfer to Continuity Facility

A. This section outlines actions to be taken to minimize the impact of the total or partial loss of the police facility on department operations.

B. Upon activation of the Continuity of Operations Plan, the Berkeley Police Department will continue to operate at its primary operating facility, 8340 Frost Ave., Berkeley, Missouri until ordered to cease operations by the Chief of Police or his/her designee, or the Incident Commander. The police department must ensure that the continuity location plan can be operational within 12 hours of plan activation. Department staff will be contacted through work emails or phones and calls made by communications, depending on what communications equipment is functional. During non-work hours, designated staff will be contacted with the same methods.

C. At the time that operations are ordered to cease at the primary facility, essential functions will transfer to the continuity facility. Department continuity members are defined as mission-critical department members and shall include sworn officers, communications, and command staff members. Department non-continuity members shall include the records clerk, custodian, and secretaries.

D. Once the COOP is activated and members are notified, the department will relocate continuity members and vital records to the appropriate continuity facility, depending on the circumstances and facility status. Continuity members will deploy/relocate to the continuity facility to perform the department's essential functions and other continuity-related tasks.

1. The method of transportation, such as private vehicles or department vehicles, will be determined based on the emergency situation.

2. Accommodations will be made for transporting staff with disabilities or other access and functional needs.

3. Non-continuity members present at the primary facility or other location will receive instructions from the Chief of Police or his/her designee or the Incident Commander. In most scenarios, non- continuity members will be directed to proceed to their homes to await further guidance.

4. At the time of notification, if available, information will be provided regarding safety precautions and routes to use when leaving the primary operating facility.

E. An advance team will be first to arrive at the continuity facility to prepare the site for the arrival of the continuity members. Upon arrival at the continuity facility, the advance team will:

1. Ensure infrastructure systems, such as power and heating, ventilating, and air conditioning are functional.

2. Prepare a check-in station for the arrival of continuity members.

3. Address telephone inquiries from continuity and non-continuity members.

F. As continuity members arrive, a supervisor or designee will conduct in-processing to ensure accountability of staff. The supervisor or designee will attempt to reach continuity members who have not checked in. In addition, the supervisor or designee will identify all organization leadership available at the continuity facility.

G. Upon arrival at the continuity facility, department continuity members will:

1. Report immediately to the designated continuity facility for check-in and in-processing.
2. Receive all applicable instructions and equipment.
3. Report to their respective workspace as identified or as otherwise notified during the activation process.
4. Retrieve pre-positioned information and activate specialized systems or equipment.
5. Monitor the status of department members and resources.
6. Continue the department's mission essential functions.
7. Prepare and disseminate instructions and reports, as required.
8. Comply with any additional continuity reporting requirements.

H. **Location of Continuity Facility** The police department will pre-identify continuity facilities. These facilities may include nearby City Hall, Fire Department, Public

supervisor(s) should be notified of the updated information and planned response to the situation. The damage assessment should include:

1. Cause of the emergency or disruption
2. Potential for additional damage or disruptions
3. Area affected by the emergency
4. Status of physical infrastructure (e.g. structural integrity of computer room, condition of electric power, telecommunications, heating, ventilation, and air-conditioning)
5. Inventory and functional status of IT equipment
6. Type and extent of damage to equipment or data
7. Items requiring replacement
8. Estimated time to restore normal services

IX. Pandemic—General

A. The Berkeley Police Department must perform essential services to the public even when adversely impacted by a pandemic disease outbreak. This COOP will help ensure the police department can execute essential services if normal operations are threatened by a shortage of manpower.

B. The Berkeley Police Department will follow the guidance of the Center for Disease Control (CDC), the Missouri Department of Public Health (MDPH), the St. Louis County Health Department and Emergency Operations Center (EOC), to establish the department's response and inform members of preventive actions to be taken.

C. Department members who travel outside of the United States or otherwise have had contact with a suspected COVID-19 or other viral patient shall notify their supervisor so appropriate steps can be taken.

D. Any member who is symptomatic with breathing problems, fever, or feeling ill should be sent home and advised to seek medical care and clearance to return to work.

X. Pandemic—Planning Assumptions

A. The Berkeley Police Department will use the following assumptions when planning for a pandemic:

1. Susceptibility to the pandemic influenza virus will be universal.
2. Efficient and sustained person-to-person transmission signals an imminent pandemic.

3. A pandemic outbreak in Berkeley will last about six to eight weeks for each wave of the pandemic.

4. Multiple waves of illness could occur, with each wave lasting two to three months.

5. The stages of the pandemic should occur sequentially, though they may overlap or occur so rapidly as to appear to be occurring simultaneously or being skipped, but there will be some advance notice.

6. Absenteeism rates of 35% to 60% may result from illness, the need to care for ill family members, and fear of infection.

7. Use of antiviral drugs may increase the Department's ability to continue operations.

8. Due to limitations in manufacturing capacity, antiviral drugs and personal protective equipment (PPE) will likely be insufficient to meet demands.

9. Generally speaking, a vaccine will not be readily available for six to nine months following the first signs of the virus or disease in humans.

10. The Center for Disease Control (CDC) will distribute vaccines from the Strategic National Stockpile to the State for distribution by State priorities.

11. Vaccines for the Berkeley PD will come through the Health Department or Fire Department.

12. A pandemic disease outbreak does not necessarily require the use of alternate facilities.

13. Civil disturbances and breakdowns in public order may occur requiring a surge in law enforcement actions.

14. Funding to support staff needs (e.g. personal protective equipment) will be absorbed into the department's budget.

15. Most department operations require members to work within the department facility.

16. The potential for some members to work from home (telecommuting) exists.

XI. PANDEMIC—PREPAREDNESS ACTIONS

A. Preparedness consists of the following elements:

1. Maintain situational awareness of the pandemic worldwide, through official and public health channels.

2. Coordinate with local and state public health agencies, and participate in pandemic exercises.

3. Review this plan annually.

4. Pre-plan any anticipated contractual support needed.

5. Identify and stockpile essential supplies and personal protective equipment.

6. Conduct a pandemic exercise at least once every four years

XII. PANDEMIC—LEVELS OF ACTION

This section outlines different levels of actions that can be taken to minimize the impact of a pandemic outbreak on department operations.

A. LEVEL 1

1. Level 1 is implemented during an emerging threat based on disease activity.

2. Command staff will begin to actively monitoring the situation.

3. Command staff will consult with the Emergency Operations Center (EOC) and communications regarding call screening on incoming 9-1-1 calls for the specific crisis/disease (e.g. COVID-19, SARS, influenza). The communication center will keep current with procedures for 9-1-1 call intake and recommendations for first responders.

4. Administration will share information with members on personal preventive actions that can be taken, e.g. hand washing, disinfecting work surfaces, hand sanitizer, etc.

5. Supplies will be ordered as needed to ensure appropriate inventory, including; facemasks, disposable gloves, other PPE, soap, hand sanitizer, paper towels, disinfectant wipes, etc.

6. Normal operating conditions continue for Administration, Operations, and Support Services staff; shift rotations continue as scheduled.

7. Command staff will prepare for the pandemic escalation and possibly implement elements of a higher-level response.

B. LEVEL 2

1. Level 2 is implemented based on elevated situational conditions.

2. Command staff shall enact certain specific plan considerations.

3. Consult with the EOC and communications for any operational changes in call intake or response.

4. Tours of the Department, ride-a-longs, and other visitors will be suspended.

5. All public events, meetings, and in-person interviews will be reviewed to be determine if they should be cancelled or conducted by electronic means (e.g. conference call or video conference).

6. Consideration will be made on cancelling any outside training, or limiting visitor access within the building.

7. Access to the facility will be limited to people working in the facility or have a critical need to access the facility.

8. Any vendor needing access to equipment rooms shall be issued PPE as appropriate.

9. Records staff should work in alternating consoles to increase space between co-workers when possible.

10. Normal operating conditions for Administration, Operations, and Support staff; shift rotations continue as scheduled.

11. Consideration and planning should be made to allow for telecommuting for non-operational members to reduce the number of members in the workplace.

    a. Telecommuting requires approval from the City Manager.

    b. Information Technology (IT) support during a pandemic disease outbreak may not be adequate to sustain city operations especially if IT staff is absent from work.

    c. Few essential services can be accomplished through telecommuting.

    d. Remote access will be granted by IT upon authorization from the City Manager.

    e. Members must have internet access at the location from which they wish to work.

    f. City-owned laptops should be used whenever possible.

    g. Members must assure no department documents or email reside on their personal computers. Use of flash drives and CD-ROMs is prohibited, unless otherwise noted.

12. The Department will enhance janitorial practices by taking preventative actions such as cleaning all surfaces multiple times throughout the day. The Department should offer protective items such as antibacterial wipes and hand sanitizers and encourage members to wash their hands frequently.

13. The Department will encourage members to go home if they are displaying any symptoms of the pandemic.

C. **LEVEL 3**

1. Level 3 will be implemented if the Berkeley area is having a local community virus spread and/or department staffing becomes limited.

2. Command staff shall enact certain specific plan considerations.

3. Consult with the EOC and communications for any operational changes in call intake or response.

4. The Emergency Management Manager or designee shall declare an emergency if needed.

5. Implement emergency staffing plan for Operations and Support Services members either based on increased call level and/or reduction in available healthy manpower levels.

6. Implementation of limited days off shall be considered. Non-essential members shall be moved to a telecommuting role if possible.

7. Implementation of a limited call response should be considered. Limited call response may include, but not be limited to:

   a. Emergency or in-progress calls only

   b. Personal injury crashes only

   c. Domestic violence calls only

   d. Taking other calls via telephone

   e. Not responding to sick person calls with the Fire Department

   f. Limiting traffic stops

   g. Media releases explaining the limited call response plan

D. **LEVEL 4**

1. Level 4 will be implemented if a department member is confirmed to have the disease.

2. The member shall immediately notify his/her supervisor, who shall notify the Chief of Police through the chain of command. The Chief of Police shall notify the City Human Resources Director.

E. Additional Measures.

1. When the Department absentee rate hits 30% the COOP will take effect.

XIII. RECONSTITUTION

A. After a COOP event, the police department shall identify and outline a plan to return to normal operations once department leadership determines that reconstitution steps for resuming normal business operations can be initiated.

1. The plan will guide the transition back to efficient normal operational status from continuity of operations status, once a threat or disruption has passed.

2. The Police Department will coordinate and preplan options for reconstitution regardless of the level of disruption that originally prompted the department to implement its COOP. These options should include moving operations from the continuity or devolution location to either the original operating facility or, if necessary, to a new operating facility.

B. Critical tasks related to reconstitution include:

1. Notifying internal and external stakeholders of the reconstitution status.
2. Transferring the equipment, vital records, and supplies to the primary facility.
3. Continuing to communicate with members and City staff about the Department's status and provide reconstitution instructions.

C. Individual tasks related to reconstitution include but are not limited to:

1. Informing all members that the emergency or threat no longer exists.
2. Resuming operations.
3. Inventorying and salvaging usable equipment, materials, records, and supplies from damaged facility.
4. Documenting any damaged or lost equipment and records.
5. Surveying condition of primary facilities and determine feasibility of salvaging, restoring, or returning to original offices when the emergency subsides or is terminated.
6. Developing long-term reconstitution and recovery plans.
7. Continuing to track status and restoration efforts of all mission essential functions.
8. Transitioning all functions, staffing, and equipment from continuity facility to designated permanent facility.

9. Tracking COOP activation-related costs for possible federal reimbursement.

10. Determining loss of inventory for insurance report.

11. Coordinating public information release on the status of reconstitution efforts with the public communication officer.

12. Conducting an after-action review of the effectiveness of the COOP and identifying areas for improvement.

XIV. VITAL RECORDS

A. A critical element of a viable Continuity of Operations Plan includes the identification, protection, and availability of electronic and hardcopy documents, references, records, information systems, and data management software and equipment *(including classified and other sensitive data)* needed to support essential functions during a continuity situation. Members should have access to and be able to use these records and systems to perform essential functions and to reconstitute back to normal organization operations. Regular updates and back-ups will help ensure performance of essential functions.

B. The police department in conjunction with the IT Department, will conduct a vital records and database risk assessment to:

1. Identify the risks involved if vital records are retained in their current locations and media, and the difficulty of reconstituting those records if they are destroyed.

2. Identify offsite storage locations and requirements.

3. Determine if alternative storage media is available.

4. Determine requirements to duplicate records and provide alternate storage locations to provide readily available vital records under all conditions.

C. A vital records plan packet will be developed and maintained by the records clerk and administrative assistant. The packet should include:

1. A hard copy or electronic list of key department and City staff with up-to-date telephone numbers.

2. A vital records inventory with the precise locations of vital records.

3. Updates to the vital records.

4. Necessary keys or access codes.

5. Continuity facility locations.

6. Access requirements and lists of sources of equipment necessary to access the records (this may include hardware and software, microfilm readers, Internet access, and/or dedicated telephone lines).

7. Lists of records recovery experts and vendors.

8. A copy of the COOP.

D. **Review** – The Department's command staff will exercise every four years the Continuity of Operations Plan to ensure that the appropriate responses are followed and that equipment, material and manpower are available when needed.

The Berkeley Police Department has mutual aid agreements with other local law enforcement agencies. In the event of an unusual occurrence, Mutual Aid procedures are outlined in the General Order 55 – All Hazard Plan; which will be supported by the Continuity of Operations Plan.

DEVELOPED BY: Captain Evelio Valdespino	DATE: 07/25/2023
REVIEWED BY: Colonel Art Jackson	DATE: 08/16/2023
APPROVED BY: Berkeley City Council	DATE: 09/18/2023

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

08/16/2023

G.O. 72 – High-Speed Camera / Automated License Plate Reader Software / Gun Shot Detection

General Order 72 was drafted to set a procedure for the use and access to FLOCK software and data.

Respectfully Submitted,

Captain Evelio Valdespino, DSN 419

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	GENERAL ORDER: 72
High-Speed Camera / Automated License Plate Reader Software / Gun Shot Detection		
ISSUE DATE:	EFFECTIVE DATE:	DISTRIBUTION: ALL PERSONNEL
AMENDED:		RESCINDS: ALL PREVIOUS VERSIONS
• ACCREDITATION STANDARDS:		NUMBER OF PAGES: 3

PURPOSE: This General Order is to provide a guideline for the use of High-Speed Camera / Automated License Plate Reader / Gun Shot Detection software.

POLICY: High-Speed Camera / Automated License Plate Reader / Gun Shot Detection software has been demonstrated to be a valuable law enforcement tool to locate suspects, reduce crime, and identify threats. The software identifies and capture license plates and other vehicle data. This is to assist us in official investigations, identify stolen vehicles, vehicles that may have been involved in criminal activity and/or potential threats.

I. DEFINITIONS

A. **FLOCK** - High-Speed Camera

B. **ALPR** - Automated License Plate Reader

C. **RAD** - Raven Audio Detection

II. High-Speed Camera / Automated License Plate Reader / Gun Shot Detection Operation

Use of FLOCK / ALPR / RAD is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

A. FLOCK / ALPR / RAD software is to only be used for official and legitimate law enforcement business

B. FLOCK / ALPR / RAD software may be used in conjunction with any patrol operation, bureau investigation, or official department investigation

C. FLOCK/ALPR may be used to identify or track / trace suspect, victim, or witness vehicles routes for major incidents

D. RAD software is to be used in an attempt to locate victims and suspects of shootings

E. No member of this department shall operate or access FLOCK / ALPR / RAD software without first completing department approved training

F. Officers will verify ALPR alert responses before taking enforcement action

III. Data Collection

All data and images obtained by FLOCK / ALPR / RAD is for the official use of the Berkeley Police Department. Because such data may contain confidential information, it is not open to public review. The FLOCK / ALPR / RAD information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

Public sharing of FLOCK / ALPR / RAD data will be at the discretion of the Chief of Police or his designee.

A. In the event FLOCK / ALPR / RAD data has become, or is reasonably believed it will become evidence in a criminal or civil action or is subject to a lawful action to produce records should be stored on portable media, or printed hard copies, and placed into evidence.

IV. Data Security and Access

FLOCK / ALPR / RAD software will be utilized / accessed for law enforcement purposes only. Any unauthorized or unofficial use of FLOCK / ALPR / RAD software data can result in disciplinary action.

A. Personnel who are granted access to FLOCK / ALPR / RAD software will be issued a username and password specific to each individual by the department administrator.

B. Personnel will not release any information obtained by the FLOCK / ALPR / RAD software to non-law enforcement personnel unless required by law, unless authorized by the Chief of Police or their designee.

C. Audits will be conducted by the administrator, or their designee, to ensure compliance with these requirements. The administrator will be responsible for audit and retention of audit records.

V. Accountability and Safeguards

All saved data will be closely safeguarded and protected by both procedural and technological means. The Berkeley Police Department will observe the following safeguards regarding access to and use of stored FLOCK / ALPR / RAD data.

A. All Sunshine requests for access to stored FLOCK / ALPR / RAD data shall be referred to the City Clerk and processed in accordance with applicable law.

B. FLOCK / ALPR / RAD data is not to be downloaded onto any work station or mobile device unless protected by a login/password system.

C. Accessing FLOCK / ALPR / RAD software on personally owned devices is prohibited.

D. Persons approved to access FLOCK / ALPR / RAD data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relates to a specific criminal investigation or department related civil or administrative action.

E. Such FLOCK / ALPR / RAD data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

F. Administrator should conduct regular audits to ensure compliance.

DEVELOPED BY: Captain Evelio Valdespino	DATE: 08/16/2023
REVIEWED BY: Colonel Art Jackson	DATE: 08/16/2023
APPROVED BY: Berkeley City Council	DATE: 09/18/2023