THE PRIMARY OBJECTIVE OF THE SECURITY AND ENFORCEMENT PROGRAM IS SAFETY, PREVENTION AND DETERRENCE

JULY 2017

Manuel Guaderrama, Chief of Police
Director of MTS Transit Enforcement
INTRODUCTION

All employees of San Diego Trolley, Inc. (SDTI) are governed by the following:

San Diego Trolley, Inc.

1. Rules and Instructions for Employees
2. Attendance, Tardy and Miss-Out Policy
3. Drug and Alcohol Policy
4. Sexual Harassment Policy

Copies of these policies were provided to each employee on or about each employee's employment date. Each employee must be cognizant of, and abide by, all policies, rules and procedures contained in the above and herein.

This manual will serve as a guide toward the professional discharge of all duties and procedures in both normal and unusual situations that may be encountered by the Code Compliance Inspector (CCI) within the Metropolitan Transit System (MTS).

San Diego Trolley, Inc. shall govern the general provisions of employment applicable to all employees.

Each CCI will receive training and instruction in various areas to assist in understanding the legal authority vested in the position. After receiving the training, each CCI will be required to professionally discharge all duties.

The SDTI CCI will be the initial and, in many cases, only point of public contact within MTS. As such, the highest standard of professional behavior will be expected of the CCI. This position is critical to the continued success of San Diego Trolley, Inc., SDTI's operation and acceptance in the community. As a public officer, a CCI's primary responsibility is to enforce all MTDB Ordinances, along with applicable Penal Codes and Public Utility Codes.

A CCI is expected to provide patrons with information that will instill trust, appreciation and continued use of public transportation.

Code Compliance personnel must understand that in order to fulfill our mission of providing a safe environment for transit riders, our unit is augmented by private security. Code Compliance must work in harmony with contract security from Allied Universal Protection Services (Transit Security Services).
SUPERVISION AND REPORTING

**Director of Transit Enforcement/ Chief of Police**

The Director of Transit Enforcement/ Chief of Police directs the code compliance and contract security functions. The Deputy Director of Transit Enforcement and on-site contract security supervisor report directly to the Director/ Chief. The Director/ Chief is responsible for all administrative and operational policies within the department, and is the official SDMTS liaison with all outside law enforcement agencies, District Attorney’s Office, City Attorney, Courts and Probation Department.

**Deputy Director of Transit Enforcement**

The Deputy Director is the direct supervisor for the Field Operations Manager and the Records Manager. The Deputy Director is responsible for the day to day management and coordination of Code compliance personnel, payroll related matters and administrative supervision. The Deputy Director will also coordinate with Courts, the District Attorney’s Office and City Attorney as needed.

**Field Operations Manager**

The Field Operations Manager is the immediate supervisor for all Code Compliance Supervisors. As such, the Field Operations Manager is responsible for coordination of Code Compliance field issues, work schedules, training and evaluations.

**Code Compliance Supervisors**

Code Compliance Supervisors are responsible for the daily field supervision of the Code Compliance Inspectors on their shift and review of associated paperwork. The Code Compliance Supervisor assumes additional responsibilities of the unit as needed and at the direction of the Director/ Chief, Deputy Director and Field Operations Manager.

**Operations Control Center**

The Code Compliance Inspector is in radio communication with the Operations Control Center (OCC) during the entire work shift. Calls are placed to the OCC to request assistance or response. CCIs will also request meal and other breaks from the OCC as well as advise of any absence from the field due to court appearances or meetings.
GENERAL INFORMATION

Acceptance of employment signifies the willingness to comply with all rules, regulations and requirements of SDTI and to perform each assignment in an efficient and orderly manner.

In addition to the rules, regulations and policies, special instructions are issued periodically, either verbally or written in the form of memorandums or bulletins.

CCIs are required to attend scheduled mandatory meetings (i.e. monthly meetings, training, seminars, retreats, etc.).

CCIs must keep SDTI advised of their current home address and telephone number. Any changes are to be promptly reported to your immediate supervisor and the SDTI Human Resources Department, using the appropriate SDTI “Change of Address” form.

CCIs must notify the shift Code Compliance Supervisor (by phone) of any sick status at least thirty (30) minutes prior to the start of the assigned shift. Notify the Operational Control Center if there is any reason you are unable to reach the shift Code Compliance Supervisor.

At the beginning of each shift, CCIs will receive, from the Code Compliance Supervisor one (1) two-way radio, one (1) HHU and one (1) body camera recorder (BCR). A sign out sheet is located in the radio room. At the end of the shift the radio is returned to the radio room and the sign out sheet completed.
# TABLE OF CONTENTS

1. **CCI SOPs**
   1. General
   2. Passenger Related Duties
   3. Automobile Related Duties
   4. Court Related Duties
   5. Administrative Duties
   6. Rules of Conduct

2. **Security Department Instruction Manual (TSS)**
   1. Administration
   2. Communications
   3. Field Operations

3. **Report Writing (CCI and TSS)**
   1. Required Reports
   2. Submission of Reports
   3. Report Review and Corrections
   4. Outside Law Enforcement Reports
   5. Report Distribution to Courts
   6. a. eForce Data Entry
      b. Maintenance Original Reports
      c. Request for Original Report
   7. a. Authorization to Change Date
      b. Security of Source Documents
<table>
<thead>
<tr>
<th>Section</th>
<th>Issue Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td></td>
<td><strong>GENERAL</strong></td>
</tr>
<tr>
<td>100.1</td>
<td>07/31/2017</td>
<td>Authority and Limitation</td>
</tr>
<tr>
<td>100.2</td>
<td>07/31/2017</td>
<td>Training</td>
</tr>
<tr>
<td>100.3</td>
<td>07/31/2017</td>
<td>Uniform and Equipment</td>
</tr>
<tr>
<td>100.4</td>
<td>07/31/2017</td>
<td>Shift Pick / Work Scheduling</td>
</tr>
<tr>
<td>100.5</td>
<td>12/01/1997</td>
<td>Bike Patrol [no longer valid]</td>
</tr>
<tr>
<td>100.6</td>
<td>07/31/2017</td>
<td>Grooming and On-Duty Appearance Standards</td>
</tr>
<tr>
<td>100.7</td>
<td>07/31/2017</td>
<td>San Diego State University Operating Protocols</td>
</tr>
<tr>
<td>100.8</td>
<td>07/31/2017</td>
<td>MTS Access Control Management</td>
</tr>
<tr>
<td>100.9</td>
<td>07/31/2017</td>
<td>Closed Circuit TV and Radio Dispatch Operator</td>
</tr>
<tr>
<td>100.10</td>
<td>07/31/2017</td>
<td>Employee Personal Injury</td>
</tr>
<tr>
<td>200</td>
<td></td>
<td><strong>PASSENGER RELATED DUTIES</strong></td>
</tr>
<tr>
<td>200.1</td>
<td>07/31/2017</td>
<td>Onboard and Fare Paid Zone Operations</td>
</tr>
<tr>
<td>200.2</td>
<td>12/01/1997</td>
<td>MTDB Ordinances 2, 3, 5, and 11 Public Utilities Codes; Penal Codes [merged with 200.6]</td>
</tr>
<tr>
<td>200.3</td>
<td>07/31/2017</td>
<td>Processing Evidence and Impounding Property Including Narcotics, Marijuana and Weapons</td>
</tr>
<tr>
<td>200.3.1</td>
<td>08/04/2003</td>
<td>Prisoner Booking Procedures — Handcuffing, Searching and Transporting [merged with 200.3a]</td>
</tr>
<tr>
<td>200.3a</td>
<td>07/31/2017</td>
<td>Handcuffing, Searching and Transporting Procedures</td>
</tr>
<tr>
<td>200.3.1.1</td>
<td>06/03/2005</td>
<td>Searches Using Frisker [no longer valid]</td>
</tr>
<tr>
<td>200.3.2</td>
<td>05/20/2005</td>
<td>Prisoner Booking Procedures — Booking Procedures [no longer valid]</td>
</tr>
<tr>
<td>200.3.4</td>
<td>08/04/2003</td>
<td>Booking Procedure — San Diego Police Department Issued Radio Procedures [merged with 200.16]</td>
</tr>
<tr>
<td>200.4</td>
<td>07/31/2017</td>
<td>Hand-Held Fare Check Devices</td>
</tr>
<tr>
<td>200.5</td>
<td>07/31/2017</td>
<td>Body Camera Recorder Procedures</td>
</tr>
<tr>
<td>200.6</td>
<td>07/31/2017</td>
<td>Enforcement of MTS Ordinances and Approved Code Sections</td>
</tr>
<tr>
<td>200.6.1</td>
<td>10/11/1999</td>
<td>Juvenile Citation Procedures (P.C. 26) [number edited to read 200.6a]</td>
</tr>
<tr>
<td>200.6a</td>
<td>07/31/2017</td>
<td>Juvenile Citations (Penal Code Section 26), Juvenile Diversion Program</td>
</tr>
<tr>
<td>200.6a.2</td>
<td>03/12/2003</td>
<td>Issuance of Written Warnings [merged with 200.6]</td>
</tr>
<tr>
<td>200.6c</td>
<td>07/31/2017</td>
<td>Thumbprint in Lieu of Verified Identification</td>
</tr>
<tr>
<td>200.6d</td>
<td>07/31/2017</td>
<td>Special Enforcement Unit (SED) Details — Fare Violators</td>
</tr>
<tr>
<td>200.7</td>
<td>07/31/2017</td>
<td>Inspection of Discounted Fares</td>
</tr>
<tr>
<td>200.8</td>
<td>07/31/2017</td>
<td>Non US Citizen Contacts</td>
</tr>
<tr>
<td>200.9</td>
<td>07/31/2017</td>
<td>Warrants Check</td>
</tr>
<tr>
<td>200.10</td>
<td>12/01/1997</td>
<td>Juveniles [merged with 200.6a]</td>
</tr>
<tr>
<td>200.11</td>
<td>04/01/1999</td>
<td>Evidence Handling/Bulk Property [merged with 200.3]</td>
</tr>
<tr>
<td>200.12</td>
<td>10/01/2012</td>
<td>Handling Passengers with Disabilities [merged with 200.7]</td>
</tr>
<tr>
<td>200.13</td>
<td>10/01/2012</td>
<td>Assessing Problem Situations [no longer valid]</td>
</tr>
<tr>
<td>200.14</td>
<td>07/31/2017</td>
<td>Handcuffing</td>
</tr>
<tr>
<td>200.14.1</td>
<td>06/18/2001</td>
<td>Flex Cuff Application and Removal [number edited to read 200.14a]</td>
</tr>
<tr>
<td>200.14a</td>
<td>07/31/2017</td>
<td>Flex Cuff Application and Removal</td>
</tr>
<tr>
<td>200.15</td>
<td>04/01/1999</td>
<td>Narcotics/Weapons [merged with 200.3]</td>
</tr>
</tbody>
</table>
200.16 07/31/2017 Radio and Radio Use
200.17 07/31/2017 Paramedic Procedures and Emergency Treatment
200.18 07/31/2017 Special Events/Crowd Control/ Management Qualcomm Stadium and Petco Park
200.19 12/01/1997 Fair Paid Zone merged with 200.1
200.20 07/31/2017 Use of Force
200.20a 07/31/2017 Use of Force / Chemical Agents
200.21 07/31/2017 Graffiti Tracker Procedures
200.22 07/31/2017 Operating Procedures for the San Diego Metropolitan Transit System Canine Unit

300 AUTOMOBILE-RELATED DUTIES
300.1 12/01/1997 Issuance of Parking Citations merged with 500.1
300.2 07/31/2017 Vehicle Impounding
300.3 07/31/2017 Permit Parking

400 COURT RELATED DUTIES
400.1 07/31/2017 Subpoenas, Court Appearances and Trials by Declarations

500 ADMINISTRATIVE DUTIES
500.1 07/31/2017 Citation processing and Dismissal Process
500.2 07/31/2017 Report Writing
500.3 06/29/2007 Report Processing merged with 500.5
500.3a 10/01/2007 Report Processing, Daily Office Protocol merged with 500.2
500.4 TBA
500.5 07/31/2017 Watch Commander’s / Supervisor’s Daily Log

600 RULES OF CONDUCT
600.1 07/31/2017 Rules of Conduct
600.2 07/31/2017 Citizen’s Arrest and 849 (b)(1) P.C. Releasing of Arrested Persons
600.3 07/31/2017 Reporting for Duty, Use of Sick Leave and Request for Leave Time
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the Transit Enforcement Department and the disposition of violators.

POLICY

Code Compliance Inspectors are Public Officers as defined in 836.5 of the California Penal Code. Inspectors are entrusted and empowered to act under the direction of the MTS Chief of Police. The enforcement of specific codified laws and ordinances to be enforced are detailed in MTS Ordinance 5. Inspectors shall follow the guidelines established in this SOP and the orders of Supervisors and Managers of the Department when enforcing these laws and ordinances.

The authority to detain members of the public, issue citations, and make arrests are detailed in 836.5 of the California Penal Code and granted by ordinance from the MTS Board of Directors. Inspectors shall not derive other authorities or assume other authorities, rights or responsibilities not granted by the Board.

PROCEDURE

Authority

Under 836.5 PC, inspectors may arrest a person without a warrant whenever he/she has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his/her presence which is a violation of a statute or ordinance that such officer or employee has the duty to enforce. This is in addition to the private person’s arrest authority granted under Penal Code Section 837.

A violation of MTS ordinances, Public Utility Code (PUC) Sections, and designated Penal Code Sections are infractions which are treated under the California Penal Code the same as a misdemeanor. Because they are authorized to enforce MTS ordinances, Inspectors can make arrests for violations of any authorized section if committed in their presence.

In any case in which a person is arrested pursuant to a violation, and the person arrested does not demand to be taken before a magistrate, the Inspector making the arrest shall prepare a written Notice to Appear and release
the person on his/her promise to appear. During normal court hours, a subject who refuses to sign their promise to appear may be transported by the Inspector to the court of jurisdiction for immediate arraignment. When court is not in session, the Inspector may call upon the local law enforcement agency for assistance. If the violator still refuses to sign the Notice to Appear when the agency representative arrives, the Inspector may allow the agency to perform the actual booking if appropriate.

Protection from Liability

An Inspector has protection against civil liability for false arrest or false imprisonment arising from issuance of a citation or an arrest for any MTS ordinance, PUC Section, or Penal Code Section so long as the Inspector reasonably believes that the individual has violated an MTS ordinance, PUC or Penal Code Section. Inspectors also have additional protection under provisions of the Government Code. Inspectors are public employees as that phrase is used in the provisions of the Government Code concerning suits against public entities and public employees (Government Code Sections 810.2 and 811.4). In general, CCIs are exempt from civil liability arising from the exercise of their authorized discretion in the performance of their duties.
PURPOSE

This procedure provides the outline for training newly-hired code compliance inspectors.

POLICY

The Manager of Field Operations (Manager) is responsible for department training, including the training of newly-hired code compliance inspectors. The Manager shall ensure sufficient inspectors are California P.O.S.T. certified Field Training Officers (FTO) to effectively complete the course of training prescribed by the MTS Chief of Police. The chief may, from time to time, amend the training curriculum or duration of training to meet operational needs. Newly-hired inspectors shall show proficiency in the course of training and have their training program signed by their respective FTO and the Manager before their release from training as a qualified code compliance inspector.

PROCEDURE

Newly-hired code compliance inspectors shall generally receive 240 hours of combined field and classroom training as part of their training program. In addition to the structured In-Service training program, all new inspectors will be required to complete the following courses of instruction:

- 832 P.C. Laws of Arrest 40 Hours (within one year of employment and every three years)
- First Aid/CPR 4 Hours
- Chemical Agents 4 Hours
- Defensive Tactics 4 Hours

Training will consist of three, two-week phases. If a trainee is not performing to standard at the end of the standard six-week phase, the Manager may extend the training up to two weeks. If the trainee cannot successfully complete the assigned training, and demonstrate proficiency at the conclusion of the extension, they may be dismissed from employment.
Trainee Evaluations

The FTO shall prepare daily evaluations documenting the training areas delivered to the trainee, performance achievements or deficiencies experienced, additional training assignments given, results and recommendations. The evaluations shall be turned in to the Manager at the end of each shift.

An end-of-phase evaluation shall be prepared at the end of each two-week period to provide a summation of the daily evaluations. This evaluation shall accurately reflect the achievements, deficiencies, and the overall performance of the trainee during the respective phase. Training strategies given to the trainee to correct deficient or below standard performance shall also be included.

The FTO must ensure every training objective and assignment in the training manual is delivered to the trainee. The FTO must document progress and proficient performance before the trainee can be assigned to work independently.

Program Management

The Field Operations Manager is responsible for coordinating and managing the department’s field training program. These responsibilities include but are not limited to:

1. Monitor the training program
2. Monitor and manage the FTOs
3. Monitor, track and approve all trainee evaluations to insure thoroughness of documentation
4. Monitor the ongoing performance of trainees
5. Advise the Chief of Police of training issues
6. Suggest additional training to trainees when necessary
7. Randomly monitor the performance of a trainee in the field setting
8. Maintain training records
9. Ensure all required certifications are met
10. Develop and update training materials and manuals as necessary
STANDARD OPERATING PROCEDURE

<table>
<thead>
<tr>
<th>TRANSIT ENFORCEMENT DEPARTMENT</th>
<th>PUBLICATION NUMBER: 100.3</th>
<th>DATE: 07.31.2017</th>
<th>PAGE: 1 of 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE: UNIFORM AND EQUIPMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLASSIFICATION: ALL TRANSIT ENFORCEMENT PERSONNEL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER DEPARTMENTS: NONE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ORDERED BY: MANUEL E. GUADERRAMA, CHIEF OF POLICE TRANSIT ENFORCEMENT DEPARTMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUPERCEDES: SOP 100.3 DATED 04.19.2011, GENERAL ORDER 2018-5 DATED 02.16.2018, GENERAL ORDER 2018-3 DATED 01.31.2018</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PURPOSE**

To ensure consistent appearance of uniformed code compliance inspectors, the Chief of Police has established the following standards for uniform wear. It further provides for the efficient annual replacement and incidental replacement of uniforms due to wear and tear.

**POLICY**

Code Compliance Inspectors assigned to uniformed assignments will wear uniforms and equipment consistent with the procedures outlined in this section.

**PROCEDURE**

The Department Administrative Supervisor shall coordinate the purchase of all uniforms and uniform equipment with the Deputy Director. The specifications for the duty uniform are established by the Deputy Director and approved by the Chief of Police.

**Wearing of Uniform**

The uniform shall always be neat, clean and orderly, reflecting proper care and pride. Trousers must hang freely over the top of the boot. The metal badge may be utilized with all uniforms.

**Altering Style of Uniform**

Uniform shall not be altered or changed in any manner unless authorized by the Chief of Police. No unauthorized insignia, patches, or other additions/deletions to the specified uniforms may be worn at any time.
Display of tenure (service stripes)

Service stripes, or more commonly referred to as “hash marks,” will be authorized wear on the Code Compliance Inspector uniform, long sleeve shirt. The service stripe will be used to denote time of service with the Metropolitan Transit Service (MTS). One stripe can be displayed on the left sleeve, just above the cuff for every five (5) years of service AS AN MTS CODE COMPLIANCE INSPECTOR. The authorized embroidered service stripe will be royal blue with gold trim, two (2) inches in length and one half (1/2) inch in width. This uniform addition is voluntary and will be at the employee’s own expense.

Use of Tie

The use of the black tie and bar clip is optional with the long-sleeve shirt.

Use of Undershirts

Navy blue or black T-shirts shall be worn under uniforms. In inclement weather, black turtle neck shirts may be worn under long-sleeved uniform shirt. White T-shirts are not authorized. “Beanie” style caps and/or mufflers are not authorized uniform items.

Metal Badges

Only MTS issued badges are authorized when performing MTS duties, including attending court. MTS issued badges are not to be used to represent the Inspector while off duty. Any replica badge, including a flat badge, is not authorized to represent MTS Transit Enforcement, on or off duty. If any replica badge is purchased with the Inspector’s own funds, they are not authorized to carry it. If the Inspector desires, they may display the department issued badge while wearing a business suit for an official, on-duty court appearance or special assignment. There are several style badge holders that can be purchased to display the issued badge on a belt or from a chain around the neck.

(Addendum added 05-31-2019)

Replacement of Uniforms

After the original issuance of new uniforms at hire, additional uniforms may be replaced at the rate of 3 shirts and 2 pants per year at the company’s expense. This applies to all CCI’s. Inspection of worn out uniforms and equipment is required prior to uniform request approval. Uniforms damaged while on duty may be replaced at company expense at the discretion of the Chief of Police. Requests for replacement shall be submitted to the administrative supervisor. Alterations should be completed at the time of purchase. Body Armor is replaced every five years. Officers should anticipate the replacement date of their body armor and inform the administrative supervisor three months in advance of the five year replacement date.

On 04-01-2018, the San Diego Metropolitan Transit Enforcement Officers Association (TEOA) agreed to terms of a new employment contract. Included in the agreement is a uniform allowance to Inspectors, who also take on the responsibility of replacing and maintaining uniforms after the initial issue upon hire. In order to maintain consistency and uniformity, the following are the only authorized duty uniforms.
Male Shirts
5.11 Tactical- #71177 Short Sleeve CLASS B SHIRT w/Extra Hidden Chest Pocket
5.11 Tactical- #72345 Long Sleeve CLASS B SHIRT w/ Extra Hidden Chest Pocket

Male Pants
5.11 Tactical- #74326 CLASS B CARGO PANTS

Unisex Jacket
5.11 Tactical- #48103-019 Tactical Black Signature Jacket w/ Removable Liner

Female Shirts
5.11 Tactical- #61159 Short Sleeve CLASS B SHIRT #61162W FOR SIZES 2X - 4X
5.11 Tactical- #62065 Long Sleeve CLASS B SHIRT #62068W FOR SIZES 2X - 4X

Female Pants
5.11 Tactical- #64306 CLASS B CARGO PANTS #64310 FOR SIZES 16W – 28W

Any modifications or changes to these specifications must be approved by the Chief/Director of SDMTS Transit Enforcement.
(Addendum added 05-31-2019)

MTS will provide each newly hired CCI with:

1. One metal badge
2. One picture ID/access card
3. One body armor with 2 carriers
4. Five uniform shirts (3 short-sleeve, 2 long-sleeve) with patches
5. Three trousers. 5.11 brand
6. One pant belt
7. One duty belt
8. One radio holder
9. One flashlight holder
10. Chemical agent canister with carrying case
11. One handcuff case with handcuffs (Hinged style handcuffs are authorized at the CCIs’ expense)
12. One cite book holder with cites, warnings, etc.
13. Six sewn name strips for shirts
14. Four keepers
15. One blue cap (if desired by officer)
16. One black tie and bar clip (if desired by officer)
17. HHU; while on duty
18. Hand held two-way and/or RCS radio; while on duty

MTS may issue any or all items from stock, versus ordering new. The Administrative Supervisor will verify availability before preparing a purchase request order form.
K9 Unit (issued to existing officers upon transfer to the K9 Unit)

Newly-assigned inspectors to the K9 unit will be issued the following items:

1. Three Navy blue 5.11 brand utility pants
2. Three Navy blue 5.11 brand utility shirts
3. Three embroidered name tapes
4. Three embroidered cloth badges
5. One pair of black boots (not to exceed $100) upon initial assignment to the K9 Unit

MTS Enforcement Management and Administrative Personnel shall adhere to the guidelines contained in the MTS Management Handbook, Section 5.4 and the MTS Enforcement Department Records Operations Manual.
PURPOSE

To identify the frequency and means by which employees represented by the Transit Enforcement Officer Association (TEOA) are assigned duty days & hours.

POLICY

Shift selection (shift picks) are held three times annually. The process shall be posted with sufficient notice for all TEOA employees to submit their bid requests. The effective date for the shift change shall occur no sooner than two weeks between the closing of the process to the start of the new shift assignments. Shift Assignments are based on seniority, but adjustments can be made based on operational needs. Auxiliary supervisors may elect to invoke seniority upon surrender of their supervisory position.

PROCEDURE

The bid process is based on seniority from date of hire. Shift selections are limited to work hours and duty days as determined by the Chief of Police. Specialized positions may be created as needed by the Chief of Police with hours commensurate with the unit’s mission.

Once a bid is submitted, it may be amended until the bidding process is closed. Requests for shift swap, change in assigned work hours, and days off, must be submitted to the respective Code Compliance Shift Supervisor for review by the Field Operations Manager.

Supervisory hours may be adjusted by the Field Operations Manager or Deputy Director to ensure supervision of all shifts.

The Canine Team supervisor shall coordinate canine inspector assignments with the Field Operations Manager.
PURPOSE

To establish standards of professional appearance for uniformed code compliance inspectors and non-uniformed staff.

POLICY

All employees shall present a clean, neat and professional appearance when on duty whether on MTS property or off-site on MTS business. Code compliance inspectors assigned to a uniformed position shall report for duty in an approved clean and pressed uniform. The uniform shall not be modified except to adjust for comfort of the wearer. All duty accessories such as duty belts and equipment holders shall be clean and present a professional appearance. “Leather” gear shall be black and offer a crisp and like-new appearance. Equipment such as knives, extra keepers and other devices shall not be worn on the belt or visible on the uniform without approval of the Field Operations Manager.

PROCEDURE

To ensure a professional and consistent appearance, the following grooming standards are established:

Uniform Appearance Standards for Male Inspectors:

Hair

Hair on the sides of the head, if properly styled to present a neatly groomed and even appearance, may come to the center of the ears. Hair on the back of the head may be neatly tapered or blocked, but shall not be long enough to extend over the top of the shirt collar when the head is held in a position of attention. Hair shall not extend more than two inches from any part of the head.

Ornamentation must not be worn in the hair, and hair shall not be worn in a pony-tail, braids, or in any style which would present a safety hazard. Eccentric hair styles or unusual practices which would draw undue or unfavorable attention to the wearer are not permitted.
Sideburns

Sideburns shall not extend below the bottom of the ear lobe and shall be neatly trimmed. Flared or pork-chop type sideburns are not permitted.

Mustaches

Mustaches must be neatly trimmed. Mustaches shall neither extend past the corners of the mouth nor past the vermillion line of the upper lip. Mustaches shall be neatly tapered and will not have waxed points or edges.

Beards

Beards are generally not permitted when in uniform. Exceptions may be granted on a case-by-case basis by the Chief of Police and based on a qualified medical opinion.

Jewelry

Necklaces may be worn in uniform and while on duty. The necklace shall be long enough so it rests under the uniform shirt and not visible outside the uniform shirt.

Earrings are not permitted. Bracelets and rings may be worn but shall not be excessive in number, be a type that presents an unprofessional appearance or that calls undue or unfavorable attention to the wearer. Bracelets and rings which present a safety hazard shall not be worn.

Uniform Appearance Standards for Female Inspectors:

Hair

The hair shall be worn in a neat and professional style. As an appropriate safety practice, long hair shall be worn so as not to fall below the bottom of the uniform shirt collar. Hair style shall not extend more than two inches from any part of the head. Eccentric hair styles or unusual practices which would draw undue or unfavorable attention to the wearer are not permitted.

Makeup

The use of facial makeup shall be conservative. This includes, but is not limited to, excessive use of lipstick, rouge, foundation, mascara, eyebrow pencil, or eye shadow. Fingernails shall be inconspicuous and not present a safety hazard. Fingernails may not extend more than ½ inch beyond the tip of the finger or painted in such a way as to present a gaudy or unprofessional appearance.

Jewelry

Necklaces shall be long enough so it rests under the uniform shirt and not visible outside the uniform shirt. Earrings shall be plain, gold, silver or pearl in color and stud-type only. Earrings are limited to two in each ear. Facial jewelry of any type, temporary or permanent, is not allowed.
Bracelets or rings may be worn but shall not be excessive in number, or be a type that presents an unprofessional appearance or that calls undue or unfavorable attention to the wearer. Bracelets or rings which present a safety hazard shall not be worn.

In any issue arising from the interpretation of these standards shall be decided by the Chief of Police.
STANDARD OPERATING PROCEDURE

PURPOSE

This policy delineates the general and specific duties of MTS to ensure the safety of the SDSU trolley stop.

POLICY

MTS is responsible for security on the SDSU platform and the adjacent trolley tunnels, ventilations systems and for responding to alarms in any of the MTS operational areas. This duty position is a mandatory fill and shall be staffed at all times by at least one security officer.

PROCEDURE

During the hours of train operations, there will be one security officer on the eastbound and westbound platforms, and one security officer in the MTS Security Office operating the CCTV monitoring console. During non-revenue hours, the station will be staffed with one CCTV monitoring officer. Duties for the station shall include, but not be limited to the following:

- Maintain high visibility at all times.
- Conduct frequent Fare Paid Zone checks.
- Ensure the station is free from loiterers, panhandlers, trespassers and other ordinance violators.
- Be available to assist first responders.
- Make frequent checks of the entire facility including the street-level bus-way.
- Check elevators occasionally for safety and cleanliness.
- Maintain communications with the OCC
- Report all unusual/suspicious activities observed on the CCTV system.
- Alert the OCC of any fire/intrusion/environmental alarm activations.

Visitor Log

All authorized visitors to the SDSU security office will be logged in and out by date, time, name, company affiliation, and business purpose. The security office shall not be used for lunch breaks, “gab sessions” or a place for employees to rest. There is a partitioned area for SDSU Police Officers to use for official business
only. The “Ticket Room” shall remain closed at all times except to those actively involved in selling event
ticket media.

Station Officers

One Contract Security officer will be assigned to work the east and west platforms during normal operating
hours. The officer will concentrate on orderly boardings, fare enforcement, assisting patrons, and general patrol
activity. All officers assigned to the SDSU station will rotate duties every two hours and work in the security
office as a CCTV operator so as to familiarize themselves with all aspects of the station.

Closed Circuit Television System (CCTV)

Operators are to remain diligent in their observations of the CCTV monitors for any activity that may require
security assistance. This is especially true during peak riding times and during times of darkness. Operators
shall move cameras randomly so as to cover as many viewing angles as possible, paying particular attention to
the most critical locations such as the interior and exterior portals. During times when operators are not at the
CCTV monitors, the cameras are to be positioned in a mode that captures critical areas such as passenger
platforms, interior/exterior portals, the bus-way, and the entrance to the mezzanine. The Operations Control
Center shall also be notified. Absence from the monitors should be kept to a minimum.

Communication Protocols

The security office operator will be the primary point of contact and will be responsible for outbound
communications during security incidents. All security-related communications should be directed to the
Operations Control Center via radio.

Following appropriate notifications, and as soon as practical, the operator shall enter a brief synopsis of the
incident in the Station Event Log.

Fire and Environmental Alarm Protocols

All alarm activations will immediately be reported to the Operations Control Center. The contract security
officer will notify the platform officer of the alarm condition. The officer will also scan and pan the CCTV
system to detect any obvious signs of fire, intrusion or other security issues. Personnel from the Maintenance
Department have been trained to acknowledge the alarms and take appropriate “clear and reset” actions. Tri-
Signal Alarm Company will report alarms activated in the elevators to the Operations Control Center. The
Operations Control Center will notify the contract security officer who will then view the cameras in the
elevators for signs of fire or distress. The Operations Control Center will then be notified with a report of the
officer’s observations. If the officer is notified that the San Diego Fire Department is responding to any alarms,
an officer will be dispatched to meet and direct arriving fire personnel.

Key Control

The Contract Security officer shall only issue loaner keys to an authorized user or vendor, and shall maintain a
log of all key transactions. Keys must be returned to the security officer when the user has completed his work.
It shall be the responsibility of the officer to reconcile the keys at the end of each shift and report missing or
unreturned keys to the Watch Commander.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department.

POLICY

The procedures and responsibilities of the Kantech and Avigilon and Avigilon Access Control Systems installed at various MTS properties are shared tasks between Transit Enforcement, Human Resources, Rail and Bus Facility Maintenance, and Information Technology. This section identifies areas of responsibility and defines protocols for system maintenance and responding to access control system failures.

PROCEDURE

The purpose of this document is to define the procedures and responsibilities of the Kantech and Avigilon and Avigilon Access Control Systems installed at various MTS properties. This document will describe the operational, maintenance and data management responsibilities and guide users in the appropriate procedures for responding to both emergency and non-emergency system failures. These shared access control systems where ownership and responsibilities for the various aspects of the systems are shared across multiple departments including Security, Human Resources (HR), Rail and Bus Facility Maintenance, and Information Technology (IT). This document identifies areas of responsibility and defines protocols for system maintenance and responding to access control system failures.

Equipment Maintenance

The Access Control System equipment maintenance shall be coordinated by the IT Department with the support of Facility Maintenance Departments at Colliers, MTS Rail and MTS Bus. IT personnel will maintain the Kantech back office servers, networking connectivity to door controller devices and will troubleshoot device failures with Facilities Maintenance. The respective Facility Maintenance Departments will be responsible for installing hardware such as door locking mechanisms.

The Information Technology IT Department will be responsible for coordinating repairs while the system is under warranty. After the warranty period concludes the MTS IT Department will budget for replacing
hardware as it fails. The respective Facility Maintenance Departments will install any building related components and be responsible for non-communication wiring.

Data Administration

The Access Control System data shall be maintained, administered and managed by the Human Resources Department. Security will assist in developing door groups and access levels to insure the Kantech and Avigilon systems fit appropriately into the Agency’s security plan. Data maintenance includes maintaining employee and door lists, updating door access and ownership data as well as issuing and inventorying access control cards or devices. As administrators of the Access Control System, Security and HR will coordinate control of employee access levels and door operation programming, and this copy will be shared with the IT Department to validate user access permissions.

The HR Department shall provide adequate resources to manage the applicable data, and issue new and replacement access control devices as required.

Lost, Misplaced or Stolen Access Device

Lost, misplaced or stolen access cards or devices must be reported to HR immediately and Security if HR is closed or not available. If a card or device with afterhours access is lost, stolen or misplaced while the Human Resources Department is closed, the employee or their supervisor should call Security Dispatch at 619-595-4960 to ensure the device is deactivated immediately. Lost, misplaced or stolen access cards or devices will be replaced by HR during regular business hours.

Routine Failure – Reporting and Repair Responsibility

During regular business hours, hardware or door failures shall be reported to the IT Department via the IT Customer Support Center (Helpdesk). IT will notify the appropriate Facility Maintenance Department if their assistance is needed for troubleshooting. It is generally rare for access control equipment to fail.

Issues with access levels or card failures should be reported to Human Resources by calling the HR Front Desk at 619-557-4598.

Failures in network communications to access cards or devices, network connectivity problems and Kantech or Avigilon desktop application issues should be directed to IT via the Customer Support Center (Helpdesk) by emailing helpdesk@sdmts.com or calling 619-238-0100 x 6600.

The IT Customer Support Center (Helpdesk) will follow normal support response for non-critical issues raised during normal business hours. Urgent issues will be given top priority and all necessary IT resources will be assigned. An IT Customer Support technician will be assigned to the work order request to troubleshoot the system and determine if the issue is related to:

- The access card
- A network device communication
- An application issue
- A defective device requiring replacement
IT support technicians will have a general ability to identify network connectivity, communication or hardware failures as they relate to the access control system. If the troubleshooting identifies a door controller hardware failure then the appropriate replacement device will be ordered. If the problem is related to access levels or the card itself the issue will be referred to HR.

MTS Rail and Bus Facility Maintenance personnel shall assist with repair and support functions including but not limited to temporary access or security controls while repairs are being made to the system and assistance with system troubleshooting and/or structural repairs. Additionally, Facility Maintenance areas will perform any repairs requiring equipment mounting or door hardware replacement.

After Hours Failure – Reporting and Repair Responsibility

Should an access control device failure occur after normal IT Customer Support Center hours of 7:00 a.m. until 6:00 p.m., employees should direct any access control issues to Security Dispatch at the MTS Rail Operations Control Center by calling 619-595-4960.

IT personnel should be contacted after the Security Dispatcher has evaluated the situation, based on security risk, and dispatch Security and/or Facilities as necessary to troubleshoot and/or respond if the issue is related to a network or back office system failure. HR will be notified as necessary by the Security Dispatcher.

Emergency Access

Contact Security Dispatch at the Operations Control Center at 619-595-4960 for emergencies. The Security Dispatcher will dispatch MTS Enforcement and other emergency response agencies (Fire/Police) and manage the emergency scene.

The Security Desk in the MTS lobby (managed by Colliers) shall maintain an access device that can be provided to emergency response personnel, the CEO and his direct report or their designees. The security guard will verify the employee’s identity via driver’s license or ID card, have the employee sign for the access device and will keep a log of who has requested use. Prompt return of the device is required.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department.

POLICY

Closed circuit television (CCTV) is a proven and widely used technology in deterring, detecting and recording crime and other incidents. It is the policy of the San Diego Metropolitan Transit System to utilize closed circuit television systems at various MTS properties, transit centers, onboard MTS buses and light rail vehicles as deterrence against criminal acts and for the safety and security of patrons and employees.

SDTE Dispatch is staffed and operational twenty-four hours a day, seven days a week and three hundred sixty-five days a year. During the hours of 5:00 am and 12:30 am, there are two dispatchers on duty. During the hours of 12:30 am and 6:00 am, there is one dispatcher on duty. During the hours of 6:00 am and 3:00 pm, Monday through Friday, there is one dispatch supervisor on duty.

PROCEDURE

Closed Circuit Television

Historical recordings can be obtained from any station equipped with CCTV for up to approximately 15 days after the date recorded. Historical information is generally used for viewing security related events and other extraordinary incidents. It may also be used for court purposes by MTS or law enforcement agencies. Viewing of historical events or live recording is restricted to authorized personnel only. Video tagged for retention may be kept until no longer needed.

Incidents at Transit Centers and Other MTS Properties

When SDTE dispatchers are made aware of a crime, accident or extraordinary incident that occurred at a transit center or other MTS property, SDTE dispatchers will download video footage of the incident if captured by CCTV. SDTE dispatchers will save the video footage in a specified folder on an MTS server. The video footage will be saved indefinitely.
Incidents On-board a Light Rail Vehicle (LRV)

When SDTE dispatchers are made aware of a crime, accident or extraordinary incident that occurred on-board an LRV, SDTE dispatchers will request video footage from the specified LRV using the Fleet Manager System. Once the video footage downloads on the Fleet Manager System, SDTE dispatchers will save the video footage in a specified folder on an MTS server. The video footage will be saved indefinitely.

In the event of an emergency where video footage from an LRV needs to be reviewed immediately, SDTE dispatchers will pull the hard drive from the LRV. The hard drive will be plugged into a docking station located in OCC and video footage from that LRV can be reviewed. If needed, SDTE dispatchers will download and save the video footage. SDTE dispatchers will save the video footage in a specified folder on an MTS server. The video footage will be saved indefinitely.

Video Requests from Outside Law Enforcement Agencies

SDTE dispatchers may receive video requests from outside law enforcement agencies (Requester). SDTE dispatchers will require the incident date, time and location. SDTE dispatchers may require specific details pertaining to the incident – E.G., description of person(s) involved, type of incident or crime. SDTE dispatchers will download video footage of the incident if captured by CCTV. SDTE dispatchers will save the video footage in a specified folder on an MTS server. The video footage will be saved indefinitely.

Release of Video Footage to Law Enforcement Agencies

Once video footage of an incident is saved, the requester will be notified and instructed to email the Security Systems Administrator and formally request a copy of the video footage. The requester will need to provide the following information at the time of request;

1. Full name and title/position
2. Agency
3. Agency case number
4. Date of incident
5. Time of incident
6. Location of incident
7. Type of incident/crime
8. Suspect information (If known)
9. Victim information (If known)
10. Type of video footage requested
11. San Diego Transit Enforcement (SDTE) case number (If known/generated)

Once the Security Systems Administrator receives a formal video request with the required information, the video footage will be placed onto a disc. The disc will be issued a catalogue number and the information provided by the requester will be saved and documented on the SDTE Outside Agency Video Request Log.
The Security Systems Administrator will notify the requester by email when the disc is ready for pick-up and will provide the catalogue number. The requester must schedule a date and time to pick-up the disc and must provide the catalogue number at the time of pick-up.

At the end of each month, the Security Systems Administrator will email a copy of the SDTE Outside Agency Video Request Log to MTS management.

**CCTV Operations**

SDTE dispatchers shall remain vigilant in their observations of the CCTV monitors for any criminal, suspicious and extraordinary activity that may require a response from San Diego Transit Enforcement and/or law enforcement. SDTE dispatchers will have the ability to monitor multiple cameras at multiple transit centers and/or other MTS properties at one time. SDTE dispatchers will have the ability to review and download video footage if needed.

**CCTV Audits**

SDTE dispatchers assigned to the overnight shift (8:00 pm – 6:00 am) will conduct nightly audits of all surveillance cameras at all transit centers and other MTS properties. SDTE dispatchers will check for any surveillance cameras defects E.G., technical issues, altered camera positions, view obstructions and clarity of the camera picture. SDTE dispatchers will also make sure each camera is recording video and has recorded video for 15 days. All defects will be documented on the Daily CCTV Audit report. The Daily CCTV Audit report will be sent to the Security Systems Administrator. The SDTE dispatch supervisor will also conduct a random CCTV Audit each week. The SDTE dispatch supervisor will send the random CCTV Audit to the Security Systems Administrator. The Security Systems Administrator will review the CCTV Audits and create work orders for all defects.

**Communication Protocol**

SDTE dispatchers are responsible for maintaining close radio and telephone communication with all SDTE field units. OCC dispatchers are responsible for notifying SDTE supervisors of all significant events that occur on MTS property or involve MTS vehicles.

SDTE dispatchers are responsible for notifying and maintaining close communication with appropriate law enforcement agencies and emergency response personnel in the event of an emergency.

SDTE dispatchers are also responsible for communicating with MTS revenue units. SDTE dispatchers are responsible for documenting all revenue trouble calls and notifying the appropriate revenue personnel.

**SDTE dispatchers General Scope of Work**

SDTE dispatchers will use “Central Control” as their identifier during all radio communications on radio channel five. OCC dispatchers will use “Security Dispatch” as their identifier during all radio communications on radio channels one, two, three and six. SDTE dispatchers must maintain close communication between the Line Controllers and the OCC supervisor during all incidents that occur on MTS property or involve an MTS vehicle.
Radio Communication

Radio channels one, two, three and six are for trolley operations (01-Blue Line, 02-Orange Line, 03-Green Line and 06-Trolley Yard). Channel four is used for two-way close proximity communication. Channel five is used for SDTE and revenue personnel system-wide. All radio communication, regardless of channel, are to be conducted in compliance with existing rules and procedures, including unit designations, terminology and authorized codes.

Operation Requirements

SDTE dispatchers will work extensively with MTS Rail management and personnel including Line Controllers and the OCC supervisor regarding system operations. SDTE dispatchers will communicate directly with SDTE management and supervisors. Under the general supervision of the watch commander, SDTE dispatchers will maintain radio and telephone communication with SDTE field units. SDTE dispatchers have the capability to monitor CCTV at transit centers and other MTS properties.

SDTE Dispatcher Guidelines

SDTE dispatchers are to notify the appropriate Line Controller in the event of the following:

- Patron injury on MTS property or on-board an MTS vehicle.
- Damage or vandalism to MTS property or MTS vehicle.
- Vehicle accidents involving MTS vehicles.
- Broken crossing gates or other defects related to trolley crossings.
- Lost & Found items reported or recovered by field personnel.
- Unattended or suspicious items on MTS property or on-board an MTS vehicle.
- Bomb threats.
- Trespasser on right-of-way or non-public areas.

Knowledge, Skills & Abilities

SDTE dispatchers must have the ability to read and comprehend complex reports, operating procedures and written orders. SDTE dispatchers must have the ability to write reports using clear, concise and grammatically correct English; the ability to speak clearly, distinctly and effectively using broadcast media and telephones; the ability to coordinate and initiate actions necessary to implement decisions and delegate responsibilities to appropriate field personnel. SDTE dispatchers must maintain composure, professionalism while multi-tasking during high pressure situations and emergencies.

Confidentiality Requirements

Activities and communications in OCC are to be kept confidential. Any issues or concerns are to be addressed with the SDTE dispatch supervisor and/or the Field Operations Manager. OCC activities and communications should not be discussed with other MTS employees, contract personnel or the public without proper authorization.
PURPOSE

Establishes the steps and process to be followed when an employee claims an injury while working.

POLICY

Whenever an employee claims an injury, regardless of how recent, the Controller must be immediately notified, and appropriate steps taken as identified below. Reference information is also available on the MTS Intranet, selecting “Human Resources” and clicking on “Workers’ Compensation” from drop down menu.

1) If medical treatment is provided to an employee, Worker’s Compensation forms must be completed, and the employee tested with an alcohol/ drug screen. During regular business hours, Monday through Friday, the Worker’s Compensation Analyst (619-557-4563) should be contacted and advised of the injury and disposition of injured employee, including name of treatment facility if transported. A voice mail message is acceptable after hours, or on weekends and holidays.

PROCEDURE

Severity Of Injury — Initial Response

1) If the injury is of a serious nature, call paramedics immediately. The injured person should not be moved until paramedics take over, unless in imminent danger of further injury. Along with notifying the Workers’ Compensation Analyst of the injury, you must report all injuries of a serious nature to the Environmental Health & Safety Specialist (619-643-3180).

2) Scripps Mercy Hospital, Sharp Memorial Hospital and UCSD Trauma Center are designated emergency medical facilities that may be used when an employee sustains an on-the-job injury. When the magnitude of the injury warrants attention at a specific medical facility, or if the employee has a request on file with the company to be treated by their own physician for such conditions, an alternate hospital or medical facility may be used.

3) The appropriate administrative designee should advise the injured employee’s family of the incident. Good judgment must be used in explaining the injury to the employee’s family. The injured employee’s family should be provided with a reasonable amount of assistance, consistent
with their requests. Any and all questions pertaining to the injury from agencies outside the company should be directed to the Risk & Claims Department. Injuries requiring treatment, but not of a serious nature should be handled as follows:

a) 7:00AM — 7:00PM, Monday — Friday, the employee should be transported to U.S. Healthworks/Hillcrest, 3930 Fourth Ave., Suite 200, San Diego for medical assistance (619.297.9610).

b) All other hours and on major holidays, the employee should be transported to U.S. Healthworks/Kearny Mesa, 5575 Ruffin Road, Suite 100, San Diego, for medical assistance (858.277.2744).

c) The Controller should notify the employee’s department head or immediate supervisor and the Workers’ Compensation Analyst (619.557.4563). A voice mail message is acceptable after hours, or on weekends and holidays.

d) Have the employee complete an “Employee’s Report of Injury” and “DWC 1" form.

4) Injuries claimed but not requiring treatment, should be handled as follows:
   a) Have the employee complete a “Report of Minor Injury" form.

Investigative Actions, Documentation And Notifications

1) Each personal injury should be thoroughly investigated and the following information developed:
   a) The investigating Supervisor should immediately develop from the injured employee:
      i) What activity they were involved in when the injury occurred
      ii) How they were performing their assignment
      iii) Their location at the time of the injury and relevant other details
      iv) Names of any witnesses to the incident, or employees in the area
   b) The Supervisor should inspect the site or component (i.e., machinery, switch, LRV part, etc.) to determine if anything unusual contributed to the injury and any other details pertaining to the incident. Photos should be taken of the site and of the component, and any LRV and/or station video requested/preserved.

2) Each incident is to be thoroughly followed-up on and documented.
   a) As soon as possible, the injured employee should complete a Special Report outlining the details of the activity leading up to the injury, including items listed in section 4) a. i—iv above. If any treatment is received, a state Workers' Compensation Claim Form (DWC 1) must also be completed.
   b) The investigating Supervisor should prepare a Special Report outlining all details obtained as a result of the investigation. Included in this report should be a conclusion as to whether any SDTI Safety Rules, Operating Rules, or SOP’s were violated and what, in the Supervisor’s opinion, caused the accident.
   c) If any employees witnessed the incident, they should prepare a Special Report.
d) All reports and information in connection with the incident should be given to the Controller. The Controller should then prepare a Personal Injury Report based on general information obtained. The original of all reports in connection with the incident should be forwarded to the Workers’ Compensation Coordinator for further processing, with copies forwarded to appropriate internal distribution.

Following any formal treatment provided to the employee, they should be instructed to contact the Workers’ Compensation Analyst (619.557.4563) and advised of their status. An initial voice mail message is acceptable after hours, or on weekends and holidays, but should be followed up with a second call during normal business hours to confirm status and next steps (i.e. Return to Work Program, State Disability Claim, etc.).
Employee Report of Injury Form

Name: ________________________________ SS#: __________________________ ID #: ____________

MTS Employer (Circle One): MTS  San Diego Transit Corp KMD or IAD  San Diego Trolley Inc

Date of Birth: __________ Date of Hire: __________ Employed: Full/Part Time and Perm/Temp

Mailing Address: ________________________________________________________________

Home Phone: ___________ Cell Phone: ___________ Work Phone: ___________

Marital Status: M/S/D/W  Gender: M/F  # of Dependents: ______________

Occupation (Title and Department): _____________________________________________

Supervisor Name and Phone: ________________________________________________

Current Hourly Pay: $________  Average weekly hours: _______ Regular Days off: ________

Date You Notified Your Supervisor of Your Injury (If later than same day of injury, please explain):

__________________________________________________________

Name of the person you notified: ____________________________________________

Describe your Injury or Illness (IE: Left Ankle Sprain): _____________________________

Location/Address where Injury occurred: _______________________________________

Time began work: _______ Did you work your entire shift?: _______ Regular Days off: _______

Describe how you came to be ill or injured (what happened to cause Injury/Illness):

__________________________________________________________

Equipment Used (if known): ________________________________________________

Initial Physician, Hospital and Treatment: __________________________________________

Employee’s Signature: __________________________ Date: ____________________________

Reviewed By: __________________________ Title: ___________________________

Last Revised 4/14/2015 CRW/bw

Metropolitan Transit System (MTS) is comprised of the Metropolitan Transit Development Board (MTD), a California public agency, San Diego Transit Corp., and San Diego Trolley, Inc., in cooperation with Chloe Work Transit and National City Transit. MTS is also a member of the San Diego and Arizona Eastern Railway Company. MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.
Report of Minor Injury Form

REPORT OF MINOR INJURY
(NOT REQUIRING MEDICAL TREATMENT OR TIME LOST)

Name ___________________________ Employee No. _______ Job Title _______

Date of Injury: ___/___/____ Time: _______ A.M.  P.M.

Location of Accident: _______________________________________________________

How Injury Occurred: _______________________________________________________

Names of Witnesses: _______________________________________________________

Nature of Injury: ___________________________________________________________

Date Rpt. Completed: ___/___/____ (Supervisor) ____________________ (Date) _______

NOTE: This form is to be used only when the care of a physician is not required, and no time loss is necessary. No other reports/forms are needed with this report.

NOTICE OF POSSIBLE WORKERS’ COMPENSATION BENEFITS

If you are injured on the job, you may be entitled to workers’ compensation benefits which may include:

- Medical treatment reasonably required to cure or relieve you from the effects of a work-related injury. If needed, you will be directed by MTS’ Workers’ Compensation Department to an appropriate physician or facility for this purpose. Thereafter, you may select a physician capable of addressing your treatment needs from within MTS’ Medical Provider Network after 30 days of treatment.

- Temporary disability benefits for periods of time (in excess of 3 days) for which you cannot work.

- Permanent disability indemnity, if your injury causes rable permanent work restrictions or limitations.

The California Workers’ Compensation Appeals Board (WCAB) resolves disputes regarding work-related injuries. Information & Assistance Officers are available at (619) 767-2082. Further information is available at (619) 767-2170.

In case of medical emergency, dial 9-1-1 to obtain immediate medical treatment/attention. Otherwise, if you require medical treatment or lose time from work as a result of a work-related injury, you must contact MTS’ Workers’ Compensation Department prior to further action. Authorization for lost time and medical attention must be obtained from MTS’ Workers’ Compensation Department.

Send completed form to: MTS’ Workers’ Compensation Department.

(Workers’ Comp. Dept.) (Date) (Employee’s Signature) (Date) _______

Worker’s Compensation Claim Form (DWC 1) & Notice of Potential Eligibility Forms
Workers’ Compensation Claim Form ( DWC 1 ) & Notice of Potential Eligibility

If you are injured or become ill, either physically or mentally, because of your work, you have a right to treatment for your injury or illness. The workers’ compensation system is designed to help you recover from your injury or illness so that you can return to work. To file your claim, you must complete the "Employee" section of the form, which includes the employer’s name, address, and phone number. You will also need to provide information about your injury or illness, such as the date it occurred, the location where it occurred, and the extent of your injuries. You must also provide documentation from your doctor or healthcare provider, which may include medical records, X-rays, or other tests. You may also need to provide information about any lost wages or medical expenses you have incurred. The completed form should be submitted to the workers’ compensation administrator as soon as possible. If you do not file your claim within the required time period, you may lose your right to receive workers’ compensation benefits.

Medical Care: The employee is entitled to receive medical care necessary for the treatment of their injury or illness, including hospital care, medical examinations, and medication. If the employee is unable to work due to their injury or illness, they are entitled to temporary disability benefits, which are typically based on a percentage of their pre-injury earnings. If the employee is unable to return to their previous line of work, they may be entitled to vocational rehabilitation benefits, which may include training and job placement services.

Divulgación de Expedientes Médicos: Después de que Ud. presente un reclamo para beneficios de compensación de trabajadores, sus expedientes médicos no tendrán el mismo nivel de privacidad que usualmente se da a otros expedientes. Si Ud. no está de acuerdo en divulgar voluntariamente los expedientes médicos, un juez de compensación de trabajadores podría dictar qué expedientes se revelan. Si Ud. solicita privacidad, es posible que el juez "separe" (mantenga privado) ciertos expedientes médicos.

Pago por Incapacidad Temporal (Saldos Pendientes): Si Ud. no puede trabajar, mientras se está recuperando de una lesión o enfermedad relacionada con el trabajo, Ud. recibirá pagos por incapacidad temporal para la mayor parte de las lesiones por un periodo limitado. Es posible que estos pagos cambien o parezcan, cuando su médico diga que Ud. está en condiciones...
Workers’ Compensation Claim Form (DWC 1) & Notice of Potential Eligibility

**Formulario de Reclamo de Compensación para Trabajadores (DWC 1) y Notificación de Posible Elegibilidad**

be temporary or may be extended depending on the nature of your injury or illness.

**Payment for Permanent Disability:** If a doctor says your injury or illness results in a permanent disability, you may receive additional payments. The amount will depend on the type of injury, your age, occupation, and date of injury.

**Supplemental Job Displacement Benefit (SJD):** If you were injured after 1/1/04 and you have a permanent disability that prevents you from returning to work within 50 days after your temporary disability ends, and your employer does not offer modified or alternative work, you may qualify for a non-transferable voucher payable to a school for retraining and/or skill enhancement. If you qualify, the claims administrator will pay the costs up to the maximum set by state law based on your percentage of permanent disability.

**Death Benefits:** If the injury or illness causes death, payments may be made to relatives or household members who were financially dependent on the deceased worker.

It is illegal for your employer to punish or fire you for having a job injury or illness, for filing a claim, or testifying in another person’s workers’ compensation case (Labor Code § 3201). If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

You have the right to disagree with decisions affecting your claim. If you have a disagreement, contact your claims administrator first to see if you can resolve it. If you are not receiving benefits, you may be able to get State Disability Insurance (SDI) benefits. Call State Employment Development Department at (800) 600-1007.

You can obtain free information from an information and assistance officer of the State Division of Workers’ Compensation, or you can have recorded information and a list of local offices by calling (800) 756-7741. You can also go to the DWC web site at www.dwc.ca.gov.

You can consult with an attorney. Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fee will be taken out of some of your benefits. For names of workers’ compensation attorneys, call the State Bar of California at (619) 538-2130 or go to their web site at www.californiaestadist.org.

de regresar a trabajar. Estos beneficios son libres de impuestos. Los pagos por incapacidad temporal son dos tercios de un pago semanal promedio, con cantidades mínimas y máximas establecidas por las leyes estatales. Los pagos no se hacen durante los primeros tres días en que Ud. no trabaja, a menos que Ud. sea hospitalizado(a) de noche, o no pueda trabajar durante más de 14 días.

**Regreso al Trabajo:** Para ayudar a regresar a trabajar lo antes posible, Ud. debe comunicarse de manera activa con el médico que le atiende, el administrador de reclamos y el empleador, en relación a las clases de trabajo que Ud. puede hacer mientras se recupera. Es posible que ellos coordinen esfuerzos para regresarle a un trabajo modificado, o a otro trabajo que sea apropiado desde el punto de vista médico. Este trabajo modificado o este trabajo podría ser temporal o podría extenderse dependiendo de la gravedad de su lesión o enfermedad.

**Pago por Incapacidad Permanente:** Si el doctor dice que su lesión o enfermedad resulta en incapacidad permanente, es posible que Ud. reciba pagos adicionales. La cantidad dependerá de la clase de lesión, su edad, su ocupación y la fecha de la lesión.

**Beneficio Suplementario por Desplazamiento de Trabajo:** Si Ud. se lesiona después del 1/1/04 y tiene una incapacidad permanente que le impide regresar al trabajo dentro de 60 días después de que los pagos por incapacidad temporal terminen, y su empleador no ofrece un trabajo modificado o alternativo, es posible que usted reúna los requisitos para recibir un vale no-transferible pagadero a una escuela para recibir un nuevo entrenamiento y/o mejorar su habilidad. Si Ud. reúne los requisitos, el administrador de reclamos pagará los gastos hasta un máximo establecido por las leyes estatales basado en su porcentaje de incapacidad permanente.

**Beneficios por Muerte:** Si la lesión o enfermedad causa la muerte, es posible que los pagos se paguen a los pacientes o a las personas que vivan en el hogar, donde dependían económicamente del trabajador fallecido.

Es ilegal que un empleador le castigue o despidiera, por el hecho de ser una lesión o enfermedad en el trabajo, por presentar un reclamo o por testificar en el caso de compensación de trabajadores de otros empleados. (El Código Laboral revisión 1332A). De ser probado, usted puede recibir pagos por perdida de sueldos, reposición del trabajo, aumento de beneficios, y gastos hasta un límite establecido por el estado.

Ud. tiene derecho a no estar de acuerdo con las decisiones que afectan su reclamo. Si Ud. tiene un desacuerdo, primero comuníquese con su administrador de reclamos, para ver si usted puede resolverlo. Si usted no está satisfecho con la decisión, es posible que Ud. pueda obtener beneficios del Seguro Estatal de Incapacidad (SDI), llame al Departamento Estatal del Desarrollo del Empleo (EDD) al (800) 480-3287.

Ud. puede obtener información gratuita, de un oficial de información y asistencia, de la División Estatal de Compensación al Trabajador (Division of Workers’ Compensation – DWC), o puede escribir información personalizada, así como a una lista de oficinas locales, llamando al (800) 756-7741. Ud. también puede consultar con la página Web de la DWC en www.dwc.ca.gov.

Ud. puede consultar con un abogado. La mayoría de los abogados ofrecen una consulta gratuita. Si Ud. decide contratar a un abogado, los honorarios serán tomados de algunos de sus beneficios. Para obtener nombres de abogados de compensación de trabajadores, llame a la Asociación Estatal de Abogados de California (State Bar) al (619) 530-2120, o consulte con la página Web en www.californiabestlawyers.org.
EMPLOYEE PERSONAL INJURY

State of California
Department of Industrial Relations
DIvision of Workers' Compensation

WORKERS' COMPENSATION CLAIM FORM (DWC 1)

Employer: Complete the "Employer" section and give this form to your employer. Keep a copy and mark it "Employee's Temporary Receipt" until you receive the signed and dated copy from your employer. You may call the Division of Workers' Compensation and have recorded information at (800) 736-7401. An explanation of workers' compensation benefits is included in the cover sheet of this form.

You should also have received a pamphlet from your employer describing workers' compensation benefits and the procedures to obtain them.

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

Employer—complete this section and see note above. Empleado—complete esta sección y vista la notación arriba.

1. Name. Nombre. _____________.

2. Home Address. Dirección Residencial. _____________.

3. City, State, Zip. Ciudad, Estado, Código Postal. _____________.

4. Date of Injury. Fecha de la lesión (accidente). _____________.

5. Address and description of where injury happened. Dirección y lugar donde ocurrió el accidente. _____________.

6. Describe injury and part of body affected. Describa la lesión y parte del cuerpo afectada. _____________.

7. Social Security Number. Número de Seguro Social del Empleado. _____________.

8. Signature of employee. Firma del empleado. _____________.

Employer—complete this section and see note below. Empleado—complete esta sección y vista la notación abajo.

9. Name of employer. Nombre del empleado. _____________.

10. Address. Dirección. _____________.

11. Date employer first knew of injury. Fecha en que el empleador supo de la lesión o accidente. _____________.

12. Date claim form was provided to employer. Fecha en que se le entregó al empleado la peticion. _____________.

13. Date employer received claim form. Fecha en que el empleador recibió la petición al empleador. _____________.

14. Name and address of insurance carrier or adjusting agency. Nombre y dirección de la compañía de seguros o agencia administradora de seguros. _____________.

15. Insurance Policy Number. El número de la póliza de Seguros. _____________.

16. Signature of employer representative. Firma del representante del empleado. _____________.

17. Title. Título. _____________.

18. Telephone. Teléfono. _____________.

Employer: This form is not an admission of liability. Empleado: Esta forma no significa admisión de responsabilidad.

Employer: You are required to date this form and provide copies to your insurer or claims administrator and to the employee, dependent or representative who filed the claim within one working day of receipt of the form from the employer. Empleado: Debe fechar esta forma y proporcionar cajas a su compañía de seguros, administrador de reclamos, o dependientes/representantes de reclamos y al empleado que haya presentado esta petición dentro del plazo de un (1) día laboral desde el momento de haber sido recibida la forma del empleado.
PURPOSE

This procedure will provide guidance on enforcing MTS fare ordinances and specified laws of the State of California onboard MTS conveyances and in fare paid zones as well as providing positive customer assistance.

POLICY

Inspectors and officers are responsible for ensuring that all patrons are complying with MTS fare ordinances and specified state laws approved by the MTS Board. In addition to fare inspections and MTS related law enforcement, all transit enforcement personnel shall provide polite, professional and prompt service during their tour of duty. This includes, but is not limited to, route information, station locations, directions to our business offices and the issuance of citations.

PROCEDURE

Public Information and Assistance
CCIs provide information and assistance to patrons, upon request, with regard to fare media, train schedules, connecting bus routes, locations and points of interest, trolley vehicle specifications, trolley line expansion information and rules and regulations. CCIs must have general knowledge of these areas and/or be prepared to advise patrons where to obtain the correct information.

Onboard Inspection
Generally, CCIs board trains at random on their assigned line, noting the time, station boarded, direction (EB/WB) and train/LRV numbers on their Daily Log. Inspection of fares is the heart of the self-service system. Therefore, CCIs routines vary by changing directions, taking breaks at different times and inspecting different trains in a random order. As inspections occur, CCIs perform an accurate count of the number of patron fares checked on each car. CCIs move to other cars (LRVs) in a constant manner after a car has been checked. CCIs de-board one LRV and board another at the next available station, or de-board and wait for another train in either direction.

Fare Paid Zone Inspections

Rev. 07.31.2017
Fare Paid Zones (FPZ) are designated areas within boarding platforms at all trolley stations. People within the FPZ must be in possession of proper proof of fare or be in the process of purchasing one. Code Compliance and security personnel are authorized to inspect for proper proof of fare purchase. Persons found to be in violation of the fare ordinance may be warned and requested to leave the pre-paid area or issued a Notice to Appear. The appropriate statute is MTS Ordinance #2.

Once an inspection has begun on the platform, every attempt must be made to inspect all persons present. All inspections must be fair and impartial, and no individual or group is to be singled out. An accurate count of all people inspected must be kept and documented in the officer/inspectors’s daily log.

When an inspection is complete, and the officer/inspector remains at the station, additional people walking into the FPZ should be contacted and inspected.

The Fare Paid Zone concept not only helps in controlling fare evasion, but also other prohibited behavior such as loitering, trespassing and vandalism. High visibility fare inspections also helps maintain a safe and secure environment.

Visual Inspection of Transit Centers

CCIs visually inspect transit centers each time they are in such areas. The inspection includes, but is not limited to; ticket vending machines (TVMs), Platform Card Interface Devices (PCID), parking lots, bus stops and vendors’ property. Any problems should be reported using the “Systems Applications Product” (SAP). Urgent safety or security issues should be reported directly to the Operations Control Center (OCC) via radio or telephone.
PURPOSE

This procedure establishes the guidelines for Code Compliance Inspectors when handling found property and/or evidence obtained during their enforcement duties. Evidence obtained from incidents where law enforcement ultimately takes over an arrest/crime scene will be handled by the respective police agency.

POLICY

Property, evidence, narcotics and weapons will be handled and processed in accordance with the following procedures:

PROCEDURE

The proper processing of evidence for a criminal matter or impounded property (found property or otherwise) is critical to the integrity and investigative function of any law enforcement agency. Following the established procedures will ensure appropriate chain of custody, maintain the integrity of evidence collected, and safeguard Code Compliance personnel against charges or impropriety in handling of evidence and property. For these reasons, the SDMTS, Transit Enforcement Department WILL NOT tolerate careless misconduct in processing of evidence/property.

A. IMPOUNDING FOUND PROPERTY:

CCIs will handle lost property and/or bulk property in accordance with established Metropolitan Transit System Standard Operating Procedures (SOP) 101.03. (http://intranet/departments/support-services/customer-service/crm-customer-cases-and-lost-found) In all cases where bulk property is recovered as a result of an arrest, every effort should be made to release control of the property to the responding law enforcement agency.

Bulk Property Defined

Bulk property is property that cannot be contained and packaged in a single, standard large evidence bag (approximate size 17” x 12” x 17”).

Rev. 07.31.2017
Description
When a lost article is found or delivered to a Code Compliance Inspector, they will inspect the article and determine if the article/item is acceptable to be placed in lost and found at the Transportation Department Assignments Office. Recovered items must not be handed over to persons ownership without proper identification to validate ownership. This is especially important if the article is of value.

NOTE: IF AN ITEM IS SUSPICIOUS IN NATURE, EITHER BY APPEARANCE OR LOCATION FOUND, DO NOT TOUCH THE ARTICLE BUT NOTIFY A SUPERVISOR OF THE SITUATION AND FOLLOW INSTRUCTIONS GIVEN.

B. HANDLING OF FOUND CASH

Wallets and bags containing cash and/or credit cards, are routinely found by or turned into Code Compliance Inspectors (CCIs) and TSS Officers. In order to maintain a clear chain of custody and ensure proper handling of found currency and credit cards, the following procedures will be followed:

1) Upon taking possession of found cash and/or credit cards, the CCI/TSS Officer will activate their Body Worn Camera (BCR) and ask the appropriate questions regarding the discovery (who found, where found, circumstances, etc.) and count the money in view of the BCR. Additionally, if there are credit cards in the wallet/purse, identify those and the type as well (i.e. 1 Visa Card, 1 American Express Card, etc.)

2) The circumstances of the discovery, description of the found item and amount of cash will be reported to the Dispatch Center via phone rather than over the radio.

3) The dispatcher taking the information shall create a CAD entry documenting the incident.

4) If the found item and/or cash is transferred over to a Mobile Unit or other MTS Transit Enforcement unit (i.e. CCI Supervisor, TSS Supervisor) from the first discovering or accepting unit, that unit will, upon taking possession of the found cash and/or credit cards, activate their Body Worn Camera (BCR) and ask the appropriate questions regarding the discovery (who found, where found, circumstances, etc.) and count the money, and credit cards if any, in view of the BCR.

5) The found item and cash and/or credit cards, will be transported to the Assignments Office as soon as possible. Upon arrival at the Assignments Office, the Transit Enforcement unit will again, activate their BCR, announce to the personnel in the Assignments Office that the BCR is activated, identify the Assignments Office personnel taking possession of the cash and credit cards if any, and count the money in view of the BCR. The denominations should be clearly identified as the money is counted out (i.e. 3 x $1, 2 x $5, 1 x $10, 1 x $20 for a total of $43 U.S. currency). It is not necessary to count coins.
6) The final MTS Transit Enforcement unit (to include TSS) to handle the found cash and credit cards if any, shall complete an E-force report documenting the entire transaction. 
(Addendum added 05-31-2019)

Lost Article Identification and Handling

1) Lost and found articles will be processed at SDTI by Assignments Office personnel and transferred to the Transit Store. The items will be logged in the CRM system by the Assignments Office personnel, stored in a clear plastic, barcoded bag, and dispensed from the Transit Store, located at 1255 Imperial Ave, Suite 100A, 619.234.1060.

2) Lost and found articles that are considered perishable (i.e. food products), soiled, or otherwise present a health issue will not be retained, but disposed of in an appropriate method. A CRM record will still be created for these items by Assignments personnel, and the case status immediately updated to ‘Disposed’.

3) An on-duty CCI Supervisor should be called to impound knives/blades and other dangerous objects. For firearms/illegal drugs/property likely part of a crime, the local police department should be called and a CCI Supervisor should be alerted. All remaining items will immediately be logged and secured, and turned over to Assignments. The property/evidence will be transported to the Transit Store Monday through Friday each week by a member of the Bus Maintenance team.

4) All items transported to Assignments shall be documented on an Officer’s Report and include the following:
   a) Date and time the article was found
   b) Location where item was found (Operating line if known, or ‘Other’ for all other instances)
   c) Name of individual (employee or otherwise) who found the item, if known, as well as a description of the property. Employees should also provide their employee ID number.

   If cash is found, that amount must also be documented in the CRM record. If cash amount exceeds $500, it must be immediately turned over to the police department for the jurisdiction in which it was found.

   The Assignments Supervisor will enter the above information into the CRM including a basic description of the article and the barcode number of the bag issued.

5) Bicycles recovered on SDTI property will not be accepted by the Transit Store. MTS Facilities Department must be notified and the bicycle secured and transported to the MTS Bus (SDTC) Bike Storage area at IAD. A CRM record should be initiated by Trolley Assignments, then will be updated by MTS Customer Service once the bicycle has been transported to IAD.

6) In the event the Assignments Office is closed, lost and found articles should be turned in at Central Control. These items will be transferred to the Assignments Office at the earliest opportunity.

Claim/ Recovery of Lost Items

7) Recently recovered items that are time sensitive may be recovered from the Assignments Office located in SDTI Maintenance Facility ‘A’ after proper identification of the article. Such persons claiming the article must be escorted by an MTS employee while in areas not open to public access.

All other inquiries for lost and found articles should be directed to the MTS Customer Service, 619.557.4555.
8) The Assignments Supervisor must obtain the owner’s signature on the claim stub and update the CRM to include the claimant’s name, contact information and time the property was returned. It is imperative that appropriate entries be made so as to provide proper documentation regarding the recovery and release of the article.

9) Telephone numbers for Central Control or the Assignments Office must not be provided as a lost and found contact point. For an immediate check of trains or stations, contact the Controller via radio. All other inquiries should be directed to the Transit Store after noon the next business day.

10) Most lost and found articles will be retained for fourteen (14) days at the Transit Store, after which time the article will be donated to a local charity organization or turned over to the San Diego Police Department Headquarters (if estimated item value exceeds $100).

Lost Article Tag

All property determined to be impounded must be impounded no later than the end of shift. Inspectors must make a concerted effort to promptly deposit all property in the proper location as soon as possible. Supervisors should be available to facilitate all impounds during their respective shifts.

EXCEPTIONS:

1. Controlled substances of ANY kind, with the exception of Marijuana, and FIREARMS are to be turned over to the local Police Department or Sheriff’s Office and noted in a report.
2. Property that can be returned immediately to its owner (i.e., car keys, driver’s license, wallets, keys, etc.). SEE ESTABLISHED MTS LOST AND FOUND GENERAL POLICY PROCEDURE (continued)

3. Car keys, driver’s license, wallets, keys, etc. that an officer inadvertently forgets to return to a contact shall be noted in their daily activity log. Shift supervisors and dispatcher should be made aware as soon as possible of the unreturned property. Property will then be handled according to the MTS LOST AND FOUND GENERAL POLICY
4. Perishable and alcoholic items should be discarded and not impounded. Alcoholic items should be discarded on scene. Perishable items should be discarded where the item cannot be retrieved by the public. Whenever possible these should be photographed and the photograph attached to the report.
5. Pressurized gas bottles and flammable items should not be impounded, as transportation and storage of such containers may be dangerous. **SEE ESTABLISHED MTS LOST AND FOUND GENERAL POLICY** on proper disposal of items.

6. Property that is too large to fit in an evidence bag should be photographed and the photograph attached to the report. The item should be returned promptly to its owner.

B. EVIDENCE

1. Only evidence obtained in relation to a crime enforceable by SDMTS Transit Enforcement CCIs will be impounded at the Transit Enforcement Evidence Room. Some examples of evidence a CCI may be required to impound due to an SDMTS enforceable crime includes:
   a. Instruments to cause graffiti (markers, etching devices)
   b. Cigarettes for sale
   c. Marijuana possessed by a minor
   d. Narcotic paraphernalia/syringes

C. DIVIDING IMPOUNDS

All property shall be separated and impounded on individual property tags, with the exception of like items for the same charge. For example: Multiple ink markers for the same vandalism charge can go in the same bag. If other contraband was discovered then it goes in a separate bag(s).

D. WHERE TO IMPOUND

All impounds will be done at the SDMTS Transit Enforcement Evidence Room.

E. PACKAGING

Suitable containers should be used for transporting and impounding articles. Plastic evidence bags should be used for the majority of impounds. All sharp objects shall be securely covered to avoid accidental injuries.

F. FILLING OUT THE PROPERTY/EVIDENCE in eForce

Beginning at the top, fill out the form completely. It is mandatory to fill in as much information as is available as this may help in an investigation or return the property to the owner.

1. SEIZURE DATE

   The actual date and time impounded property was taken into custody, found or turned over to the officer or inspector.

2. INCIDENT TYPE

   The charge relating to the impound. If found Marijuana, indicate as Found Narcotics. Items rejected by Lost and Found, indicate as Found Property
3. DIVISION
SDTE

4. JUVENILE CASE
Mark yes (Y) or no (N) if the case relates to a juvenile case.

5. CRIME DATE
The actual date and time the crime relating to the charge was committed.

6. INCIDENT LOCATION
The exact address where found. Indicate street address, hundred block, intersection, etc.

7. KEY CASE NUMBER
Assigned bin number.

8. REPORTING OFFICER
Name of officer or inspector who recovered property.

9. ID
Identification number of officer or inspector who recovered property

10. ASSIGNED DETECTIVE
Name of inspector impounding property.

11. ID
Identification number of inspector impounding property

12. DETECTIVES PHONE NUMBER
619-595-4939

13. OTHER EVIDENCE SUBMITTED
Mark yes (Y) or no (N).

14. LAB SERVICE
Mark yes (Y) or no (N). When impounding Marijuana as evidence mark yes (Y).

15. DATE NEEDED

The date is ten (10) days prior to the set court date. If date falls on a weekend or holiday set for first business day prior. For Found Property, mark NA

16. PEOPLE AFFILIATED WITH THE LISTED PROPERTY

   a. Victim (V)- Person harmed or injured as a result of a crime, accident, or other event or action. Can also be a business or government entity
   b. Suspect (S)- Person thought to be guilty of a crime or offense.
   c. Witness (W)- Person who sees a crime or accident, take place.
   d. Reporting Party (RP)- Person who submits information of an incident.
   e. Officer (O)- Law Enforcement Officer or CCI.
   f. Finder (F)- Person who found property.

List the complete name, DOB, address, home phone, employer/school information (rank if military), business or military address, and business phone. This is needed to be able to return property to owner if applicable. The exception is O, last name/ID number and agency will do.

17. EVIDENCE INFORMATION SECTION

   a. ITEM# - Assigned tag number
   b. LAB SERVICE- Enter yes (Y) or no (N). When impounding Marijuana as evidence mark yes (Y).
   c. ITEM DESCRIPTION- Basic description of item being impounded. Descriptions should accurately reflect what is in an impound.
   d. QUANTITY- Number of like items being impounded.
   e. MAKE- Name of manufacturer
   f. MODEL- Name of version of a product.
   g. ID/SERIAL NUMBER- Group of numbers and letters assigned to an individual piece of property for the purposes of identification.
   h. EVIDENCE TYPE- Crime Report (CR), Found Narcotics (FN), Found Property (FP), Safekeeping (SK)
   i. FILE CONTROL # - Assigned bin number
   j. PROPERTY AFFILIATION- Person to who the property belongs to.
   k. NAME- Name of person who the property belongs to.
   l. FINDER WISHES TO CLAIM- Mark yes (Y) or no (N).

G. PACKAGING EVIDENCE
These next steps will show an example of the process of impounding Marijuana. Any other impound can begin at step 3.

1. Place the Marijuana on the digital scale provided. Do not remove the metal tray whatsoever. Make sure that the unit we use to measure weight is in grams. To find the right unit of measure push the on button on the scale. Once on, push the mode button to cycle through the units of measure till you arrive to the lower case g. This represents the unit of measure known as grams. Do not weigh the Marijuana inside of anything. The Marijuana must be weighed by itself.
2. After weighing, carefully place the Marijuana into a bag and seal it.
3. Once sealed the Inspector will write his/her name, ID number and date of seizure on the seal created. The writing will not be written over or below the seal. The Inspector will write his/her name over the seal splitting it in half.
4. Fill out an evidence tag with the required information. Case# will be the event number. Item will be the tag number. Date is the day the property was seized. Time is the time the property was seized. Description is a brief detailed description of the property being packaged. Location is the location the property was found. Officer is the Inspector responsible for the impound. If the property is for destruction add FOR DESTRUCTION in parenthesis in the description section. Then affix the evidence tag to the bag.
5. Fill out an evidence form located in the evidence drawer. If the property is for destruction write “For Destruction” in the incident type box on the evidence form. Remember to place a date that is ten (10) business days prior to your court date for the DATE NEEDED box. That is Monday thru Friday not counting weekends or holidays.
6. Print out an evidence report form from RMS and apply the appropriate signatures to the form.
7. Attach the forms to the evidence bag with the evidence report from RMS being the outermost form. Staple the forms to the bag in the upper left hand corner above the seal you created.
8. Have a CCI supervisor review the evidence for correctness.
9. Place the bag into an open evidence bin or the grey metal mailbox.

H. ENTERING EVIDENCE INTO RMS

A report will be needed for ALL IMPOUNDS, with the exception of hypodermic syringe and prescription drug disposal. Entering the impound into eForce is a final necessary step. Follow these steps closely.

1. Select PROPERTY off of the side menu.
2. The next screen prompts you to conduct a property search. Select NEW PROPERTY begin entering evidence into RMS.
3. At the top select the classification that coincides with the property.
4. Enter the date the property was found in DATE REPORTED.
5. In the RECORD TYPE drop down menu select the proper label for the type impound.
6. PROPERTY TYPE menu prompts you to select the label that describes the property.
7. The menu in PROPERTY STATUS should reflect the final disposition of the property.
8. Select the TAG NUMBER to queue RMS to provide a bin/tag number.
9. The BRAND field requires you to enter the name of the manufacturer of the property if any.
10. COLOR 1 & 2 is the color of the property.
11. MODEL/DESCRIPTION is the name of version of a product if any. If none enter a brief
detailed description.
12. QUANTITY field asks for the amount of property is being stored. For example five ink markers
should be labeled as 5. Marijuana for impound should be labeled 1.
13. SERIAL NUMBER enter the property’s serial number if any.
14. PROPERTY LOCATION enter the address where the property was found.
15. OWNERS select a person that the property belongs to. The drop down is filled from the people
involved.
16. COMMENTS enter FOR DESTRUCTION in this field to designate for disposal.
17. At the bottom of the page select TRANSFER TO EVIDENCE MODULE to finalize the
impound and save your information.
18. Return to the side menu Select PROPERTY off of the side menu.
19. Select EVIDENCE REPORT to print the chain of custody form or select ADD PROPERTY to
enter a separate impound related to the same report. Return to step one on this list in that case.
20. After your selection select PRINT in the upper right.
21. Once the form is printed, print and sign your name, and date in the OFFICER section. If the
impound was done on behalf of another Inspector/Officer draw a third line below RECEIVING.
That field requires the Inspector/Officer to print and sign their name, and date.
22. Attach the forms to the evidence bag with the evidence report from RMS being the outermost
form. Place the bag into an open evidence bin or the grey metal mailbox.

1. DISPOSAL OF HYPODERMIC SYRINGE AND PRESCRIPTION DRUG

1. Hypodermic Syringes should be handled with care at all times. Gloves should be worn to
create a barrier between your skin and the syringe. A needle stick or a cut from a
contaminated sharp can result in a worker being infected with a blood borne pathogen.
Syringes should be disposed of promptly. A sharps container will be available to field
personnel at all times. They will be located within patrol vehicles. If near the facility insert
the syringe in to a syringe tube and place it inside the gray metal mailbox for disposal.

2. Prescription Drugs will be transported to the facility and placed in the gray metal mailbox
for disposal.

I. ILLICIT NARCOTICS

In the event of illicit narcotics violations (i.e. heroin, methamphetamine, cocaine, marijuana processed for
sales, etc.) the CCI must follow the procedures below:

1. Immediately notify OCC
2. Immediately notify the law enforcement agency of jurisdiction.
3. Immediately notify your shift supervisor. If the responding agency has an extended response time the
supervisor will advise how to proceed.
4. Prepare an Officer’s Report narrative detailing the incident, including time, date, etc.
5. Surrender the narcotics and report to the responding officer.

6. Prepare an Incident Summary Report detailing the circumstances of the event. This report must include the name of the responding officer who took custody of the narcotics.

7. Turn the report into the shift supervisor before the end of shift.

Found Narcotics

In the event of found narcotics (excluding marijuana), the procedure below shall be followed.

1. Immediately notify your shift supervisor. The supervisor will direct the CCI to:
   a. Contact the law enforcement agency of jurisdiction for found narcotics.

2. Prepare an Officers Report detailing the incident. Include the name of the Supervisor you contacted and who witnessed the evidence procedure.

3. CCIs are not permitted to log narcotics (other than marijuana) into evidence at the MTS.

J. MARIJUANA

Marijuana can come to the attention or possession of CCI by enforcement action (minor in possession of marijuana, smoking in no smoking area) or as found marijuana. No matter how marijuana comes into the possession of a CCI, it shall be processed as described in Section G of this procedure. **UNDER NO CIRCUMSTANCES WILL THE CCI DISPOSE OF NARCOTICS.**

K. WEAPONS

Weapons as found property

Found weapons such as pocket knives, kitchen knives, etc. that are not illegal nor part of a criminal matter, should be rendered safe by the CCI or supervisor and processed as found property.

In the event that the CCI discovers an illegal weapon (i.e. gun, brass knuckles, Billy club, illegal bladed weapon- dirk or dagger, etc.) on MTS property, the procedures below shall be followed:

1. Recover the weapon, in as safe a manner possible, with particular regards to your personal safety and the safety of others.

2. Contact the law enforcement agency of jurisdiction to respond for disposition. Law enforcement may not respond in all cases.

3. Provide an Officer’s Report to the responding agency documenting the details of the incident. Document any suspect information you may have.

Volatile or hazardous weapons
In the event a CCI discovers a hazardous or volatile weapon(s), (i.e. handgun with the hammer cocked back) the procedure below shall be followed.

1. Clear the immediate area of patrons and bystanders. **NOTIFY THE CCI SUPERVISOR.**

2. Maintain control of the area. Avoid handling firearms unless there is an imminent danger of bystanders or patrons attempting to retrieve or handle a firearm.

3. Notify the local law enforcement agency of jurisdiction of the circumstances to insure a quick response, or request assistance from the closest **ARMED TSS OFFICER OR TSS SUPERVISOR.**

4. A law enforcement officer, armed TSS Officer or TSS supervisor should be allowed to make the firearm safe. **Regardless of a CCIs personal training, a CCI should avoid handling firearms unless absolutely necessary to insure public safety.**

Weapons with a suspect in custody

In the event you have placed a suspect under arrest for any charge and a weapon is found on their person or in their possession, the procedure below shall be followed.

1. Contact the law enforcement agency of jurisdiction and advise of the type of weapon you have. Local law enforcement may want to respond to determine if a weapons violation has been committed.

2. If weapons violation has been committed, the local law enforcement agency of jurisdiction should take the weapon as evidence.

3. Contact the shift supervisor.

4. Provide a detailed report to document the incident and any suspect information you may have.

**Supervisors**

It will be the responsibility of the shift supervisor to insure the property or evidence seized during the Supervisor’s shift is processed according to procedure and all pertinent documentation is completed prior to the end of shift.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department when handcuffing, searching and transporting subjects.

POLICY

CCIs who handcuff, search and transport prisoners shall do so in accordance with the following procedures.

PROCEDURE

It is the responsibility of all Code Compliance Inspectors (CCIs) and the Transit Systems Security contractors to preserve the safety of persons in their custody. It is the duty of Transit Systems Security personnel to protect them from harm and to protect others from being harmed by persons in custody, prevent escape and preserve evidence within established guidelines as a Code Compliance Inspector or Transit System Security contractor. Handcuffs are an effective security tool that officers should use to full advantage on persons under arrest, compromising the officers’ safety or the safety of others. This policy does not supersede policies previously established.

A. Handcuffing

All persons taken into custody shall be handcuffed prior to being transported. Persons who are detained during a contact or investigation by police may be handcuffed when that procedure reasonably appears necessary to ensure the safety of the officer and others, and to prevent escape.

1. All persons shall be handcuffed with their hands behind them and with their backs of the hands together, unless this technique would hamper and investigation or the prisoner has a physical condition or injury that precludes this technique. If exceptions are made, officers should consult with a supervisor.

2. Two, (or more if subject is of an extreme size) sets of handcuffs may be used if the prisoner’s physical stature precludes them from being flexible or able to put the backs of their hands together under normal circumstances. CCI Supervisors will also carry with them, in the supervisor’s vehicle, a set of “oversized” handcuffs for use with larger subjects.
3. Code Compliance personnel and Transit Systems Security contractors shall apply handcuffs tightly enough to control the subject and shall double lock the handcuffs as soon as practical. Over-tightening the handcuffs shall be avoided. (A common tactic used to ensure sufficient space and to reduce injury is to insert a fingertip between the handcuff and the prisoner’s wrist).

4. Code Compliance personnel and Transit Systems Security contractors shall not permit prisoners to be unattended at any time.

5. Code Compliance personnel and Transit System’s Security contractors shall not permit prisoners to stand or walk behind them at any time whether or not handcuffed.

6. One officer shall not attempt handcuffing a suspect in the high risk kneeling or prone position. If practical, wait for a cover officer prior to handcuffing.

7. In situations with extremely violent and / or unruly subjects, Hobble Restraints, four-point restraints and cord cuffs may be applied to those prisoners who present a danger to themselves or others by kicking at officers, vehicle windows, doors or screens or by slipping their cuffed hands in front of them. The use of these types of restraints shall be approved by a Sergeant and not applied by only one officer. Use of Force documentation is required if any of these types of restraints are used.

8. The free end of the Hobble Restraints, four-point restraints or cord cuffs, may be secured to the bolted portion of the vehicle “cage”.

B. Searching

It is the duty of the arresting Code Compliance personnel to ensure safety by preventing complacent searches of persons and property. Weapons that go undiscovered as a result of a less than thorough search have the potential of injuring someone.

1. All prisoners shall be thoroughly and carefully checked for weapons and sharp objects such as syringes, knives or razorblades.

2. The prisoner holding area of all vehicles shall be searched before and after transporting prisoners.

3. All prisoners shall be searched prior to placement in a vehicle unless exigent circumstances make the search impractical. A search shall be conducted as soon as is practical or the subject has been restrained in a safe manner to facilitate a search.

4. Code Compliance personnel and Transit Systems Security contractors shall use extreme caution and good judgment when conducting a search.

5. Searches incident to an arrest are conducted to recover; instruments used to commit the crime; Fruits of the Crime, Identification, and Weapons.
6. A subject arrested for non-custodial misdemeanors may only be searched if the officer has **probable cause** there may be evidence of the crime concealed on that subject.

7. Generally, personnel shall handcuff the prisoner prior to searching. Searching should be systematic and based on dividing the prisoner’s body into quadrants. Personnel should maintain balance and control throughout the search.

8. **Code Compliance personnel and Transit Systems Security contractors** shall make every effort to have female personnel conduct searches of female prisoners. If it is obvious that a female prisoner is concealing a weapon then male personnel may retrieve it if no female personnel are immediately available. If female personnel are unavailable, request the local law enforcement agency with jurisdiction to have a female officer respond. Male personnel may conduct a search of a female prisoner ONLY if female personnel are unavailable and it is witnessed by **Code Compliance or Transit System Security personnel**. The searching technique will incorporate the back and edge of the hand when searching the chest and groin area.

9. Searches of purses or wallets ALWAYS require a witnessing official. If the searches involve the handling of money, weapons, or jewelry, the nature and content of the property shall be documented in the appropriate report.

C. **Transporting**

1. **Code Compliance personnel and Transit Systems Security contractors** should not transport a prisoner in any vehicle not equipped with a “prisoner cage” and seat belt restraints.

2. One Code Compliance Inspector and one other person shall transport prisoners.

3. If possible, one of the personnel transporting the prisoner shall be Transit System Security and be armed.

4. Transporting prisoners with unarmed personnel shall be a last resort.

5. When transporting one prisoner, he/she shall be seated in the middle or behind the front passenger in a manner that enables the driver to use the rear view mirror to monitor the subject.

6. All prisoner transports requires time and beginning and ending mileage to be given to SDPD dispatch or Operations Control Center, first stating your unit number; destination; time; then last three numbers of your odometer reading.

7. Adults and juveniles shall **NOT** be transported together, even if related.

8. Males and Females shall **NOT** be transported together, even if related by family or marriage.

9. Combative prisoners shall **NOT** be transported with other prisoners.
10. When it is necessary for the officer to conduct business away from the prisoner, the CCI/officer shall have another CCI/officer monitor the subject. In field situations, officers shall monitor their prisoner(s) at all times. While at a secured police facility, officers shall ensure the periodic monitoring of their prisoner(s).

11. When prisoners are left in cars during hot weather, both front windows shall be rolled completely down for ventilation or the air conditioning will be left on.

12. All prisoners shall be restrained by seatbelts unless impractical.

13. San Diego Trolley, Inc. employees or its contractors shall not engage in calls for service when a prisoner is in their custody.

14. San Diego Trolley, Inc. employees or its contractors shall NOT transport prisoners arrested by any other agency.

D. Transporting To Headquarters

Subjects may be transported to SDPD Headquarters for an identification process or other approved reasons.

1. Officers escorting prisoners in the police headquarters building should use unoccupied elevators.

2. The escorting officer should notify other persons entering the elevator that prisoners are present.

3. Adult prisoners shall remain handcuffed when in all common areas of any police facility, including the elevators.

4. Prisoners shall be made to face the walls while being escorted in the elevators.

5. In accordance with Penal Code Section 851.5, any person who is arrested and held for more than three hours without being booked has the right to make a telephone call.

6. The arrested person shall be entitled to make the telephone calls at no expense if calling within a local area. The telephone calls shall be given immediately upon request or as soon as practical.

7. If a prisoner needs to relieve himself/herself, an officer of the same sex shall keep the prisoner under observation at all times.

E. Controlling Unruly Prisoners

1. Officers transporting persons suspected of being mentally disturbed, under the influence of any hallucinogen, or under the influence of a drug-induced psychosis shall have a second officer monitor the prisoners.
2. A spit sock may be used to deter spitting and to prevent contamination to a person or property. It shall not be modified for any other purpose. Under no circumstances will any other type of restraint be placed over the mouth or around the subject’s neck to control spitting.

F. Cordcuff Leg Restraint (“Hobble Restraint”)

1. Law enforcement should be called when a suspect in custody becomes violent or assaultive.

2. If a suspect who has been arrested continues to struggle in a violent manner while handcuffed, the Cordcuff Leg Restraint may be used in order to control the subject while waiting for law enforcement.

3. Before applying the Cordcuff Leg Restraint, the suspect’s hands should be handcuffed behind his/her back and the handcuffs double locked. THE CORDCUFF LEG RESTRAINT AHLL NOT BE APPLIED TO THE HEAD OR NECK OF A SUBJECT.

4. When applying the cordcuff restraint, one CCI/officer should be responsible for the application and another CCI/officer should be responsible for controlling the subject.

5. There are three (3) techniques in applying the cordcuff leg restraint:

A. The Waist/Handcuff Restraint Technique is used to prevent a subject from slipping the handcuffs under the legs to the front position.

   1. The restraint is looped around the subject’s waist and clipped to the double locked handcuffs.

   2. To make the restraint taut, the restraint can be wrapped around the handcuff chain.

   3. When a large subject is involved, two restraints may be joined together.

B. The Leg Hobble Restraint Technique controls movement of the feet, yet allows the subject to walk.

   1. The restraint is looped around the subject’s waist and clipped to the double locked handcuffs.

   2. To make restraint taut, the restraint can be wrapped around the handcuff chain.

   3. The restraint is then wrapped twice around the other leg above the ankle and snapped onto the cross member formed by the restraint. The subject can then walk, but with limited mobility.

C. The Maximum Restraint Technique should be used as a last resort to control handcuffed subjects who are violent and continue to resist or kick. Officers should consider lesser force
options prior to using the Maximum Restraint Technique. No officer or inspector shall apply maximum restraints without having received prior training in the technique.

1. The Maximum Restraint Technique incorporates two or more handcuffs. The subject is placed in the prone handcuffed position with hands behind the back and the handcuffs double locked.

2. The first cuff is used to restrain the feet by wrapping it around the ankles. As the subject is rolled onto his/her side, the second cuff is wrapped around the waist. The snap hook is pulled through the loop and slack taken out. The loop and snap hook are in front of the suspect. A knot can be made at the loop. The slack in the cuff is made taut by pulling the snap hook between the suspect’s legs.

3. The subject is rolled back onto the stomach. The snap hook on the cuff on the ankles is brought to the snap hook from the waist cuff and attached. The subject is now maximally restrained.

4. In some cases, it may be necessary to attach two cuffs together to go around the waist. Modifications may need to be made due to the variations of the slack in cuffs to maximally restrain.

5. Subjects who are in maximum restraint shall not be left unattended on the prone, face down position. As soon as the subject is maximally restrained, IMMEDIATELY ROLL THE SUBJECT ONTO HIS/HER SIDE and monitor consciousness and breathing.

6. A field supervisor shall be called to all incidents involving a suspect being maximally restrained.

7. Generally, law enforcement will transport suspects that are maximally restrained. In the rare occasion where a CCI/security officer must transport the suspect, he/she shall not transported in a prone position. Subjects who have been maximally restrained shall be transported sitting sideways across the back seat.

D. To place the subject into the back seat of a vehicle, one officer will lift the subject’s upper body by grabbing the subject from the rear under the arms and across the chest (fireman’s carry). The second officer will control the legs at the cuff. The third officer will prepare the back seat and seat belts. The third officer will take control of the feet from the second officer and guide the subject into a sitting position across the back seat. The subject will be seat belted in at the feet and waist.

E. The preferred method for lifting and carrying a subject in the maximum restraint position is to sit that subject up. A CCI/officer will be positioned on each side of the subject.

F. They will lift the subject by placing one hand behind the subject’s knee on their side and the other hand on the inside of the upper arm. CCIs/Officers should simultaneously lift to minimize the potential of injury.
G. If the subject continues to struggle, bite, or spit, the subject may be listed in the prone position. At least three CCIs/officers should be involved with this lift. Two will be on either side and the third will be on the legs. As soon as possible, the subject should be placed on his/her side or in the sitting position.

H. The subject will be transported in the maximum restraint position, on one side, with at least one officer to monitor breathing/consciousness and protect from injury.

1. An Ambulance should be called to the scene and transport any subject who is in the maximum restraint position when that subject is:
   a. Unconscious;
   b. Not a functional level of consciousness (If a person does not know who he/she is, where he/she is, what the time and date is, or what is happening, then the person is not a functional level.);
   c. Having difficulty breathing;
   d. Convulsing;
   e. Having a seizure; or
   f. Complaining of lasting pain or injury

2. A subject may become passive and compliant after being placed in maximum restraint. SDTI personnel have the option of releasing the subject from maximum restraints. If the subject is released, the cordcuffs should be kept in place in case he/she again turns violent. Also, if a subject continues to kick, shoes/boots can be removed to limit the damage that can be done.

“At risk” prisoners shall be kept under constant observation by Department personnel while in the police custody.
PURPOSE

This procedure establishes consistent use, storage, charging and maintenance of the Hand Held Unit (HHU) fare checking device.

POLICY

HHU devices are used to confirm valid Compass Card fare. It is the responsibility of all Inspectors and Security Officers to ensure their issued device is properly working and maintained in good working order throughout their tour of duty. Issues concerning the accuracy or reliability of an HHU shall be reported to a supervisor immediately. If the device’s accuracy or reliability is questioned, it shall be removed from service until its condition can be checked by the Security Systems Administrator.

PROCEDURE

1. Watch Commanders, or their designee, shall issue an HHU to every Code Compliance Inspector and Security Officer at the beginning of each shift.

2. Every CCI and Security Officer, at the time of issuance and in the presence of a supervisor, shall be required to activate the unit using his/her ID number/PIN and tap a Compass Card to insure the HHU is functioning properly.

3. At the end of shift a supervisor will retrieve the HHUs from field personnel and perform a “health check” on the unit to confirm its operability. Operable units will then be placed in the charging cradles and checked to confirm that the LED lights are in charge mode.

4. Watch Commanders, supervisors and mobile field units shall carry extra fully charged batteries and HHUs (if available) in their vehicles to replace failed units during the shift.

5. Field personnel who experience HHU failure shall immediately notify the Watch Commander or the CCI Security Systems Administrator and request a replacement. Daily logs shall contain the time the unit went down along with the unit number and the time a replacement was obtained and its unit number.
PURPOSE

The primary purpose of the Body Camera Recorder (BCR) system is documentation and preservation of contacts between MTS Transit Enforcement personnel and the public. The recording of the Transit Enforcement Department's interactions with its patrons provides transparency and accountability for the citizens that use our transit system. The BCR is designed to assist and compliment inspectors in the performance of their duties. Through proper utilization, the BCR will aid in the prosecution of criminal offenders, refute false allegations of departmental wrongdoing, assist and provide evidence during civil litigation, and provide video and audio documentation for future training needs.

POLICY

The BCR system is intended to support officers’ actions during various citizen encounters by providing a visual and audio record of contacts. The video and audio recording will provide an account of the incident being recorded and supplement the officer’s report.

Nothing in this policy prevents the Transit Enforcement Department from utilizing BCR video and audio footage during an internal affairs investigation; although, it should be noted in many instances BCR video and audio footage has been invaluable in refuting false allegations against MTS personnel.

PROCEDURE

Training

It is the policy of the Transit Enforcement Department for all officers to be properly trained in the use and operation of the BCR system. In those unique situations where an officer has not received BCR training; the officer will secure supervisor approval prior to operating a BCR.

At a minimum, training shall consist of:

1. Instruction in the function and use of the BCR
2. Instruction in the proper times to activate or deactivate the BCR system according to this policy
3. How to make a "case"

4. How to preserve a "case" as evidence

5. How to request a digital copy of a recording for Court

6. How to report a BCR that is in need of repair

The individual conducting the training will assure the officer receiving the instructions fully understands the BCR system and its proper operation.

BCR Usage

At the start of a shift, the officer will check to assure the video files from the previous shift were successfully downloaded. Any malfunction or failures during the download shall be immediately reported to the shift supervisor and a work order shall be submitted to the Technology Services Supervisor (TSS) by the reporting officer.

Each officer shall record, both visually and audibly, the following:

1. All calls for service
   
   (a) This shall include all officers who arrive to a call for service whether or not he/she was assigned to the call.
   
   (b) The BCR shall be activated while en route to the call and remain on until the call is completed.

2. Fare Enforcement and Pedestrian Stops

3. Arrests

4. Contacts with the public whenever possible

5. Accident Scenes

6. Suspect Interviews

Private citizens do not have a reasonable expectation of privacy when talking with officers during the scope of an officer’s official duties. Therefore, officers are not required to give notice they are recording. However, if asked, officers shall advise citizens they are being recorded but are not required to cease recording an event, situation, or circumstance solely at the demand of a citizen. Advising a citizen they are being recorded during the contact may reduce a violent confrontation or prevent a complaint against an officer.

Exceptions to the BCR recording policy are permitted where a confidential informant's identity must be protected, or an investigative technique preserved as authorized by California Evidence Code 1040, 1041, and 1042. Officers will be required to provide justification for not recording a particular incident or contact as

Rev. 07.31.2017
described above. All digital evidence collected using the BCR is considered a record of MTS and for official use only.

Review of BCR video and/or audio by a supervisor may include but are not limited to commendations, training, the investigation of complaints, an unambiguous and reasonable concern of unprofessional conduct or allegations of misconduct, quality assurance, officer involved traffic collisions, use of force investigations, prior to release of the recording in response to a proper legal request, and the review of critical incidents.

1. Officers shall not make surreptitious recordings of conversations with other Department members except when necessary in a criminal investigation.

2. The BCR shall not be intentionally activated to record conversation(s) of fellow employees with or without their knowledge during routine, non-work related activities.

3. The BCR shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms.

4. Officer shall not record confidential informants or undercover officers.

5. Officers shall not allow citizens to review the recordings.

6. Officers shall not make copies of any BCR recording for their personal use.

7. Accessing, copying, forwarding, or releasing of any BCR recording for other than official work related purposes is strictly prohibited and subject to discipline. Public release of digital evidence is prohibited unless approved by the Chief of Police/Director of Transit Security or his/her designee.

8. Officers shall not record while on employee breaks, report writing, or during other administrative functions including discussing a case with other officers.

9. Officers may use media captured via the BCR, to review their own recordings, to assist with an investigation, completion of reports, and before any statements in an internal investigation. Officers should also document the presence of the BCR in a report.

(a) Digital evidence captured by the BCR is not all inclusive. The BCR captures a less broad and less detailed image than the totality of the human senses. An officer’s recollection of specific details may be different than what is captured in digital evidence. Officers should review digital evidence prior to completing reports and prior to providing testimony at hearings, trial, or depositions.

10. Officers may use media captured via the BCR for training purposes, with proper authorization from management.

11. In situations where there is a need to review digital evidence not covered by this policy, it must be approved by the Chief of Police/Director of Transit Security or his/her designee. Each situation will be evaluated on a case by case basis.
The above list is not all-inclusive and each officer is encouraged to use his or her judgment regarding BCR usage. If an officer fails to record a disputed incident they should provide justification for the lack of a recording and should document this explanation in a comprehensive report. A crime in progress happening unexpectedly is an example where an officer may not have sufficient time to activate the BCR. During incidents as described, an officer should activate their BCR as soon as practical and safe to do so.

It is not the intent of MTS to review digital evidence for the purpose of a general performance review or to discover policy violations.

**Officer’s Responsibilities**

Prior to the beginning of each shift, each officer utilizing a BCR system shall perform the below pre-operational and operational inspection to ensure the BCR is functioning correctly:

1. Adequate power source (batteries)
2. Connected to the recording equipment
3. Activation of system via transmitter (microphone)
4. Camera Lens free of debris
5. Camera facing intended direction when clipped and placed in an accessible location on your uniform shirt
6. At the end of each shift, the BCR should be downloaded into a docking station and returned to the equipment room.

(a) Any malfunctions of the BCR shall be documented and given to the Technology Services Supervisor (TSS) for processing. Additionally, the officer’s immediate supervisor will be informed verbally of the BCR malfunction.

(b) Damage or theft of a BCR shall be documented on the appropriate forms and reported to the employee’s immediate supervisor.

**Video/Audio Storage**

All digital recordings made during the course of an officer’s duties should be downloaded to the Media Storage Server which is a read-only system. No changes may be made to the audio file once the file has been downloaded to the share drive.

1. Digital recordings should be downloaded daily, at the docking station, no later than the end of the officer’s shift.
2. Do not remove the BCR from the docking station until all the data is uploaded and the battery is fully charged. This clears the BCR’s memory from existing data.
3. All digital recordings will be retained for a period of sixty (60) days, unless the tapes are evidence in any criminal matter, claim or pending litigation. Any recording needed for a criminal proceeding, claim or lawsuit will be retrieved and booked into evidence and the supervisor will be notified.

4. Tapes of evidentiary value (civil or criminal) should be burned to an audio Compact Disc and booked as evidence, as well as being downloaded to the share drive.

5. Once downloaded to the share drive, audio files will not be duplicated and/or a copy of an audio file released except by court order, District Attorney's discovery request, or upon written authorization of a supervisor.

The Security Systems Administrator will coordinate the production of copies to be released to authorized persons as described above. The back-up server will also house back-up storage for BCR stored files. The back-up storage will be removed by an Information Technology (IT) technician who will in turn release them to the Security Systems Administrator after the Security systems Administrator completes a comprehensive report. The BCR data on the storage servers will be kept for sixty (60) days from the date of the last recording on the device.

**BCR Malfunctions**

For BCR equipment repairs, supervisors are to notify the Security Systems Administrator.

**Evidence Preservation**

A BCR recording of evidentiary value will be saved by creating a "case" for the digital recording. Once a case has been created it shall be "named" or labeled by the incident number, call number, or citation number. The cases that are saved will not be purged from the system until the case in question has been adjudicated.

A case saved in the above manner will be considered saved as evidence.

Any report related to a digital recording, which has been saved as described above, should indicate in the evidence section of the report that a digital recording of the incident was preserved and saved as evidence.

Only those digital files which have been saved as a "case" can be burned to a DVD.

Should questions arise, further guidance is available from the Security Systems Administrator.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the Transit Enforcement Department in the enforcement of Metropolitan Transit Systems ordinances and approved code sections. Additionally, it establishes the authority by which a Code Compliance Inspector may issue a notice to appear (citation) for a violation of law or MTS ordinance in lieu of booking into a custodial facility.

POLICY

CCIs may enforce MTS Ordinances, and approved San Diego Municipal Codes, San Diego County Code of Regulatory Ordinances, California Public Utility Codes, Health & Safety Codes, California Vehicle Codes, Business & Professions Codes, and California Penal Codes sections when appropriate. CCI’s are expected to inspect for fares and be alert to other violations to include quality of life violations during their tour of duty. Passengers avoiding fare payment are in violation of MTS Ordinance No. 2 and possibly other state and local laws. Therefore, it is imperative that each passenger found without proof of payment be addressed using positive and appropriate enforcement.

PROCEDURE

The San Diego Metropolitan Transit Development Board (also known as San Diego Metropolitan Transit System), Codified Ordinance NO. 5, Section 5.3 outlines the vested authority of MTS employed Code Compliance Inspectors to enforce MTS Ordinances, approved San Diego Municipal Codes, San Diego County Code of Regulatory Ordinances, California Public Utility Codes, Health & Safety Codes, California Vehicle Codes, Business & Professions Codes and California Penal Code sections. California Penal Code Section 836.5 authorizes Code Compliance Inspectors employed by MTS to arrest a person without a warrant whenever the CCI has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in the CCI’s presence which is a violation of the statutes and ordinances which he or she has the duty to enforce.

Section 5.3 Duties and Authorizations

A. Inspectors employed by the San Diego Metropolitan Transit System (MTS) and Inspectors employed by San Diego Trolley, Inc., are hereby vested with the duty to enforce MTS Ordinances No. 2, No. 3, No. 4, No. 11, and No. 13 and the following code sections; Business and Professions Code Sections 4140 and 25662, Health and Safety Code Sections 11364 and 11357(b),
and 11532, Public Utilities Code Sections 5411.5, 120450, 120450.5, 120451, and 120452, Penal Code Sections 148, 219.2, 308(b), 369(g), 417.25(a), 470(a), 481.1, 555.1, 555.2, 587(a), 594, 594.1, 594.2, 594.4, 602(f), 602(o), 602(q), 640, 640(a), 640.5, 647(a), 647(c), 647(j), and 653(k), Vehicle Code Sections 5204(a), 21456, 21461(a), 21955, 22500, 22507, 22521, and 22526, San Diego City Municipal Code Sections 56.54 (at transit facilities owned, controlled, or used by the Board, including but not limited to transit centers, rail stations, bus shelters, and bus stops on public and private property), 58.05(b)(1), and 58.05(b)(2), and San Diego County Code of Regulatory Ordinances Section 32.1303. In accordance with Penal Code Section 836.5, Inspectors employed by MTS are authorized to arrest a person without a warrant whenever an Inspector has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in the Inspector's presence which is a violation of the statutes and ordinances which he or she has the duty to enforce.

When a person onboard or at a trolley platform is found without fare (or not in the process of obtaining fare at a platform) or violating other enforceable ordinances or laws, the inspector should take appropriate enforcement action. Some factors to consider are:

1. Consideration is given to the validity of the passenger’s explanation, particularly if the patron is unfamiliar with the MTS system (tourist). If, in the CCIs’ judgment, the passenger is legitimately confused and is willing to purchase a ticket, the CCI may allow him/her to exit the train at the next stop to do so. The passenger may be issued a Written Warning or a Field Interview form may be completed.

2. In the case where a fare machine malfunctions, the CCI is to give consideration to the passenger’s situation and allow him/her to exit the train at the next stop and purchase a fare. Upon refusal, the CCI may issue a citation. If a citation is written, it must be accompanied by an explanation regarding the status of the fare machine and the rider’s refusal to obtain fare at the next possible location.

3. If a prolonged system-wide or local failure occurs during high volume (peak) times, emergency trolley tickets will be sold by designated personnel. Power failures are infrequent, but the assumption should not be made that they will be quickly corrected or that several stations will not be affected. This procedure is in keeping with established policy that all passengers on board must have proof of payment per MTS Ordinance No. 2

If a passenger found without fare refuses to provide satisfactory identification or the verbal identification provided is suspect or found to be invalid, the CCI may transport the subject to the SDPD Central Division for the specific purpose of identifying the passenger by fingerprint analysis. The inspector shall first inform the watch commander of their intent and coordinate the fingerprint process with the SDPD through the OCC.

If the passenger simply refuses to sign the citation or fingerprint verification is not practical, the inspector may transport the violator to the presiding court for immediate arraignment and identification before a judge. If this becomes the most practical means of completing the enforcement contact, the inspector shall inform the watch commander of the situation before initiating the transport. An armed security officer shall in all circumstances accompany the inspector and violator.
When issuing a citation to an active duty military violator without a local address, the inspector shall include the ship name/ duty station and FPO number (military zip code). The FPO number is always followed by San Francisco. Examples of incomplete military addresses are: NTC, MCRD, Balboa Hospital, USMC, etc.

Once the inspector enters all necessary information on the citation, the violator should be given their copy. If the violator tears it up or throws it away, do not pick it up. If the violator attempts to hand back the citation, it should not be accepted. If the violator refuses to accept his/her copy after signature has been received, confirm a positive mailing/alternative address.

Any corrections made on the citation must be initialed by the CCI. No changes may be made on the court copy after the violator is issued their copy.

After a citation is issued, notes are written down on a separate piece of note paper, PD 145, or supplemental, regarding the circumstances of the violation. Notes contain information about the contact and any comments or actions made by the violator. Also, include the type of identification which was presented and whether the individual was cooperative, hostile, or intoxicated. The notes are for the CCI’s benefit in case of a court appearance. For citations issued for misdemeanor offenses, a supplemental narrative report shall be completed.

Any fares or compass cards confiscated by a CCI for evidentiary purposes must be initialed and dated by the CCI. Collected fares and notes are stapled securely to the file copy of the citation. Notes for juvenile contacts must be written on the back side of the court copy. If a passenger being cited is requested to move to a new location on the vehicle or to disembark, he/she should be advised clearly (for their safety) to hold onto handrails or stanchion bars. Passengers being cited must not be taken beyond their intended destination, especially on the last trains of the day.

For citation processing, corrections and voiding/ dismissal procedures, see SOP Section 500.1
PURPOSE

Establishes the authority by which a Code Compliance Inspector may issue a notice to appear (citation) for a violation of law or MTS ordinance to a violator under the age of 18. The section also explains and outlines eligibility for participation in the Juvenile Diversion Program.

POLICY

Code Compliance Inspectors are generally prohibited from issuing citations to minors under the age of 14 years. Penal Code Section 26 defines juveniles under the age of 14 as being incapable of committing a crime with the following exception:

- Clear proof must exist that, at the time of committing the act charged against them, the juvenile “knew its wrongfulness”.

(per Karen Landers’ letter to Juv Court dated May 5, 2017, CCIs can cite juvenile offenders)

PROCEDURE

A CCI may issue a citation to a juvenile between the ages of 12 and 14 years if it can be clearly articulated in the officer’s notes, reports, citation narrative, and statements that the juvenile was aware that their actions were illegal. This can be accomplished by:

- Statements made by the juvenile that would clearly demonstrate that, at the time of the offense, the juvenile was aware of the wrongfulness of the act.
- Attempts by the juvenile to alter or forge fare media.
- Prior warnings issued to the juvenile by the CCI issuing the citation
- A prior history of receiving citations for similar acts.

A CCI may only issue a citation to a juvenile under the age of 12 after obtaining the approval of a Supervisor. The issuing Inspector must clearly articulate the facts establishing the “knowledge of wrongfulness” to the Supervisor in order to receive approval to issue a citation.
As a general rule, issuing a citation to ANY juvenile 10 years of age or younger will not be permitted. In these cases, Inspectors and Supervisors should seek alternative methods of compliance such as contacting the parent or guardian via telephone and advising them of the situation. If a Supervisor grants approval to issue a citation to a juvenile 10 years of age or younger, the Inspector issuing the citation and the Supervisor granting approval must submit Arjis-9 reports detailing the circumstances of the violation and justification for issuing a citation.

JUVENILE DIVERSION PROGRAM

Juveniles are not handled in the same manner as adults. As a benefit to the minor and the parent or guardian, the San Diego Metropolitan Transit System offers an alternative to personally appearing in court. The Juvenile Diversion Program has been developed, and made available to eligible juveniles, by the Metropolitan Transit System and the Juvenile Court. This program is only available to eligible juveniles at the discretion of the Metropolitan Transit System and is offered at the time the Notice to Appear is issued. If the program was not offered at the time the Notice to Appear was issued, the juvenile is not eligible. The program is designed to be made available to some first time offenders for select violations in order to alleviate some of the burden on the parents or guardians of appearing in court, requiring absences from work and school.

The Juvenile Diversion Program is completely optional.

Juveniles are less apt to have written identification, other than school ID. CCIs should attempt to secure a residential or other phone number when questionable identification cannot be confirmed.

After issuing a citation to a juvenile for a fare related violation, a detailed narrative shall be written on the back of the court (white) copy of each citation issued (an attached Officer’s Report may be completed and attached to the citation in lieu of writing the narrative on the back of the citation). Include information relative to the attitude and cooperation of the offender. Uncooperative behavior, hostility, verbal abuse, etc. should be clearly detailed, as well as the elements of each offense. How the juvenile was identified should also be included.

If offered, and the offender would like to participate in the Juvenile Diversion Program, and settle the violation for a reduced cost and avoid appearing in court, the following instructions are on the back of the pink copy of the San Diego Metropolitan Transit System Juvenile Diversion Program form. There are no exceptions to these instructions.

1. Pay $25.00 within 30 days of the Notice to Appear issuance date or Pay $50.00 within 60 days of the Notice to Appear issuance date

2. Mail check or money order to: MTS Juvenile Diversion Program Transit Enforcement Department 1255 Imperial Avenue, Suite 1000 San Diego, CA 92101

3. Include Yellow Copy of the Juvenile Diversion Program Notice (with updated address)

Payment must be received at the above address (including the Yellow Copy of the Notice given to the juvenile at the time of the violation) on or before the 31st (or 61st) calendar day after the Notice to Appear was issued.

If payment is not received according to the above instructions, the Notice to Appear will be sent to the Court for regular processing. You must appear in court on the date indicated on your pink copy Notice to Appear, with your
parent or guardian, whether you are admitting or denying the charges. The minimum fine, if the minor appears in court and either admits or is found to have committed the violation, is $75.00.

MTS will send confirmation of receipt of payment and notice of settlement using the Yellow Copy of the Juvenile Diversion Program Notice, within 10 business days, to the address provided on the Notice to Appear or the updated address provided on the Yellow Copy of the Notice.

If the offender does not wish to participate in the Juvenile Diversion Program, they should follow the instructions on the back of the Pink Copy Notice to Appear which was issued to the minor at the time of the violation and appear in court on the date noted on the Notice to Appear. The minimum fine if the minor appears in court and either admits or is found true to have committed the violation, is $75.00.

Copy of San Diego Metropolitan Juvenile Diversion form
PURPOSE

Establishes the authority by which a Code Compliance Inspector is allowed to secure the thumbprint of a violator in lieu of arrest/transport to the presiding judge.

POLICY

The California Penal Code outlines a procedure for fingerprinting for infractions in § 853.5 that exactly mirrors the procedure in § 853.6 for misdemeanors. The wording of the two statutes is almost identical leaving no significant discrepancies in procedure regardless of the nature of the offense. When a person is arrested for an infraction, a peace officer shall only require the arrestee to present his or her driver’s license of other satisfactory evidence of his or her identity for examination and to sign a written promise to appear contained in a Notice to Appear. **If the arrestee does not have a driver’s license or other satisfactory evidence of identity in his or her possession, the officer may require the arrestee to place a right thumbprint (or left thumbprint or fingerprint if the person is missing or has a disfigured right thumb) on the Notice to Appear.**

PROCEDURE

While the courts may accept a thumbprint in lieu of verified identification when a violator is released on a written and signed promise to appear, at trial, it remains the inspector’s responsibility to identify the defendant as the subject cited on the date of violation. Inspectors shall use all means practical to affect this positive identification. The primary method is use of the body worn camera to document the physical appearance at the time of citation. Still images may be reproduced for trial to submit to the judge as a supporting document for purposes of positive identification at trial.
PURPOSE

This procedure established the guidelines for conducting Special Enforcement Details (SED). An SED is an effective way of conducting fare enforcement and determining the fare evasion rate.

POLICY

CCIs will participate and conduct Special Enforcement Unit Details (SED) in accordance with the following procedures:

PROCEDURE

Generally, Special Enforcement Unit (SEU) details are zero tolerance fare inspections consisting of up to 30 security officers and CCIs at one randomly selected for a set period of time. During a SED, 100% of patrons in station and onboard (with trains directions) are inspected for proper fare.

A CCI supervisor will be on-site at all SED’s. For any extraordinary situations, the designated on scene SED Supervisor will be consulted and he or she will determine what course of action to take.

All Code Compliance Inspectors (CCIs) and contract security personnel are instructed to handle fare violators in the following way:

If the patron has no proof of fare, wrong fare, wrong way fare or expired fare, a citation will be issued. After being cited, if the patron wishes to continue riding the trolley he/she must purchase a fare. For juvenile offenders that have no money in their possession may be allowed to continue to their destination, based on the CCI’s discretion, so that they do not become stranded. In those situations, a phone call should be made to the juvenile’s parent(s) if possible.

Verbal Warnings will not be issued at SEDs. To properly document all violations, CCI and Contract Security personnel are required to issue Citations or Written Warnings, no exceptions.

All SED personnel are required to keep track of their contacts, citations and arrests based on the “SED Statistics” form requirements. The SED Supervisor is required to collect and submit the statistics from each SED on the “SED Statistics” form.
Example of SED Statistics form

## SEU STATISTICS

<table>
<thead>
<tr>
<th>Date:</th>
<th>August 1, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time:</td>
<td>0801-1001</td>
</tr>
<tr>
<td>Location:</td>
<td>Beyer Blvd.</td>
</tr>
</tbody>
</table>

**Patrons Contacted**: 4,684

**CONTACTS Including:**

- Only Fare Violations Committed: 117
- Only Quality of Life Violations Committed: 0
- Both Fare Evasion & Quality of Life: 0
- Other Violations Committed: 0
- Allowed to Upgrade/Purchase Fare (Warning): 5

**Total Violations Committed**: 117

**ARRESTS Including:**

- Cities with Only Fare Violation Arrests: 0
- Cities with Only Quality of Life Arrests: 0
- Cities with both Fare Evasion and Quality of Life: 0
- Other Arrests: 0

**Total Arrests**: 0

**Revenue Collected**: $198.26

**Evasion Rate**: 2.60%
PURPOSE

This procedure identifies the scope of authority and restrictions on Code Compliance Inspectors assigned to the Transit Enforcement department in the inspection of discounted fares. This section also indicates proper proof of eligibility a patron must present upon inspection while using a discounted fare.

POLICY

CCIs must complete accurate checks of eligibility when a patron presents a discounted fare. CCIs may confiscate passes and fares when appropriate in accordance with the following procedures.

PROCEDURE

MTS offers reduced fare passes for:

- Senior Citizens (60+ years of age)
- Medicare Recipients (Not Medical)
- People with disabilities who qualify under the American with Disabilities Act (ADA)
- Youth ages 6 to 18 years

Passengers utilizing an SDM card, along with all patrons, will be treated with dignity and respect. Perceived violations by persons with disabilities will be dealt with on a case by case basis so as to cause as minimum disruption to the disabled passenger as possible. If a person has a disability that is not readily noticeable, the CCI should be sensitive when making an inquiry to justify the use (proof of eligibility) of a discounted fare.

MTS accepts different forms of identification that must be presented while using a discounted fare. For the Senior, Disabled, Medicare “SDM” passes, the following forms of identification are acceptable:

- Compass Card Photo ID
- A valid government-issued photo ID with birthday

Rev. 07.31.2017
• Medicare card + government issued photo ID
• State of California DMV Placard ID (Receipt) + a government issued photo ID
• State of California Senior ID card (60+ years of age)

MTS reduced fares for juveniles “Youth” whose age appears to be questionable must present the following forms of identification as proof of eligibility:

• Government issued ID with photo and date of birth
• School ID with photo and date of birth

If a CCI encounters a patron using a “Youth” pass without ID and believe the age is questionable, should follow the following steps:

• Verify date of birth with School Police records
• Verify date of birth with San Diego Police records (If juvenile has been issued a state ID card but does not have it in their possession)
• Contact a parent or guardian to obtain information and date of birth

Youth Ready Passes and or valid Compass cards will not be confiscated from patrons who, by appearance, are clearly under the age of 18. Only when age is questionable, i.e., 19-20-21 years, should proof be requested. Youth Ready Passes are legal from the age of 6 through the 19th birthday month. If a pass holder is 18, it is proper proof of fare.

A citation must be issued when any fare is confiscated. If a patron clams to have valid proof of eligibility but does not have it with them, the following applies:

Patrons are given an SDTI/MTS business card with the phone number (619) 595-4939, and advised an appointment must be made, prior to visiting the office, to reclaim the pass. Proper documentation must be brought with them. Failure to call for an appointment, within three business days, will result in the citation being processed, unless extenuating circumstances exist. If a call within three business days is not made, the pass is not returned.

Confiscated fares must be attached to the citation along with a detailed cite notes and given to the CCIs supervisor prior to end of shift. Passes, Compass Cards, or any other fares must not be taken home, left in desks, lockers or mail boxes. If the pass or Compass Card is not claimed within three business days, the citation will be processed and sent to the court.

Notice

The supervisor will ensure the above steps are followed. Failure to follow the above procedures will be documented and forwarded to the Deputy Director of Transit Enforcement for appropriate follow-up.

Rev. 07.31.2017
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department.

POLICY

CCIs will treat all patrons and violators of the Metropolitan Transit System in the same manner regardless of citizenship status or perceived status, when contacted.

PROCEDURE

CCIs will not make assumptions regarding the citizenship status of patrons in the United States. All violators will be treated in the same manner: either cited and released or warned and ejected.

If a CCI issues a citation to a person who may be a non-citizen, identification may be oral. The inability to produce written identification, style of dress, speech, and/or demeanor must not be used a reason to request Border Patrol. Any problem regarding identity that cannot be handled by a CCI or Security Officer, should result in a call to the local police agency for assistance.

CCIs should realize that issuing citations to persons, who the CCI suspect are undocumented, is similar to issuing citations to transients; chances are remote that they will appear in court. Circumstances surrounding each incident should determine what action to take.

Under no circumstances will a CCI detain an individual merely for an immigration violation or hold a person pending arrival of Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) personnel.
TITLE: WARRANT CHECKS

CLASSIFICATION: ALL TRANSIT ENFORCEMENT PERSONNEL

OTHER DEPARTMENTS: NONE

ORDERED BY: MANUEL E. GUADERRAMA, CHIEF OF POLICE
TRANSIT ENFORCEMENT DEPARTMENT

SUPERCEDES: SOP 200.9 DATED 12.01.1997

PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department when conducting warrant checks.

POLICY

CCIs have the authority to conduct warrant checks on individuals who are on MTS property.

PROCEDURE

CCIs who contact for fare evasion or other MTS ordinance on MTS property may conduct a records check for outstanding arrest warrants.

CCIs may not delegate the responsibility of running names for warrants.

If it is determined that the subject contacted has an active arrest warrant, a call should be made for police assistance. If the police is unable to respond or will not transport the individual because the amount of bail is too low, the individual will be released.

All warrant checks are logged under “Remarks” on Daily Logs. The total numbers of warrant checks made during a shift are logged at the bottom of the CCI recap page of the Daily Log.

Request for the name check should not be overused.
PURPOSE

This procedure establishes guidelines for handcuffing subjects by Code compliance Inspectors assigned to the Transit Enforcement Department.

POLICY

Code Compliance Inspectors may secure individuals using handcuffs when appropriate.

PROCEDURE

All CCIs receive training in the proper use of handcuffs and are expected to use proper arrest procedures.

CCIs involved in a physical confrontation may protect themselves by using handcuffs to restrain a violator.

CCIs are authorized to use handcuffs in hostile situations where the CCI has determined physical restraint, through handcuffing, is necessary for self-protection or the protection of others. Persons who are detained during a police investigation may be handcuffed when that procedure reasonably appears necessary to ensure the safety of the inspector and others. All persons shall be handcuffed with their hands behind them and with the backs of the hands together, unless this technique would hamper an investigation or the prisoner has a physical condition or injury that precludes this technique. If exceptions are made, inspectors should use caution and good judgment.

Inspectors shall apply handcuffs tightly enough to control the subject and shall double lock the handcuffs as soon as practical. Over-tightening the handcuffs shall be avoided. Inserting a fingertip between the handcuffs and the prisoner’s wrist will ensure sufficient space and reduce the risk of injury.

Officers shall not permit unattended prisoners to walk or stand behind them, whether or not handcuffed. All prisoners shall be carefully checked for weapons.

Improper use of handcuffs will result in strict disciplinary action.

CCIs are authorized to handcuff violators who give false information during an enforcement contact. If the violator is cooperative and no force is used, CCIs are not required to do an Officers Narrative Report. CCIs
must write in their log that the violator was handcuffed. CCIs must release the handcuffed violator with a Notice to Appear or written Warning.

Violators who become hostile, and pose an imminent threat for the CCI should be handcuffed. Factors to consider should include close proximity coupled with ability.

An Officer’s Narrative, a Use of Force Report and an Incident Summary Report is required whenever handcuffs are used to restrain a violator that is combative and force was used to gain control of the subject. The CCI shall document the facts of the incident and why the situation justified using force to handcuff the violator.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department.

POLICY

CCIs may secure individuals in flex cuffs when appropriate.

PROCEDURE

San Diego Metropolitan Transit Systems recognizes the potential of multiple arrests at some events such as protests or where crowd becomes eminent. It is not practical to carry several pairs of issued steel handcuffs on a duty belt. To eliminate the impracticality of carrying several pairs of standard issued handcuffs, flex cuffs can be carried on the duty belt with a minimal impact to the wearer.

Primarily, standard handcuffs should be used. In the event you are called upon to handcuff more than one person, flex cuffs may be used as your secondary choice. Flex cuffs shall only be used as prescribed by the manufacturer or by MTS. Every CCI shall follow the procedure below.

Duty Belt

Each CCI may carry spare flex cuffs interlaced on their duty belt between the belt and the loops of the keepers or other equipment on the belt. The number of spare flex cuff sets is optional based on the space available on the duty belt. CCIs shall position the spare flex cuffs so they do not interfere with, or impede the safe optimal use of any equipment that is on the duty belt.

Applying Flex Cuffs

The flex cuffs should not be placed on the offender’s wrist in a manner that cuts off circulation. Provide approximately a finger space between the offender’s wrists and the cuff. Larger or muscular persons may require that an additional flex cuff be used as a link to the cuffs on the wrists of the person. Standard issued handcuffs may be applied temporarily and replaced with flex cuffs if there have been multiple arrests made and there is a shortage of standard issue handcuffs.
Removing Flex Cuffs

Flex cuffs shall be removed by the approved cutters or blunt tip safety scissors only. **DO NOT** use a knife, utility knife or other sharp edge tool that could cause injury to the offender or the employee removing the cuffs.

Cutters

The approved cutters shall be placed in mobile units to be utilized when releasing an offender that has been handcuffed with flex cuffs. Lost or damaged cutters shall be reported to a supervisor so they may be replaced.
PURPOSE

This procedure establishes guidelines for paramedic or other emergency medical treatment assistance.

POLICY

CCIs will administer first aid to the extent of their abilities until the first responder arrives and takes charge of the patient.

PROCEDURE

When requesting paramedic, CCI’s should do the following:

A. Notify Communications

1. Upon arrival at any scene where medical aid is needed, CCI’s should notify the Operations Control Center (OCC) of the following:

   a. Victim’s approximate age
   b. Victim's chief complaint
   c. If the victim is breathing
   d. If the victim is conscious

A Sick/Injury Report shall be completed to document the circumstances/facts leading to the need for paramedics/emergency responders.
PURPOSE

The purpose of this Standard Operating Procedure is to provide guidelines to Code Compliance and Contract Security in handling special events and crowd control at San Diego Qualcomm Stadium and Petco Park.

POLICY

CCIs will conduct fare inspections and perform other tasks while assigned to events at San Diego Qualcomm Stadium and Petco Park in accordance with the following procedures.

PROCEDURE

Deployment of Personnel

Personnel assigned to work special events/crowd control for events at the San Diego Qualcomm Stadium and Petco Park may be deployed in one or more of the following capacities:

- Uniform Patrol
- Fixed post station surveillance (turnstile at stadium, major transit transfer points, station platforms, and revenue protection at designated locations
- Plainclothes (on-board trains and station parking lots)

For each event, a special directive is issued, which outlines the number of personnel needed, assignment location, and duration. The directive will be provided to SDTI Controllers along with an assignment sheet on the day of the special event. All activities of the Code Compliance and Contract Security personnel are coordinated with the SDTI Line Supervisor (event coordinator).

Closed Circuit Television

The Qualcomm Stadium Station and stations around Petco Park are equipped with closed circuit television. Security personnel may monitor the following areas before, during, and after special events to facilitate crowd control:
1. Station platforms to include pocket tracks
2. Plaza / Mezzanine level turnstiles and fare vending machines
3. Stadium elevator (Qualcomm)
4. Parking lots

The Qualcomm Stadium station is monitored from two (2) locations:

1. Stadium Station platform booth
   a. Code Compliance/Security personnel will be assigned during all Stadium events
   b. SDTI Line Supervisor will be assigned
2. Security Officers, Building C

The security officer (s) assigned to monitor the stadium will work closely with SDTI Line Supervisors to prevent overcrowding of station platforms.

Crowd control or more properly called, crowd management, is necessary to handle a number of inherent problems, including surging (the most problematical), excess debris and vehicle overloading. Our main concern is generally the large number of patrons trying to board LRVs at the same time.

This may lead to large volumes of people being confined to a space, the loading platform, too small for the size of the crowd. A single event with an unusually large crown can pose safety and security problems because passengers will wait at the edge of the curb or all the way along the platform at the Stadium Station.

The objective of Code Compliance and Security is not to allow problems to exist. This policy will identify the potential problems and our responsibility to eliminate these problems.

1. Surging

   Surging is the most serious problem related to crowd control. Volumes of people pushing into each other to reach a similar destination, is known as surging. Surging always causes the danger of crushing passengers, especially to frail individuals or children. Additional medical problems include potential heat exhaustion, lack of oxygen, and claustrophobia.

   The crowd is generally anxious when surging toward the point where pedestrians meet the vehicle. Should those passengers move just beyond that point, serious dangers may occur. More specifically, should the crowd surge into the vehicle path, the probability and severity of danger is high. If the crowd pushes passengers into the right-of-way, people can be injured or killed.
2. Debris

Crowds are also a maintenance issue. A large amount of debris can be anticipated after the crowd passes through a single center. Crowd management should aim for preventing maintenance issues and breakage.

3. Vehicle Overloading

San Diego Trolley, Inc. (SDTI) is concerned with preventing vehicle overloading. The following factors make overloading dangerous or illegal: seating capacity, gross vehicle weight rating (GVWR), health concerns, driver and vehicle limitations, AND tempers.

4. Other Problems

Large volumes of people coupled with alcohol consumption, increases the probability of fights breaking out, pickpocketing, vandalism, fare evasion, or trespassing into non-public areas.

Goals of SDTI /Security/Code Compliance

The comparative need for crown management is best measured in the number of passengers per minute who move onto the loading platforms. The goals are:

- Provide sufficient service to meet the high number of passengers per minute.
- Reduce the number of persons per square foot in the loading platforms to a manageable and safe size.
- Maintain the safety of passengers, staff, facility and LRVs.

Methods for Crowd Management

Methods to manage crowds include:

- Planning
- Establishing Committees
- Coordinating with Traffic Generators and Local Police
- Communicating with Key Staff
- Utilizing Proper Equipment
- Increasing Transit Operations
- Using a Consistent Approach
- Reducing the Size of the Crowd
- Keeping Transit Areas Clear
- Marketing Transit Services
- Establishing a Communications Center
Planning

Proper planning in urban development is essential especially when major traffic generators or transit facilities are being built. Large pedestrian areas surrounding the traffic generators and transit stops or stations must be considered. There needs to be a large area for the crowd to disperse outside the station.

Crowd Control Committees

These committees are composed of local police, ushering services, emergency medical services, communications, managing representatives, ticket offices, custodial staff, and transit officials of operations and security staff. The committee should meet regularly prior to each major event.

Coordination with Traffic Generators

Transit and stadium staffs must meet to discuss:

- Anticipated start/end time of event.
- Anticipated volume of passengers.
- Type of crowd anticipated.
- Extent to which start/end times are fixed.

Coordination with Local Police

Coordination with local law enforcement agencies will ease the burden of crowd control and build a strong relationship with other security forces.

Communicating with Key Staff

Communication paths between all participating parties must be installed at all key areas. The following should also be established:

- Anticipated paths of pedestrian movement.
- Patron travel demands.
- Number of local police and other security elements.
- Types of communications to be used.

Proper Equipment

Crowd control equipment includes radios, megaphones, public address system, portable metal fencing (bicycle racks are best, 40” high and 8 foot lengths, can connect and disconnect easily), sawhorse type barricades, proper signage, trash receptacles, and custodial equipment.
Increasing Transit Operations

Prior to the event, additional vehicles, drivers, supervisors, maintenance personnel and necessary equipment must be assigned. Increased headways will reduce frustration and anxiety of the transit crowd, and will reduce the period of time during which crowd control is required. The faster passengers are moved from the waiting areas toward final destinations, the more effective crowd management will be.

Consistent Approach to Crowd Management

Crowds are easiest to deal with when they are self-policed. A crowd that is informed, and not anxious, will cause few problems. If there are long delays, communication to the crowd is very important.

A short time may seem like a long time to a large group of people who are standing in line or are penned up. A little information at a time is effective. Signage is also good to keep people advised as to reasons for delay and how long the wait will be. When long delays exist, it is a good time for security personnel to interact with people.

Code words and phrases should be used, e.g., a bomb scare could be, “Opossum loose in the stadium”. “Electrical problems are causing delays” is also good to use. Every effort must be made not to panic a crowd.

Reducing Crowd Size

Allow small groups to enter the waiting areas. Barriers and barricades should be placed to disallow crowds to enter areas en masse.

Maintaining Clear Areas in The Station

Certain areas around the station should be kept relatively clear. Patrons are generally accepting of the explanation that the fire department requires certain areas to be kept clear and can understand that a waiting area can only accommodate a certain number of people.

Marketing Campaigns for Transit Services

Informing the public prior to the event through a marketing campaign of transit services and options is necessary. This campaign should also be coupled with proper signage for arriving patrons emphasizing key information.

Communications Center

An effective communications center with access to all communication channels for the organizations on site, is extremely useful in relieving some cases of crowd management. If these organizations cannot be on the same channel, the communications center must take responsibility for relaying information between such staff members. A good example is medical emergencies.
Role of Transit Security and Code Compliance Staffs

The roles for security and code compliance for major stadium events will be varied. As crowds reach the stadium ramp, an advisory by bullhorn must be made to have all patrons ready to present their fares for inspection at the top of the ramp. Assistance with fare purchases at the Vendo-mats and ticket booth must be fast to allow the crowd to flow smoothly and not gather at the base of the ramp disrupting pedestrian and traffic flow.

Quick, accurate inspections and passenger counting must be accomplished at the top of the ramp. Dispersion of the crowd to ramps and stairwells leading to the loading platforms must be balanced and controlled. Communication between platform and mezzanine personnel is essential.

Generally, the base of the pedestrian ramp will be controlled by security. The mezzanine level and turnstiles will be controlled by code compliance and the loading platforms will be controlled by security.

The safety of passengers and the restoration of normalcy are paramount to operations. Overall, the key to the safety and security of the crowd is limiting masses of people to manageable groups, keeping them informed and maximizing communications through planning and adequate staffing.
STANDARD OPERATING PROCEDURE

Title: USE OF FORCE

Classification: ALL TRANSIT ENFORCEMENT PERSONNEL

Other Departments: NONE

Ordered By: MANUEL E. GUADERRAMA, CHIEF OF POLICE
TRANSIT ENFORCEMENT DEPARTMENT


Purpose

Code Compliance personnel may encounter situations in the daily performance of their duties when the use of force is necessary and reasonable to effect an arrest, overcome resistance, or to protect themselves or others. This SOP is not meant to be all inclusive, but to offer guidelines on expectations we have for the reasonable and appropriate use of force while enforcing rules, codes and laws for the MTS.

Policy

The level of force considered to be reasonable is based on a number of factors. The U.S. Supreme Court in Graham v. Connor, 490 U.S. 386 (1989), acknowledged that the “reasonableness” test in analyzing the use of force is “not capable of precise definition or mechanical application”. For that reason, in determining whether an officer’s use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time force was used. All of the surrounding circumstances will be considered.

Procedure

Background

In most circumstances, an enforcement contact does not require any degree of force beyond compliance with your verbal instruction. In the circumstance where the subject is non-compliant with your lawful instruction, you may affect an arrest.

To affect the arrest where significant verbal or physical resistance is offered by the subject, the amount of force used should be that which is necessary and reasonable to overcome the active resistance. This is the standard by which all enforcement agencies are judged. This degree of force can and should be adjusted as the situation dictates. Active resistance that deescalates to compliance requires you to adjust your degree of force to meet the resistance at the moment.

In situations where the subject has suggested unwillingness to fully cooperate with your instructions, but is not offering physical resistance, you may choose to handcuff to control him/ her. If no resistance to the handcuffing is offered, there is no need for the inspector to generate a use of force report (see SOP Section 200.14, dated 07.31.2017). If resistance is met prior to or during the handcuffing, a use of force report shall be generated.
As the contact evolves, you should start to consider the gravity of the violation, conditions in the immediate area and indications from the subject that he/ she may become non-compliant. This is critical if the subject begins to flee from your contact. You are neither required to pursue nor are you precluded from pursuing, but each instance is unique and you must make a decision based on the totality of the circumstances. Critical considerations to factor in your decision to pursue are your safety, the safety of others in the area and the threat to the general public- either by your pursuit or the threat the subject may pose if allowed to flee the scene.

**Pat Downs**

Infractions are minor crimes and a pat-down for weapons or dangerous items is not legal without articulable facts to support the pat-down. If a pat-down is conducted, it should be conducted to feel for weapons and other dangerous items based on a reasonable belief the subject poses a threat and may be armed. If there is probable cause to believe a subject has a weapon or any other dangerous item, the subject should be searched. For example:

- If the subject is stating that he will “stab you,” he should be handcuffed and searched for weapons.
- If you visually observe items that could be weapons on a suspect, he should be handcuffed and searched.

It is not acceptable to pat-down a subject based on ethnicity, clothing, or non-threatening verbal comments. Any pat-downs performed should be supported by legal precedent. The justification for a pat-down needs to be articulated in the narrative of the report when documenting the arrest. It requires articulable facts that the person may be armed and dangerous. It is not sufficient to simply say, “For my safety, I conducted a pat-down and found…” Instead, a report should document all of the reasons why the officer reasonably suspected that the person might be armed and dangerous. Code Compliance Inspectors may not search a subject for identification unless they are able to articulate a lawful need.

Force may be used to affect an arrest; control a subject who is in lawful custody; prevent an escape; or protect the officer, the subject, or another person from injury or death. Anytime force is used the officer should apply a level of force that is reasonable for the situation. Appropriate and reasonable levels of force should be used based on the behavior of the subject(s) involved.

**Definitions: Levels of Resistance**

- **Compliant Behavior** – Behavior that complies with verbal commands, requests or explanations.

- **Passive Resistant Behavior** – Refusal to comply with verbal commands and does not convey a threat to the officer or another person.

- **Active Resistant Behavior** – Refusal to comply with verbal commands and conveys a threat to the officer or another person, or consists of physical opposition to attempts of control by the officer.
• Assaulative Behavior – Aggressive physical opposition to being physically controlled and conveys a threat of injury to the officer; or, behavior that consists of a threat of attack conveyed through aggressive physical actions or aggressive physical actions coupled with verbal threats. Verbal threats alone do not constitute assaulitative behavior. Assaulitative behavior can be directed at the officer or others.

• Life Threatening Behavior – Behavior likely to cause serious bodily injury or death.

Responses to Resistance

• Controlling Force – the force needed to control a subject who engages in passive resistance. This level of force generally involves use of physical strength, pain compliance defense techniques, and control holds.

• Greater Controlling Force – the force needed to control a subject who engages in active resistance. This lever of force may involve the use of techniques such as takedowns, distractions techniques, chemical agents, and the carotid restraint.

• Defending Force – the force needed to stop assaulitative behavior against an officer or another person. This level of force generally involves impact strikes by the officer. Impact strikes can be delivered by personal body weapons such as hands, feet, knees, etc.

Force May Be Used

1. When necessary to defend one’s self or others in an unprovoked attack.

2. To overcome resistance for the purposes of effecting an arrest.

3. When used in accordance with a lawful purpose, and restricted to the amount necessary to accomplish that purpose.

Improper Use of Force

1. Penal Code Section 149 provides that, “Every Public Officer who, under color of authority, without lawful necessity, assaults or beats any person”, is guilty of a felony.

2. The use of improper force occurs when the type of degree of force was excessive, unnecessary or unreasonable.

3. Improper force used by any Code Compliance personnel will result in disciplinary action up to, and including termination.

4. Use of any improper physical restraint or force such as a “choke hold”, or other life threatening or mayhem causing application will result in disciplinary action up to, and including termination.
Reporting the Use of Force

1. The Operations Control Center shall be notified immediately. Injuries to any participant shall receive medical assistance as soon as possible.

2. The Watch Commander will be notified by the OCC and a Transit Enforcement supervisor dispatched to the scene.

3. Required reports such as Officer’s Report, Use of Force Report, Sick/Injury and others deemed appropriate will be completed, approved by a supervisor and uploaded to the records management system prior to the end of shift. A Use of Force shall be completed, approved and presented to the MTS Field Operations Manager before the end of shift.

4. When an incident where force was used resulting in injury to any involved party, the MTS Field Operations Manager, Deputy Director of Transit Enforcement or the MTS Chief of Police shall be notified via telephone during and after regular business hours by the Watch Commander.
Example of Use of Force Form

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TRANSIT COMPLIANCE - TRANSIT ENFORCEMENT

**DATE:**

**TIME:**

**DAY OF WEEK:**

**NAME:**

**SEX:**

**DOB:**

**RACE:**

**OCCUPATION:**

**ON-OFF EVENT:**

**STATION: STOP LOCATION:**

**DATE/TIME:**

**UPV/ WITNESS:**

**Police Officer Reporting:**

**PRIMARY REASON:**

**FOR USING FORCE:**

- Necessary to defend self or another
- Necessary to prevent escape or arrest
- Necessary to prevent a violent felony

**SUBJECT APPEARED TO:**

- Under the influence of alcohol and/or drugs
- Mentally impaired

**LEVEL OF RESISTANCE ENCOUNTERED:**

- None
- Psychological intimidation (non-verbal acts indicating subject's attitude or physical readiness to resist)
- Verbal noncompliance (subject expressed unwillingness to comply with officer's commands)

**TOOLE/TECHNIQUE USED:**

- Verbal Commands:
- Empty Hand Control:
- Grab, Push, or Pull
- Control Hold (Duration: )
- Pressure Point (Duration: ) Number of Contacts
- Strike (Specify body part used) Number of Contacts
- Takedown Type
- Coated (Reversed Uncoated)?
- OC Agent (Duration: ) Number of Contacts
- Decontaminates Yes No
- Cord Cuff Restraint Device (Duration: )
- Impact Weapon (Number of Contacts: )

**SUBJECT INJURED:**

**EXTENT OF TREATMENT:**

- Yes No None Treated Hospitalized

**OFFICER(S) INJURED:**

**EXTENT OF TREATMENT:**

- Yes No None Treated Hospitalized

**SUPERVISOR PRESENT?**

- Yes No

**MARK FIGURE TO SHOW CONTACT POINT(S):**

**UPDATE:**

**REV.:** 07.31.2017

MTS - 120 1/10
PURPOSE

This Department procedure establishes guidelines on the use of liquid chemical agents.

POLICY

Code Compliance Inspectors are authorized to carry Non – Lethal CN/CS/OC Pepper (Oleoresin Capsicum) Chemical Agent on their person, while in the performance of their duties.

The use of chemical agents is authorized ONLY when it can be reasonably articulated that the use is in self-defense, or the defense of transit employees and citizens on transit property, from physical attack. The use of chemical agents as an offensive weapon is not authorized by SDTI.

PROCEDURE

A. Guidelines for Use

1. Oleoresin Capsicum (OC) shall be carried by all uniformed personnel who are authorized to use liquid chemical agents in the performance of their duties.

2. OC may only be used on a person who is engaged in active resistance, assaultive behavior, or life threatening behavior.

3. OC may only be used on handcuffed prisoners who are violent, are about to cause or are causing injury to themselves or others, or are causing damage to property.

B. Directions for Use of the First Defense Liquid Chemical Agent

1. The Def-Tec Mark IV (3 oz. canister), can be used with accuracy and effectiveness from five to twenty feet in calm, still air.

2. To be effective, the OC stream should be directed across the brow of the subject’s face. The spray will cause involuntary closing of the eyes, as well as swelling of the mucous membranes. Effects generally last 20 to 30 minutes.
3. The OC is mixed with a liquid carrier and deployed from a pressurized container. The agent is discharged from the container in a stream and can cause damage to soft tissues of the eye. Generally, CCIs using OC should not spray the liquid chemical agent at a subject’s face from a distance of less than three feet.

C. Reporting the Use of a Liquid Chemical Agent

1. Any CCI who uses a liquid chemical agent shall complete a detailed and accurate report concerning the circumstances of its use. In the event an on-scene supervisor authorizes the use of liquid chemical agents, that supervisor shall be responsible for ensuring that appropriate reports are submitted. An Officer’s Report and the Use of Force Form shall be completed by the end of the shift.

D. Medical Treatment

1. Any Department member who uses a liquid chemical agent shall ensure that appropriate treatment is administered.

2. Any member who uses a liquid chemical agent shall render first aid according to the following manufacturer’s guidelines:

   a. Flush the subject’s eyes with large amounts of cool water;
   b. Expose the subject’s face and eyes to fresh air;
   c. If contact lenses are worn, have the subject or qualified medical personnel remove them. Contacts may be contaminated and require discarding;
   d. Avoid rubbing the contaminated area; and,
   e. Do not apply creams, salves, oils, or lotions as they may trap the agent on the skin.

3. First aid treatment should be rendered as soon as possible. It must be done within 30 minutes of applying the chemical agent unless exigent circumstances make the treatment impractical. If the subject voices objection or physically resists, the officer shall make a reasonable attempt to persuade the subject to allow decontamination prior to transporting from the scene.

4. Inspectors shall document, in the appropriate report, the type of first aid given (and/or attempted) and the time it was rendered.

E. Control and Issuance of Liquid Chemical Agents

1. Department members are responsible for the liquid chemical agent equipment issued to them and shall not loan or give this restricted equipment to persons outside the Department.

2. Department members who need to replace a liquid chemical agent shall do the following:

   a. Return empty or damaged canisters to Operational Support for proper disposal and a replacement canister.
   b. Report any theft or loss of issued liquid chemical agent to a supervisor and complete an Officer’s Report.
3. As required by law, serial numbers and other marks of identification must remain on liquid chemical agent canisters. Personnel shall not remove any label or marks of identification from any chemical agent container.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department.

POLICY

When incidents of graffiti are discovered or reported to MTS Transit Enforcement, they will be documented in part through the Graffiti Tracker program in accordance with the following procedures.

PROCEDURE

The San Diego Metropolitan Transit System has signed an agreement with the County of San Diego and various law enforcement agencies to participate in the regional program called Graffiti Tracker. The program is a dedicated effort to identify gang and artistic tagging with a goal of apprehension and prosecutions of offenders. The program has a two-pronged approach, one concentrating on clean up and the other on photographing and classifying graffiti. As a part of this initiative, the Graffiti Tracker application has been loaded onto MTS issued smart devices (cell phones) to record coordinates of the targeted graffiti. Further, a web-site within the program will allow the uploading of photographs and other information pertinent to building cases for prosecution.

Process

1. Graffiti is discovered.

2. For graffiti that qualifies to be entered into the Graffiti Tracker Program a CCI or a CCI Supervisor, equipped with the Graffiti Tracker application loaded on their smart device, will respond to document the graffiti and legible monikers.

3. Pictures are taken of the graffiti using the MTS smart device.

4. Pictures, and the Graffiti Abatement sign containing general details of the incident, are uploaded to F:\Transit Enforcement All 5-1-2012\Graffiti Tracker Photos\2012\08-29-2012. A folder for the day’s pictures and the location (for example, F:\Transit Enforcement All 5-1-
2012\Graffiti Tracker Photos\2012\08-29-2012 Palm Ave Trolley Station) is created and the photos uploaded there.

5. The photo is then also uploaded to Graffiti Tracker via the Security Department’s administration team.

6. Cost of Repairs (COR), whether there was an arrest or not, are obtained by the Facilities Manager, Rolando Montes. A copy of the final COR is provided to the MTS Clerical Staff. The clerks will file the CORs under tag name identified on the COR. Graffiti Tracker cases are not entered into eForce unless/until an arrest is made. At the time an arrest is made, an eForce event will be created and overall cost calculated and entered into eForce.

7. After the photo is analyzed and classified by Graffiti Tracker personnel (24-48 hours), the clerical staff will enter the COR to the Comments Section on the case within Graffiti Tracker.

**On-Board – Trains and Buses:**

Procedures for coordinating photos on revenue vehicles: Coordination with Rail and Bus Maintenance.

**Onboard Trolleys:**

1. Seat cushions found vandalized with graffiti will be removed by LRV staff and placed in a designated location nightly. A staff member will be assigned to document these items at a set time each day. The cushions will be removed from the said location daily.

2. Exterior etching, when reported to LRV maintenance, will be reported to Security Dispatch coordinating documentation with the LRV supervisor.

3. Interior graffiti will be handled on individual basis. Major pieces will be reported to Operations Control Center dispatch for documentation prior to removal/cleanup, coordinating with the on-duty LRV supervisor.

**Onboard Buses:**

1. IAD – Two night Supervisors are present when buses that are in need of repair come into the depot.

2. Those requiring graffiti removal will contact MTS Security Night Owl for any major tags observed on the bus.

3. KMD – Buses are repaired as they come in. The Maintenance Manager, will advise their personnel to report any large tagging and legible graffiti to be documented by a Graffiti Tracker application equipped employee.

Note: Etchings on Plexiglas that are not legible will not be documented and simply replaced.
In-Station and Facilities:

Facilities Department personnel locating significant graffiti will report same to their Supervisor who will make the determination as to whether it should be included in Graffiti Tracker. Once the determination has been made by the Supervisor he will contact Operations Control Center Dispatch on channel #5 and report the graffiti. If it has not already been logged, he/she will dispatch a TSS Sergeant with a Graffiti Tracker application equipped smart device to the location to document the graffiti. Once it has been logged, Facilities will remove the graffiti. If the graffiti has already been logged, personnel will be notified that they are cleared to remove the graffiti.

Operations Control Center (OCC) Protocol:

CCTV staff will create a separate log for tracking Graffiti Tracker vandalism. Vandalism eligible for Graffiti Tracker will be reported and logged, so as to prevent duplicate reporting.

Vandalism Reporting:

CCIs will complete reports for vandalism when appropriate.
Example of COR form for Graffiti Tracker (in-house)

---

Memorandum

<table>
<thead>
<tr>
<th>Graffiti Tracker Incident #:</th>
<th>TWF:</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost or repair requested from:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date requested:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**MTS Metropolitan Transit System**

**GRAFFITI TRACKER**

<table>
<thead>
<tr>
<th>Location of Incident:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Incident:</td>
<td></td>
</tr>
<tr>
<td>Time of Incident:</td>
<td></td>
</tr>
<tr>
<td>MONiker:</td>
<td></td>
</tr>
<tr>
<td>CREW:</td>
<td>or GANG:</td>
</tr>
</tbody>
</table>

Attached is a report for which we need cost of repair information. The damage in the report may not be the only damage associated with this incident or it may over-estimate damage. Please refer to your department's TR for actual damage and repair.

1. LABOR

Record labor hours below and attach Trouble Report. (Standard labor charges as of 07/01/12 are as follows:)

- $38.60 / hr. - Maintainers (LRV, MOW or Revenue)
- $31.60 / hr. - Track
- $24.50 / hr. - Service Person
- $14.40 / hr. - Flaggers

<table>
<thead>
<tr>
<th>Department</th>
<th>Hours</th>
<th>Rate</th>
<th>Labor Sub Total</th>
<th>Overhead</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Person</td>
<td></td>
<td>$24.50</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Total Labor**

$0.00

2. PARTS

Record all parts used below and attach Trouble Report.

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>Part No.</th>
<th>Unit Price</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Subtotal**

$0.00

**Tax 7.75%**

$0.00

**Total Cost of Material**

$0.00

**Paint and body work (contracted)**

$0.00

**Grand Total Labor and Material**

$0.00

---

G:\600\CORP\MASTER XLS

Rev. 07.31.2017
Example of COR form for Graffiti Tracker (for buses and bus stops)

Graffiti Tracker Incident #: 398-0569

Cost or repair requested from: Beverly Neff

Date requested: March 14, 2012

Location of Incident: Market St and Morrison, Route 5 Bus Stop

Date of Incident: 3/8/2012

Time of Incident: 5:58 PM

MONIKER: ECHO

CREW: N/A or GANG: N/A

1. LABOR/PARTS/COMPANY

<table>
<thead>
<tr>
<th>Company</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Cost $0.00
PURPOSE

The purpose of this standard operating procedure is to provide guidelines for the MTS Canine Unit and to provide direction on how to request a response or assistance from a San Diego MTS canine team.

POLICY

The San Diego MTS Canine Unit will operate in accordance with the following procedures:

PROCEDURES

Definitions

a. Explosives Detection Canine
   An Explosive Detection Canine (EDC) is an MTS working dog with the primary function of explosives detection. All MTS explosives detection canines are owned by the Transportation Safety Administration (TSA) and are part of the TSA National Explosive Detection Canine Training Program (NEDCTP).

b. Canine Explosive Training Aid
   A Canine Explosives Training Aid (CETA) is an explosive compound used to conduct training with an EDC. All CETA’s are the property of TSA but are stored and used by MTS canine teams only, unless otherwise authorized by TSA.

c. Handler
   A handler is an MTS Code Compliance Inspector or CCI Supervisor who has received TSA approved specialized training in working with and is assigned a TSA EDC.

d. Canine Team
   A canine team is comprised of a TSA certified handler and EDC to work together as an explosives detection team.

e. Unattended Item
   An item not immediately claimed by anyone that may be a common lost and found item located during normal transit operations without suspicious circumstances.
f. **Suspicious Item**
   An item that may be out of place based on current conditions, possibly coupled with indicators of potential hazards such as strange odors, oil stains, noises, bulges or irregular shapes, wiring, etc. The totality of the circumstances, to include the placement and current large crowd events, may help determine if an item may be considered suspicious. A canine team will not search any item recognized as suspicious or hazardous.

**Discussion**

**EDC** teams are essential in proactive deterrence and detection of explosive devices and their components.

The MTS canine unit consists of three canine teams including a canine team supervisor. Selection for appointment to the unit is based on voluntary application and determined after completion of standard MTS selection processes.

All canine teams are under the direct supervision of the canine unit supervisor. Management of the canine teams is the responsibility of the Transit Enforcement Deputy Director through the Transit Enforcement Field Operations Manager. Shift assignments of the canine teams will be made by the Field Operations Manager after consulting with the canine unit supervisor on training needs and mission requirements. During their normal work assignments, each canine team shall report to the **canine supervisor and** the on-duty watch commander. The canine supervisor has oversight of canine team field activities, training and explosive detection specific operations.

MTS canine teams shall respond to calls for explosive detection service of unattended or suspicious items in public areas in and around MTS properties; when tasked to assist at VIP functions or when tasked by a transit enforcement manager, the canine supervisor, or the on-duty watch commander. The canine team shall present a high-visibility posture during peak operational hours on MTS properties such as trolley platforms, bus stations, right of ways, parking lots and other MTS facilities.

Canine teams are not required to maintain a minimum patron count per day, but are expected to interact with the public as part of their training and detection mission. They shall be assigned a device to validate fare as a means of enforcing fare ordinances and as a deterrent to unlawful activities. Canine teams are provided a vehicle to transport their canine partner while on duty, and to and from their residence.

**General Canine Handler Responsibilities**

1. Handlers will maintain positive control of their **EDC** in public areas at all times. Exceptions include specific training and operational scenarios or needs. EDC’s will not be left unattended in any public area.
2. While working any assignment, the handler will decide whether to keep his or her EDC in the kennel, the MTS vehicle, or with the handler, while always mindful of the welfare of the EDC.
3. EDC’s will not be left in vehicles for extended periods of time. The handler will ensure proper serviceability of the vehicle, the air conditioner, and the vehicle canine heat alert system.
4. Handlers will maintain their issued vehicles and equipment in a clean and organized manner as required by the SOP 600.1 (33). Handlers will keep their issued vehicles properly secured on and off duty and respond to calls in a safe manner. All traffic laws must be obeyed so as to not endanger the handler, canine, or general public. Any type of service or maintenance work, attachment, or modification to the canine vehicles must be approved by the Administrative Supervisor. Refer to S.O.P. section 600.1 (31) operation of vehicles.

5. Handlers are permitted exceptions to uniform requirements in the following situations or circumstances:
   a. In the event of an emergency call-out during off-duty hours, handlers may respond to the call for service in reasonable civilian attire with an outer vest carrier.
   b. During annual certifications, handlers are authorized to remove body armor, duty belt with equipment, and uniform shirt.
   c. Handlers are authorized the use of 5.11 Stryke pants (74369), 5.11 Stryke long sleeve shirt (72399), and 5.11 Stryke short sleeve shirt (71354). The 5.11 rapid assault shirt (72194) is authorized only while wearing the outer vest carrier. All uniforms must follow embroidery and patch requirements without additional attachments or identifiers. Refer to S.O.P section 100.3.

6. Under no circumstances will MTS EDC’s be agitation trained.

7. Use of a “Bite Sleeve” or any other agitation training device is prohibited.

8. Each handler is responsible for ensuring the health and welfare of his or her issued EDC. This includes, but is not limited to: proper feeding, grooming, cleaning kennels and vehicles, and arranging for routine and emergency veterinary care.

9. Explosive detection K-9 handlers are authorized to drive MTS Enforcement Department issued vehicles during off duty hours in order to permit the detection team to fulfill the TSA response time requirement. However, the K-9 handler may not use his or her department issued vehicle at an event or a location that would prohibit a timely response. Handlers may use their MTS assigned vehicles for travel to and from work and during their work hours. Handlers are not authorized to use MTS assigned vehicle during their off-duty time except for work related functions (e.g., work related training or event, canine medical and boarding needs).

10. Handlers will ensure they provide a visible presence in or on MTS properties, which will increase public awareness and may act as a deterrent to criminal activity.

11. Handlers will be responsible for complying with all TSA directives and agreements regarding the MTS and NEDCTP partnership.

12. Each canine team will make every effort to complete the TSA canine training requirements during the allotted time frame. Training should consist of, but not limited to trolleys, buses, luggage, vehicles, open areas, stations, etc.

13. All utilization and training records must be entered in the TSA Canine Website according to TSA standards and time frames.

14. Off duty service call-outs and a canine final response (a canine alert for explosives odor) will require an Incident Summary Report (ISR) from the handler before end of shift/call out. Some on duty call-outs may also require an ISR.

15. Canine teams should not be assigned routine patrol matters but may and should assist when needed.
**Canine Unit Supervision and Assignments**

1. The canine unit supervisor is responsible for the supervision of the canine teams. The supervisor will be responsible for maintaining training records, medical records, vehicle records, logs, quarterly unit reports, and any other record that pertains to the canine unit. All outside training will be authorized by the canine unit supervisor.

2. The canine unit supervisor will be notified immediately of dog bites, handler or dog injuries, illnesses, loss of dog, training aids, vehicle accidents, search requests, explosive found and any media involvement incidents.

3. Routine calls for service during the canine team’s normal shift do not require immediate notification to the canine unit supervisor unless one of the listed situations occurs that require immediate notification. A copy of all paperwork is to be left in the canine unit supervisor’s inbox. On non-working days handlers shall email the canine unit supervisor with the details.

4. The canine unit supervisor is responsible for unit purchases. The supervisor must determine the need of an item/service, obtain estimates/bids, locate/work with vendors, obtain proper authorization for unit purchases when required, and complete SAP entries for purchase orders.

5. Response to all calls for service shall be performed in a safe manner and all traffic laws obeyed so as not to endanger the handler, dog or general public. ETA must never exceed 45 minutes. If the on-call or duty team(s) is outside of the normal service territory and cannot satisfy the 45 minute requirement, they must immediately notify Operation Central Control so an alternate team can be assigned for service within the territory.

6. Canine team utilization records shall be entered into the program CWS within 24 hours, but no less than 48 hours, after the actual searches are completed.

7. The canine unit supervisor is responsible for home kennel and safety inspections of the canine teams. Inspections will be conducted biannually or as deemed necessary (e.g., kennel modification, damage, installation, safety and health).

8. The canine unit supervisor will communicate with the TSA representative with any matters concerning the canine teams.

**Bomb Threats and Suspicious Device**

In the event of a bomb threat and/or the location of a suspicious device or item, the Deputy Director of Transit Enforcement shall be notified immediately by either MTS Transit Enforcement Dispatch Center or the Watch Commander. If the Deputy Director is unavailable, the Chief of Police/Director of Transit Enforcement shall be notified. Additionally, the Operations Control Center (OCC) will be notified immediately. The MTS Bus Dispatch should be notified if the incident is at a bus stop, is going to have an effect on bus operations, or is going to require a bus bridge.

The Deputy Director or Chief of Police will assist in determining the next course of action based upon consultation with the Watch Commander, the information available from the scene, and the assessment from the Canine Handler. It will be the responsibility of the Deputy Director or the Chief of Police to determine if outside agency assistance is needed.
If the responding canine alerts on an item or device, the decision to secure and / or evacuate an area is not always necessary unless the item is determined to be suspicious based upon unexplained wires or electronics, other visible bomb-like components and unusual sounds, vapors, mist or odors (totality of the circumstances). “Generally speaking, anything that is hidden, obviously suspicious and not typical, should be deemed suspicious.” (Office of Homeland Security Bulletin, What To Do- Bomb Threat, July 2017). However, “suspicious” does not always mean dangerous.

Addendum per General Order 2018-2, dated 01-04-2018.

Explosive Detection Canine Team Responses Call-Out Conditions

1. When a request is made for a canine search of an unattended or suspicious item a canine team will make every effort to respond within 45 minutes and evaluate the item and circumstances before conducting a search.
2. If MTS Handlers are not on duty at the time of the request, and it is not practical to request an explosive detection canine from a neighboring law enforcement agency, the canine unit supervisor or his/her designee will be notified by the dispatch center. The canine unit supervisor or designee will determine which off duty handler would be the most appropriate to contact and have respond to the scene. This will be determined by location of scene, location of the handler, availability of the handler and response time.
3. When a vehicle, trolley, bus, or structure is the subject of a bomb threat.
4. When one device has been located and a search is necessary for a possible secondary device.
5. When an outside law enforcement agency requests assistance per the TSA agreement. These calls may include VIP and dignitary vehicle searches, public demonstrations, bomb threats and other emergency calls. The canine unit supervisor shall notify the Department Director or their designee of all outside agency requests as soon as practical.
6. When an unattended package has been found and it is not immediately recognizable as an explosive / suspicious device. Items that are recognized as explosive or hazardous will NOT be evaluated / searched by San Diego MTS explosive canine teams. Contact the appropriate law enforcement agency for assistance with authorization from the Deputy Director.
7. The final determination to conduct a search for explosives will be at the discretion of the handler. The handler is ultimately responsible for his or her canine partner. If the handler deems a search cannot be conducted in a safe manner, the handler will not be ordered to do so but shall notify Operations Central Control to dispatch the appropriate law enforcement agency. The handler will contact his or her supervisor immediately and submit a written report and ISR concerning the incident. The canine supervisor will notify the TSA Field Canine Coordinator (FCC) as soon as practical.
8. If a canine alert does not reveal any explosive materials the handler shall follow the TSA sample collection procedures of the item.
9. Canine utilization records will be completed in accordance with TSA requirements using the standardized computer reporting system.
Canine Explosive Training Aids (CETA)

1. CETA’s will be stored, maintained, transported and utilized per TSA standards as outlined in the TSA Standard Operating Procedures CETA Manual.
2. Whenever MTS training aids are being utilized for training, San Diego MTS Operations Central Control will be notified of location, start and finish times.
3. Loss or misplacement of explosive training aids will be immediately reported to the canine unit supervisor. The supervisor will make every effort to immediately resolve the situation (locate the training aid). If the training aid cannot be found, the canine unit supervisor will notify the proper San Diego MTS chain of command and the TSA as required.
4. To prevent contamination, explosive and narcotic training aids will never be stored, transported or utilized in a training problem together.

Designation of CETA Key/Lock Custodian

The established Canine Explosive Training Aid (CETA) magazine and magazine key access and custodian responsibilities are as follows:

Explosive Magazine Key Custodian:
K-9 Sergeant Francisco Bautista

Authorized CETA Magazine and Key Access:
K-9 Handler Ryan Berg
K-9 Handler Sergio Iniguez
TSA Field Canine Coordinator (FCC) Tracy Brakeill
SDMTS Transit Enforcement Operations Manager Brian McKeever (key access only)
SDMTS Transit Enforcement Records Manager Rachelle Dziubczynski (key access only)


Veterinary Care and Services

1. The Point Loma Naval Base Veterinary Clinic Marine Corps Air Station Miramar Veterinarian Treatment Facility is the primary health care provider for San Diego MTS explosives detection canines.
2. Pet Emergency and Specialty Center is the after-hours emergency health care provider with locations in La Mesa and Chula Vista.
3. Petco is the primary vendor for food and supplies. Only authorized vendors for canine food, services, and supplies/equipment may be used. Vendors are not fixed and may be changed by the canine unit supervisor as appropriate. Contact the unit supervisor directly for further information.
4. VCA facilities in Escondido and Bonita are the primary boarding facilities for MTS canines. A canine report card (i.e., weight in/out, health, feeding, play, or any issues) shall be requested for all canine stays at any boarding facilities.
5. All canine unit related purchases, including petty cash and purchase orders, must be authorized by the canine unit supervisor.
PURPOSE

This procedure establishes the guidelines for impounding vehicles when in violation of certain conditions per MTS Ordinance 3. Vehicles parked on MTS right of ways, in closed parking lots or exceed posted time limits may be towed.

POLICY

MTS Code Compliance Inspectors are, authorized to tow vehicles for parking on MTS right of ways, in closed parking lots or in violation of the 24 hour posted time limit.

PROCEDURE

Impounding of Vehicles – 24 Hour Violation:

Vehicles, which have been abandoned or parked over 24-hour limit, shall be impounded pursuant to Ordinance No. 3. Prior to impounding of the vehicle, the following must have occurred to verify a 24 hour limit violation:

1. The vehicle’s tire positions must be marked with yellow markings at the tires center point where it touches the pavement. It will include the time, date and officer initials/ID number.
2. The pavement must be marked consistent with the marking on the tires center point.
3. The vehicle must not have been moved as prescribed by Ordinance No.3.
4. A second citation will be issued to those vehicles already cited, just prior to being towed.
5. The CCI shall notify the Security Dispatch and request a tow truck, from an on-call list of tow companies, for a private tow.
6. The CCI shall gather information as to write a vehicle impound report.
7. The report shall contain the following:
   a) Vehicle’s general description including, make, year, VIN (ID) number, license number of vehicle.
   b) The tow company’s name, address, phone number, and uploaded copy signature and name of the tow truck driver taking possession of the vehicle.
   c) Vehicle condition, any visible exterior or interior damage should be noted.
   d) Include any unusual information such as missing plates, missing electronic equipment, etc.
   e) The CCI’s name, ID number, applicable citation number, and who issued the citations.
f) The CCI’s name who originally marked the vehicle’s tires and pavement (if different than the CCI impounding the vehicle).
g) At the minimum two (2) photos will be attached to the report.

8. All vehicle impound reports must be entered on daily logs and submitted to the CCIs’ respective supervisor prior to the end of each shift for review/approval in eForce.

Impounding of Vehicles in Right of Way – Exigent Circumstances

There may incidents or circumstances where a vehicle may be impounded for reasons other than parking in an SDMTS controlled space for over 24 hours. If a vehicle is illegally parked or disabled, thereby blocking or disrupting the movement or right of way for bus and/ or trolley service, the exigent circumstances that exist allow for the vehicle to be impounded.

To have the vehicle impounded due to exigent circumstances, the Operations Control Center (OCC) shall be notified and request the on-call tow company respond to remove the vehicle. The primary CCI should document the incident by completing an Officer’s Report or ISR.

Permit Parking- Over 24 Hours (see SOP Section 300.3)

Permits are issued for parking in MTS parking lots in excess of 24 hours.

All inquiries for parking permits are directed to The Transit Store, 1255 Imperial Avenue, (619) 231-1060

If the vehicle exceeds the permit time period, the owner may be cited.

Permission is sometimes given, by MTS, for non-transit use of designated parking facilities. Special provisions for private use will not require the purchase of a permit.

All CCIs are notified, via memorandum by MTS, of privileges so that vehicles will not be cited or towed.
PURPOSE

The purpose of this procedure is to make Transit Enforcement personnel aware of the Parking Permit process and the enforcement protocol for permit parking violations.

POLICY

Parking permits will be issued in accordance with the following procedures.

PROCEDURE

Authorized Parking in Excess of 24 Hours

Permits are issued for parking in MTS parking lots in excess of 24 hours.

All inquiries for parking permits are directed to The Transit Store, 1255 Imperial Avenue, (619) 231-1060

1. Applicant must purchase the Permit at The Transit Store.
2. Please see next page for example of The Transit Store Procedures form.
3. If the vehicle exceeds the permit time period, the owner may be cited. The Permit contains the vehicle year, make and model, license number, station location, and time period it is valid and is signed by the Transit Store representative. The Permit must be displayed on the dash of the vehicle.

Private (non-transit) Use of Parking Lots

Permission is sometimes given, by MTS, for non-transit use of designated parking facilities. Special provisions for private use will not require the purchase of a permit.

All CCIs are notified, via memorandum by MTS, of privileges so that vehicles will not be cited or towed.
Example of MTS The Transit Store Procedures form

Metropolitan Transit System

The Transit Store Procedures

Description of the Proces: Parking Permits

Date: 1/11/2003
Last updated: 3/22/2012

Free parking is offered at many of our trolley stations for a maximum of 24-hours (calendar day). Long-term parking permits are sold to individuals wanting to park at Trolley Stations for periods longer than 24 hours. The second 24 hour day or any portion thereof will cost $7.00 per day. Anyone wishing to park for more than 24 hours must pay in advance and obtain a parking permit. Follow the following steps to obtain the permit:

1. The permit must be purchased at The Transit Store (TTS).
2. The permit shall contain the vehicle:
   a. Year
   b. Make and model
   c. License number
   d. Station location
   e. Time period it is valid (date(s).
3. The permit must be signed by MTS representative and display TTS stamp.
4. The permit must be displayed on the dash of the vehicle.

Long-term parking in NOT permitted at the Old Town station.

Permits cannot be purchased on-line or by telephone. Acceptable payments with Cash, Debit/Credit cards (Visa & MasterCard only).

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD
AND
SAN DIEGO TROLLEY INC.

STATION PARKING PERMIT

Vehicle Year, Make and Model: ____________________________
Vehicle License Number: ________________________________
Station Location: ______________________________________
Period Valid: _________________________________________

Authorized By ____________________________
MTSB Representative

Rev. 07.31.2017
Example of Trolley Station Parking Permit

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
AND
SAN DIEGO TROLLEY, INC.

TROLLEY STATION PARKING PERMIT

Vehicle Year, Make and Model: 

Vehicle License Number: 

Station Location: 

Period Valid: 

Authorized By: 

MTS REPRESENTATIVE

MTS AND SDTI ARE NOT RESPONSIBLE FOR ANY LOSS DUE TO THEFT, FIRE OR ACTS OF VANDALISM. DO NOT LEAVE ANY VALUABLES IN VEHICLE.

PERMIT TO BE DISPLAYED ON DASHBOARD OF VEHICLE.

PLEASE LOCK YOUR CAR
PURPOSE

This procedure identifies the guidelines and requirements of Code Compliance Inspectors in response to subpoenas, making court appearances and trials by declaration.

POLICY

All Transit Enforcement personnel who are subpoenaed to appear in court on a criminal matter are required to appear on the date and time indicated on the subpoena. Employees shall follow the instructions on the subpoena, review all pertinent case information and be prepared to testify if required. When testifying, all Transit Enforcement personnel will conduct themselves in a professional manner.

PROCEDURE

Subpoenas for Code Compliance Inspectors and contract Security Officers are delivered to the MTS Transit Enforcement Department by the San Diego County Sheriff’s or are received via U.S. mail, or email. Persons authorized to accept service are the Chief of Police - Director of Transit Enforcement, Deputy Director of Transit Enforcement, Records Manager, Field Operations Manager and Code Compliance Supervisors. Security subpoenas are received by a security supervisor.

The CCI subpoenas are date stamped, initialed by the person receiving the subpoenas and immediately given to the clerical staff for preparation.

The clerical staff logs receipt of the subpoena, prepares a “Subpoena/Court Disposition” form, attaches the yellow copy subpoena, copies of related reports, cites, notes, original fare media, etc. and personally delivers the subpoena package, with attachments, to the Administrative Sergeant. The Administrative Sergeant, or his designee, writes the CCI’s name on the court calendar on the date of the court appearance for that case, including the court location and time of appearance, then places the subpoena package on shift-designated clipboards in a cabinet in the CCI Administrative office.

At the beginning of each shift, CCI supervisors will check the subpoena folder for subpoenas for personnel on their watch. A CCI receiving a subpoena will acknowledges receipt by signing the subpoena. The issuing supervisor will also sign and date the subpoena. Signed subpoenas will be returned to the Records Manager to be logged.
All subpoenas include the prosecutor's name and phone number. The CCI must follow the instructions on the subpoena and call the City or District Attorney’s Office if directed, prior to the appearance date, to ensure the case has not been dismissed or adjudicated.

It is the responsibility of the CCI to advise the City of District Attorney’s Office and their Shift Supervisor if they have any conflict with the appearance date. The City or District Attorney decides to either dismiss or postpone trial.

Addresses for Court Appearances

1. San Diego Superior Court; 1100 Union St., San Diego
2. Kearney Mesa Superior Court; 8950 Clairemont Mesa Blvd., San Diego
3. South Bay Superior Court; 500 Third Avenue, Chula Vista
4. El Cajon Superior Court; 250 East Main, El Cajon
5. Juvenile Court; 2851 Meadow Lark Drive, San Diego

Upon arrival to the court (except South Bay; see below instructions), the CCI contacts the court liaison officer. The liaison officer will list the CCI’s name on the court calendar, indicating that the CCI is present. Failure to have a CCI’s name on the court calendar by the time court is in session may result in the case being dismissed and the officer receiving a miss-out.

At the end of the trial, the City or District Attorney, if present, should sign and date the subpoena. CCIs write (on the “subpoena court disposition form”) the disposition of the case, judge’s name, and amount of time spent in court, etc. Subpoena packages are signed by the CCI Supervisor and returned to the department mail box upon the CCIs first return to the office. If the clerical staff is available to personally accept the returned subpoena package, it is also acceptable to return it directly to one of them. Do not leave the subpoena package in the clerks’ mailbox.

Appearances during off-duty hours or days off will be paid as overtime (three hour minimum). Travel time is not considered court time and is unpaid.

South Bay - At the South Bay Courthouse, there are no court liaison officers. CCI’s shall arrive to court at the time directed by the subpoena and stand-by and wait until the department they are appearing in (usually Department 5) opens. Once the Sheriff Deputy opens the Department, CCIs enter and have a seat in the courtroom. The Sheriff Deputy will call to verify attendance. The judge or commissioner will direct everyone present to another Department to hear the case. After the case is heard, CCIs should ask to have their subpoena time stamped or get it time stamped in the jury lounge.

Trial by Written Declaration

A defendant may utilize an “instant trial’ or “trial by declaration” for infractions in lieu of a court trial. This requires a written account of the incident from both the defendant and the CCI. Written Declaration requests are generally received by mail, date stamped and immediately given to the clerical staff to log and prepare. The clerical staff logs receipt of the “Trial by Written Declaration”, prepares a packet with the Declaration cover sheet on top, attaches copies of related reports, cites, notes, original fare media, etc. The complete packet is given to the Shift Supervisor by the clerical staff. The Shift Supervisor provides the CCI with the packet for completion.
The Trial by Written Declaration is completed by the officer and returned to the clerical staff before the date indicated on the Trial by Written Declaration request form. These documents are mailed to the court by the clerk and read by a judge who makes a determination of guilt or innocence based on the contents of the narrative. Defendants who receive an unfavorable disposition may request a court trial. This same privilege, however, is not extended to the issuing agency so it is imperative to include all facts in the Written Declaration.

Warrant Affidavits

Courts also send Warrant Affidavits that must be completed by the CCI. The administrative process is the same as with Trials by Written Declarations. The Warrant Affidavits are generally received by mail, date stamped and immediately given to the clerical staff to log and prepare.

The clerical staff logs receipt of the Affidavit, then make copies of the cite, notes, fare media, reports, etc. and staples the documents together, with the original Warrant Affidavit on top. The clerical staff places the packet in the respective Supervisors’ box with a note indicating when the Warrant Affidavit is due back to them. Clerical staff may also send the Supervisor an email with the officer’s name and due date, attaching a blank Warrant Affidavit for the officer’s use. The Supervisor forwards the paperwork to the CCI.

The CCI is responsible for returning the original completed Warrant Affidavit directly to the clerk who requested it. The clerical staff keeps a copy and mails the original to the Court Affidavit Clerk.

Court Demeanor and Testifying

Prior to the court date, the CCI reviews all notes, reports, evidence and a copy of the citation, if applicable. The purpose of review is to refresh the CCI’s memory of the facts of the case. The CCI should arrive 10-15 minutes prior to court time. Officer should also take with them a copy of the report packet, governing ordinances as well as the ordinance for which they wrote the citation. Sometimes judges do not have MTS ordinances available to them.

If a City or District Attorney is present to handle the case on our behalf, the CCI should consult with him/her, giving full knowledge of all the information and any evidence. If a prosecutor is not present, the CCI should be prepared to testify by him/herself when the case is called. Remember that trials for infractions are court trials only; i.e., a jury will not hear the case. Direct the testimony to the judge.

CCIs must appear in court in full uniform or in a business suit if off duty. While on the stand, the CCI should avoid any action that may distract the attention of the court from the testimony such as clenching of the hands, chewing gum, constant shifting of the body, etc.

The CCI will be sworn in and allowed to present his/her case to the court first. Testimony should be in an audible voice. The CCI should avoid the use of slang, jargon, and profanity. He/she should be concise and to the point and should answer questions as briefly as possible. If an answer is unknown, the CCI should say so. The CCI should tell the truth and the whole truth.

Following direct examination, the CCI may be cross-examined. Questions should be within the scope of the direct examination and should be answered as briefly as possible. CCIs should take time in answering questions and respond only with the facts. They must be courteous to the defense and not engage in a battle
of words. CCLs must not hesitate to correct errors in their testimony. If an answer needs explanation, it should be explained during re-direct examination.

After direct and cross-examinations, and the judge renders his/her decision, the CCI may request to be excused.

Example of Subpoena/Court Disposition form

### SUBPOENA/COURT DISPOSITION FORM

Return this form for every Court Subpoena and/or Appearance, along with court documentation and original Subpoena paperwork, directly to your Supervisor for signature/approval. DO NOT PLACE PAPERWORK IN CLERKS’ BOX.

<table>
<thead>
<tr>
<th>Defendant Name:</th>
<th>DOI</th>
<th>Cite Number</th>
<th>Court of Appearance:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>San Diego Superior, Department A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>San Diego Superior, Department B</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>South Bay Superior</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>El Cajon Superior</td>
</tr>
<tr>
<td>Date of Appearance:</td>
<td>Officer Name:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**OFFICER: COMPLETE THIS PORTION AND SUBMIT TO YOUR SUPERVISOR**

Time Arrived Court:  
Time Departed Court:  
Judge / Commissioner:  

**DISPOSITION:**

<table>
<thead>
<tr>
<th>Guilty</th>
<th>Suspect FTA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Not Guilty  
Dismissed  

Reason for Dismissal (check one):

- [ ] Arresting officer illness  
- [ ] Court notification date/name  
- [ ] Arresting officer attending class  
- [ ] Court notification date/name  
- [ ] Arresting officer no longer employed  
- [ ] Court notification date/name  
- [ ] Dismissed by Court – Officer FTA  
- [ ] Dismissed – Other (explain):  

Supervisor Approval:  
Supervisor ID:  
Date:  

**SUPERVISOR: PLACE COMPLETE PACKAGE IN GRAY MAIL BOX AFTER SUPERVISOR’S SIGNATURE IS RECEIVED.**

Rev. 07.31.2017
Example of a Subpoena

THE PEOPLE OF THE STATE OF CALIFORNIA

VS.

WALKER

COURT #: 7981934 D. A. NO.

CHARGE #: MGMT6602

M — SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

SOUTH BAY JUDICIAL DISTRICT

SUBPOENA

IN CRIMINAL CASE

NAME:

MINER OFFICER

HOME ADDRESS:

000-00-0000

TELEPHONE:

BUSINESS:

HYDE

1635 NEWTON AVE

SAN DIEGO CA 92113-1403

TB: 1297-04

TRIAL — COURT

BI: 04 XBT: 16TH

1. You are commanded to appear in the above entitled court to testify as a witness on the part of the People of the State of California in the above entitled criminal action.

2. If you have agreed with a member of the Prosecuting Office to appear at a time other than specified in this subpoena your failure to appear at the time agreed upon may be punishable as a contempt of court (Penal Code Section 1331.5).

3. Disobedience to this subpoena may be punishable as a contempt of court and could result in the issuance of a bench warrant for your arrest (Penal Code Section 1331).

APPEAR ON:

08-12-12 AT 08:00 A.M.

APPEAR IN:

SUPERIOR DEPT S

LOCATION:

500 THIRD AVENUE

CHULA VISTA, CA 92010

GIVEN UNDER MY HAND

By

DISTRICT ATTORNEY

BY PROSECUTOR:

CLERK

TELEPHONE:

DATE: 08/17/12

CERTIFICATE OF SERVICE

HEREBY CERTIFY (as checked below)

☐ That on the date shown below I served the within subpoena on the above-named witness in the County of San Diego, by delivering a copy to said witness personally.

☐ That after due search and diligent inquiry I have been unable to locate the above-named witness.

☐ That on the date shown below I served the within subpoena on the above-named peace officer witness in the County of San Diego, per Sec. 1328 P.C. by delivering 2 copies to

Dated

Under penalty of perjury

By

Signature of server

Rev. 07.31.2017
Example of Trial by Written Declaration form

DATE: __________________________

TO: __________________________

PLEASE COMPLETE THE ATTACHED
TRIAL BY DECLARATION AND RETURN
TO ME ON OR BEFORE:

______________________________

1. PLEASE BE SURE TO SIGN THE COMPLETED
   DECLARATION

2. PLEASE BE SURE TO CHECK THE
   APPROPRIATE COURT BOX

3. PLEASE USE THE “RETURN DATE” THAT IS
   STATED ON THE DECLARATION

THANK YOU,
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department in the issuance, processing and voiding or dismissal of citations.

POLICY

All citations issued by CCIs shall be processed, to include corrections, voided or dismissed citations, in accordance with the following procedures.

PROCEDURE

All citations will be reviewed and approved by the Code Compliance Shift Supervisor for thoroughness and accuracy.

File (white and yellow) copies of citations, as well as notes, JDP forms and other attachments are forwarded to the clerical staff by the Code Compliance Shift Supervisor on a daily basis for data entry and processing.

Court (white) copies of citations are mailed to the respective courts by the clerical staff. Some courts mail the defendant a courtesy notice advising them of bail and appearance date.

Responsible Courts

1. South Bay Superior Court
   All violations that occur at, or south of, National City 8th Street Station.

2. San Diego Superior Traffic Court
   All violations that occur at, or north of, Pacific Fleet Station.
   All violations that occur at, or west of, Alvarado Medical Center Station.

3. El Cajon Superior Court
   All violations that occur at, or east of, Massachusetts Station.
   All violations that occur at, or east of, 70th Street Station.
4. San Diego Juvenile Court
   All persons under the age of 18, regardless of violation location, except CVC code violations
   which are sent to jurisdictional Superior Court.

Parking Citations

CCIs may enforce parking violations in accordance with MTS Ordinance #3, regulating parking in MTS
parking lots and property.

When writing parking citations, the DMV “file code number” and agency must be correct. If the code is not
correct, the citation cannot be processed. DMV “file code numbers” can be found on the back flap of each
citation book cover.

The most commonly used “file code numbers” are:

   “A” for regular automobiles
   “C” for commercial vehicle
   “X” for out-of-state licenses

   MTS’s agency code is “D”.

If the code violated is not listed on the front of the parking citation, it should be hand written in the space
provided at the top of the citation, along with the associated fine amount (normally found on the back flap of
the citation book).

All parking citations will be routed by the clerical staff through the City Parking Management’s Office.

Correction Notices

Violators will be notified, in writing, on a “Notice of Correction and Proof of Service” form of any changes in
location of appearance, court date or time, due to error or omission by the CCI. Correction notices are prepared
by the CCI and re-submitted to the supervisor for forwarding to the clerical staff for entry and processing.

Clerks may also return citations requesting a Correction Notice. These requests go into a tray in the
supervisor’s office by shift. The Shift Supervisor checks this tray daily and completes corrections as needed.

Voided or Dismissed Citations

To “void” or “dismiss” a citation, the CCI supervisor shall be informed of the action and the reason.

To “void” a citation, all copies of the citation must be retrieved. The reason for the voided citation
(administrative error, furtherance of justice, etc.) must be written on the “MTS Citation Void/ Dismissal
Request” form. The form will then be returned to the CCI Supervisor for approval, submitted to the Deputy
Director for final approval, then turned into the MTS Transit Enforcement Records Manager for processing.

To “dismiss” a citation, it is not necessary to have all copies of the original citation. The reason for the
dismissal must be written on the “MTS Citation Void/ Dismissal Request” form. The completed form will then
be returned to the CCI Supervisor for approval, submitted to the Deputy Director for final approval, then turned into the MTS Transit Enforcement Records Manager for processing. The Records Manager will prepare and send a correspondence to the defendant via U.S Mail advising the citation had been dismissed. If the citation being dismissed has already been sent to the court for processing, the Records Manager will also prepare and send a correspondence to the appropriate court indicating the citation has been dismissed.

Parking Citation Dismissal

Parking citations, that are dismissed in-house, also necessitate the completion of a “MTS Citation Void/Dismissal Request” form and letter to be sent to the defendant.

Registered owner information will be obtained from the San Diego Police Department, Records Division on California license plate numbers only by the clerical staff. The registered owner will be notified of dismissal by the clerical staff, in writing, using agency form letters and sent via U.S. Mail.
Example of Notice of Correction and Proof of Service:

1. A Notice to Appear/Notice to Correct Violation was issued to you by an officer of this department on (date):

2. The citation issued to you contained an error as indicated by the items checked below. This notice of correction does not affect the validity of the citation or the required court appearance.
   - [ ] Date/time violation should be _________
   - [ ] Date/time/location of court appearance should be changed from _________ to _________
   - [ ] Violation section(s) should be changed from _________ to _________
   - [ ] Location of violation should be changed from _________ to _________
   - [ ] Other (specify):

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

Date: ____________________________
(Signature of officer)

Form Adopted for Vandalism Use
Judicial Council of California
TR-100 (Rev. January 1, 2004)
Example of Citation Void/Dismissal Request:

**MTS CITATION VOID/DISMISSAL REQUEST**

IT IS REQUESTED THAT THE ATTACHED CITE BE:

- [ ] VOIDED (must have all copies)
- [ ] DISMISSED

<table>
<thead>
<tr>
<th>Citation Number:</th>
<th>Date of Issue:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuing Officer:</td>
<td>ID #:</td>
</tr>
</tbody>
</table>

**REASON**

Requested by: __________________________ Date: __________________

---

**VOID / DISMISSAL**

<table>
<thead>
<tr>
<th>Court Notified:</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defendant Notified:</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

APPROVED BY:

- Supervisor
- Deputy Director

---

**Instructions for Completing CITATION VOID/DISMISSAL REQUEST**

**Void**

Forward completed Citation Void/Dismissal Request with immediate supervisor's approval and all copies of the citation to the clerical staff.

**Example of Voided Citations:**

- Proof of eligibility provided
- Administrative error

**Dismissal**

Dismissal of citations must be approved by the immediate supervisor and Deputy Director. Dismissals are required if all copies of the citations are not provided, or if the original (white copy) has already been sent to the Court.

**Examples of Dismissed Citations:**

- Furtherance of Justice
- Violates Policy
- Subsequent investigation indicates the proper elements do not exist
- Administrative error

One form must be completed to void or dismiss each citation.
PURPOSE

This procedure establishes guidelines for code compliance inspectors and administrative personnel in the writing, processing and administrative protocols of official reports generated by MTS Transit Enforcement.

POLICY

Official reports will be completed and processed in accordance with the following procedures.

PROCEDURE

Written reports must reflect an accurate account of an incident and are an important aspect of the Transit Enforcement Department function. It is the responsibility of the CCI or TSS officer to document, via appropriate reports, all unusual incidents, personal injuries, reported violations, accidents, incidents involving police, and when an arrest is made. Reports become permanent records at MTS, and is often provided to the Courts, City and District Attorney's Office, and police agencies. Quality of report writing reflects on the author as well as the agency he or she represents.

The reporting or primary CCI or officer (either CCI or TSS) shall be responsible for generating the Incident Report or Officer’s Report, when necessary, for any incident, incorporating all the facts and witness statements of the contact. It shall be the responsibility of the reporting or primary officer to ensure all required information is included in the Incident Report or Officer’s Report, and that all other CCIs or Officers present complete Officer Reports if required.

In cases involving the use of force to affect an arrest the USE OF FORCE (MTS-120) must be completed. Additionally, all details of the force used must be recorded on the A-9 Officer’s Report by the reporting officer.

Elements of Effective Reporting

A report should be concise. Simple words are best. Avoid using big words or tongue twisters unless they have a valid place in the report. Use only as many words as necessary. Document the event in chronological order.
Strive for correct punctuation, spelling, and proper use of words, and sentence structure. These elements provide clarity to reports. Proofread all writing. Use the spell check in eForce before uploading narratives.

A good report is one that enables any person to understand exactly what happened. It informs the reader of all the essential facts. Reports must be factual, clear, concise, complete, and objective.

A report will be complete if it contains a comprehensive description of the incident, plus the facts required by the six fundamental questions to be answered of any incident, which are:

- What
- When
- Where
- Who
- How
- Why

The San Diego County Regional format is used as follows:

Format for Reports

Type written in eForce.

Include preamble on vandalism narratives.

The last names of individuals are used throughout the narrative instead of "patron", "passenger" or "subject".

Standard time with a.m. or p.m. is used and not mixed with military time (2030 hours or 8:30 p.m.).

Explain codes, e.g., 10-29 (warrants checks), code yellow (fictitious call for police assistance), etc., if used in a report. Include property tag numbers for video or other evidence.

All elements of an offense involved must be included.

Clarity may be lost if abbreviations no one understands their meaning. Standard dictionary abbreviations should be used. Words should be spelled out if in doubt.

Only the facts pertinent to a case should be included. Information that is irrelevant, superfluous, or ambiguous, such as humorous remarks and personal opinions must not be included.

All elements of each offense charged in an arrest must be clearly defined in a report.

Concentrate on the three main parts of a report; introduction, body, conclusion.

Paraphrase statements made instead of using direct quotes, e.g., Mr. Smith stated that he must have lost his fare prior to boarding the train. Use direct quotes where necessary.

Citation numbers and property tag numbers must be included in reports.
Crime reports related by patrons should be taken.

All statements contained in reports must be complete and truthful.

When to Write a Report

Upon the occurrence of any:

- unusual incident
- accident
- property damage
- personal injury
- arrest
- request for assistance from a police agency
- use of the non-lethal chemical agent, use of force
- report of a crime on system

Process for Submitting Completed Reports

Watch commanders

All officers and supervisors are required to complete eForce reports before the end of their shift. Reports must be written in eForce before the end of their shift and presented to their supervisor. The supervisor reviews, approves and uploads the report to eForce the same day.

If corrections to the report are necessary before uploading, the supervisor must work with the officer to make those corrections during that same shift.

In isolated cases when a report cannot be completed during the officer’s regular shift, the supervisor must be advised of the reason for delay and expected completion time.

Under no circumstances may any officer go to “days off” without completing any outstanding report.

This procedure applies to all reports including reports from Operations Control Center (OCC) and SDTC. OCC and SDTC reports are reviewed periodically by the Report Clerks to ensure a record has been created in eForce. An email is sent to the TSS Captain requesting that outstanding reports be submitted immediately.

Supervisor

Mandatory fields for all reports shall include:

1. date and time
2. name fields (victim and suspect)
3. person type field
4. violation fields
5. location fields
Following daily review for accuracy, the Supervisor will note minor errors and forward the reports to the writer for corrections. Reports with major changes and discrepancies will be returned to the respective supervisor for corrections and/or clarifications. Those reports MUST be returned to Supervisor within 24 hours of receipt (in some cases the supervisor may be off, so the 24 hour rule begins on his first return to duty day).

The Supervisor will correct and forward all reports received every day to the Report Clerks regardless of the number received. For example, if there are less than ten reports in a day then they will be reviewed and forwarded. The Supervisor will notify the Deputy Director, or in his absence the Field Operations Manager if the daily reports cannot be forwarded to the Report Clerks due to other commitments or priorities. This shall be done as soon as possible so that all concerned are aware of the daily report process interruption.

**Report Training**

Training will be conducted by the Records Manager and staff on training days. Supervisors should make note of personnel who consistently commit errors and send those officer/inspectors to training. Supervisors may send anyone else, who in their judgment, would also benefit from the training.

**Report Clerks**

Report Clerks will report mistakes not found by the Supervisor. Issues that are out of the scope of the Report Clerks position are brought to the attention of Supervisor and/or the Contract Security Department’s Captain for assistance.

Report Clerks will notify the Deputy Director and/or the Records Manager of issues that cannot be resolved in a timely manner.
PURPOSE

This procedure establishes guidelines for completing the Watch Commander’s/ Supervisor’s Daily Activity Log.

POLICY

The daily Watch Commander’s/ Supervisor’s Daily Activity Log will be completed in accordance with the following procedures.

PROCEDURE

The Watch Commander’s/ Supervisor’s Daily Activity Log is a hand written log. It is the responsibility of each Supervisor to complete a Watch commander’s/ Supervisor’s Daily Activity Log for each shift worked. The Watch Commander’s/ Supervisor’s Daily Activity Log must accurately reflect significant and specific activity during shift hours. Logs must be completely comprehensive. The completed logs will be submitted to the Administrative Supervisor at the end of each shift. The Administrative Supervisor will be responsible for reviewing and archiving the logs.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors and other SDMTS Transit Enforcement Department employees as it relates to their expected conduct.

POLICY

SDMTS Transit Enforcement Department personnel shall conduct themselves in accordance with the following procedures, rules and guideline:

PROCEDURE

TABLE OF CONTENTS

600.1 (1) Policy
600.1 (2) Applicability
600.1 (3) Violation of Rules
600.1 (4) Unbecoming Conduct
600.1 (5) Immoral Conduct
600.1 (6) Conformance to Laws
600.1 (7) Seeking or Accepting Gifts, Gratuities, Bribes or Rewards
600.1 (8) Alcoholic Beverages in MTS Facilities
600.1 (9) Use of Drugs
600.1 (10) Use of Alcohol/On Duty
600.1 (11) Use of Alcohol/Off Duty
600.1 (12) Insubordination
600.1 (13) Conflicting of Illegal Orders
600.1 (14) Public Appearances and Statements
600.1 (15) Abuse of Position
600.1 (16) Endorsements and Referrals
600.1 (17) Identification
600.1 (18) Outdoor Advertising
600.1 (19) Employment Practices
600.1 (20) Contracting
600.1 (21) Employee Handbook
600.1 (22) Employee Dress Code
600.1 (23) Employee Evaluation
600.1 (24) Employee Conduct
600.1 (25) Employee Grievance

600.1 (26) Failure to Meet Standards
600.1 (27) Fictitious Illness or Injury Reports
600.1 (28) Personal Appearance
600.1 (29) Use of Tobacco
600.1 (30) Employment Outside of MTS
600.1 (31) Operation of Vehicles
600.1 (32) Carrying of Firearms
600.1 (33) Use of MTS Equipment
600.1 (34) Intervention
600.1 (35) Dissemination of Information
600.1 (36) Processing Property
600.1 (37) Abuse of Process/Withholding Evidence
600.1 (38) MTS Reports
600.1 (39) Political Activities
600.1 (40) Medical Examination, Photographs, Lineups
600.1 (41) Truthfulness
600.1 (42) Treatment of Persons in Custody
600.1 (1) Policy

All employees shall conform to the federal, state, and local laws, as well as to the policies of MTS applicable to them in the performance of their duties or while they are on MTS premises or property. In addition, employees shall not violate any laws, whether on or off duty or while they are on MTS premises, or conduct themselves in any manner which may have an adverse impact on the reputation or operations of MTS. It shall be the responsibility of all employees to familiarize themselves and comply with all such policies, orders, directives, rules and regulations of MTS.

600.1 (2) Applicability

These Rules of Conduct apply to all SDMTS Transit Enforcement personnel. They are intended to supplement, and not supersede, applicable provisions of any collective bargaining agreement and the MTS Rules and Instructions for Employees.

600.1 (3) Violation of Rules

Employees shall not commit or omit any acts which constitute a violation of any of the rules, regulations, directives, orders or policies of MTS, whether stated in these Rules of Conduct or elsewhere. Employees shall be responsible for their own acts, and they shall not shift to others the burden, or responsibility, for executing or failing to execute a lawful order or duty.

600.1 (4) Unbecoming Conduct

Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on MTS. Unbecoming conduct shall include that which does or tends to bring MTS into disrepute or reflects discredit upon the employee as a member of MTS, or that which does or tends to impair the operation and efficiency of MTS or the efficiency of the employee in connection with the performance of duties for MTS.

600.1 (5) Immoral Conduct

Employees shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest of standards. Employees shall not participate in any incident involving moral turpitude, e.g., unethical or dishonest behavior, which does or tends to impair their ability to perform their duties or causes MTS to be brought into disrepute.
600.1 (6) Conformance to Laws

A. Employees shall obey all laws of the United States, of California, and of local jurisdictions of San Diego County applicable to them in connection with the performance of their duties for MTS or while they are on MTS premises or property. In addition, employees shall not violate any laws, whether on or off MTS premises, which may adversely impact the reputation or operations of MTS.

B. When MTS has obtained evidence, after conducting an investigation, to establish a good faith belief that an employee has violated one or more of its policies or any law that affects MTS business interests, disciplinary action up to and including termination may be imposed. Upon learning of a potential violation of MTS policy or law, MTS may place the employee on an unpaid leave or temporary reassignment until a MTS investigation has been completed or the matter is resolved in the courts. A conviction or plea of nolo contendere may result in disciplinary action, up to and including termination, if it is job-related or adversely affects MTS’s reputation or operations.

C. Employees shall immediately inform their supervisor of any and all circumstances where nonconformance to laws has been, or is likely to be alleged by any law enforcement agency.

600.1 (7) Seeking or Accepting Gifts, Gratuities, Bribes, or Rewards

It is prohibited for employees to directly or indirectly solicit or accept from any person, business, or organization any gift, gratuity, bribe, or reward for the benefit of the employee, if it may be reasonably inferred that the person, business, or organization:

A. Seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or

B. Has an interest, which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.

Food and Other Services: When making purchases, whether on or off duty, employees shall pay posted price(s) for food, services or any other consideration. Discounts will not be accepted nor solicited where the employee’s official position is used to affect same, or the discount can be reasonably shown to be a result of any official position. A discount may be accepted where it has been negotiated by a recognized employee group sanctioned by MTS.

For the purpose of this rule, the words “gift”, “gratuity”, “bribe”, and “reward”, shall include money, food tangible or intangible personal property, loan, promise, service, entertainment, or any other consideration.

Employees shall not engage or participate in any form of illegal gambling at any time while in uniform, on MTS premises or property or performing work on behalf of MTS. Reference MTS Rules; Section 1.4.8.

600.1 (8) Alcoholic Beverages in MTS Facilities

Employees shall not bring or store alcoholic beverages in any MTS facility or vehicle except when it is being held as evidence or for an approved instructional program. See also MTS Drug and Alcohol Policy.
600.1 (9) Use of Drugs

Employees are prohibited from using drugs while working, or on MTS premises or property or reporting to work with drugs in their bodily systems, except as permitted in the MTS Drug and Alcohol Policy. Please refer to the MTS Drug and Alcohol Policy for further information.

600.1 (10) Use of Alcohol/On Duty

Employees shall not drink alcohol beverages while on duty. Employees shall not appear for duty, or be on duty, while under the influence of alcohol or have an odor of alcohol on their breath. See MTS Drug and Alcohol Policy.

600.1 (11) Use of Alcohol/Off Duty

Employees, while off duty, shall refrain from consuming alcoholic beverages to the extent that it results in unlawful or obnoxious or offensive behavior in public which does or tends to discredit MTS, or renders the employee unfit to report for their next regular tour of duty. See MTS Drug and Alcohol Policy.

600.1 (12) Insubordination

Insubordination is the refusal to obey a lawful order given by a supervisor or manager. The supervisor or manager shall have the authority to decide what is reasonable. An employee may refuse to obey an order only if the employee has a reasonable basis for believing compliance with the order is unlawful or will jeopardize the safety of the employee or others.

600.1 (13) Conflicting or Illegal Orders

Employees who are given an otherwise proper order which is in conflict with a previous order, regulation, directive or manual, shall respectfully inform the supervisor issuing the conflicting order. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility shall be upon the supervisor. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order previously issued. However, employees shall not obey any order which they reasonably believe would require them to commit any illegal act or jeopardize the safety of the employee or others. If in doubt as to the legality or safety of the order, employees shall request that the person issuing the order confer with higher authority or clarify the order.

600.1 (14) Public Appearances and Statements

A. Employees shall not publicly criticize or ridicule MTS, its policies, or employees, by speech, writing or other expression, where such expression is defamatory, obscene, unlawful or is made with reckless disregard for truth or falseness.

B. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publications, act as correspondents, release or divulge investigative information or any other matter of MTS while holding themselves out as representing MTS in such matters without having obtained authority from the President/General Manager. All inquiries from the media regarding MTS, its operations or employees, are to be referred to the President and General Manager.

Rev. 07.31.2017
C. Any speech, writing or other expression made where the listener or reader may reasonably assume that the employee is acting as a spokesperson on behalf of MTS will be governed by Sections A and B.

D. To the extent an employee disagrees with MTS policy or actions, MTS encourages the employee to submit his or her criticisms or proposed changes to his or her supervisor or manager. If the employee does not receive a satisfactory response, the employee may contact the Vice President of Administration or President/General Manager. Public Criticism of MTS policy or operations, without first using appropriate internal channels, does not serve the best interests of MTS.

600.1 (15) Abuse of Position

A. Use of Official Position of Identification

Employees are prohibited from using their official position, official identification cards or badges for:

(1) personal or financial gain;
(2) obtaining privileges not otherwise available to them except in the performance of duty;
(3) avoiding consequences of illegal acts (such as traffic citations, driving under the influence, etc.); or
(4) the purpose of misrepresenting themselves to any person as being a law enforcement officer.

Employees may not lend their identification cards or badges to another person, or permit them to be photographed or reproduced. Employees may carry their badges and identification cards when off duty, however, employees shall not misuse their badges and identification cards.

B. Use of Name, Photograph or Title

Employees shall not permit or authorize the use of their names, photographs, or official titles which identify them as members of MTS in connection with testimonials or advertisements of any commodity or commercial enterprise.

C. Use of C.C.W. License

Employees who in their capacity as private citizens have applied for and received concealed weapons licenses are not authorized to, nor shall they represent to any person that they are, carry or utilize such a weapon within the course and scope of their employment with MTS. Nor shall any employee who has obtained a concealed weapons license misrepresent himself/herself to any person as being a law Enforcement Officer.

D. Wearing of Official Uniforms

Code Compliance inspectors and Supervisors shall not wear their uniforms except in the course and scope of their assigned duties. Code Compliance personnel may wear their uniforms in transit to and from work if a civilian attire cover shirt or jacket is worn over the uniform. Employees shall not wear their uniforms during “off duty hours” or in a situation that would misrepresent themselves as being a peace officer.
600.1 (16) Endorsements and Referrals

A. Employees shall not recommend or suggest in any manner, when acting in their official capacity, the employment or procurement of a particular product, professional or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.).

B. Employee shall not permit or authorize the use of their names, photographs, or official titles, which identify them as members of MTS, in connection with testimonials or advertisements of any commodity or commercial enterprise.

600.1 (17) Identification

A. Employees shall carry their badges and identification cards on their persons at all times, when on duty, except when impractical or dangerous to their safety or to an investigation. (i.e. plain clothes detail)

B. Employees may carry their badges and identification when off duty, however, employees shall not misuse their badges or identification cards in any manner that would misrepresent them to any person as being a Law Enforcement Officer.

C. Employees shall furnish their name and identification number to any person requesting that information, except when the withholding of such information is necessary for the performance of enforcement duties. (i.e. plain clothes detail)

600.1 (18) Citizen Complaints

Employees shall courteously and promptly accept and record in writing any complaint made by citizen against any employee or any department policy or procedure. Employees may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint. Employees shall immediately notify their supervisor of a complaint.

600.1 (19) Courtesy

Employees shall be courteous to the public and fellow employees. They shall be tactful in the performance of their duties, shall control their tempers, exercise patience and discretion and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, employees shall not use coarse, violent, profane or insolent language or gestures.

600.1 (20) Requests For Assistance

When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner, and will be properly and judiciously acted upon consistent with established MTS procedures.
600.1 (21) Report For Duty

Employees shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume the duties. Judicial subpoenas and training assignments shall constitute an order to appear under this section.

600.1 (22) Sleeping on Duty

Employees shall remain awake while on duty. If unable to do so, they shall report to their immediate supervisor who shall determine the proper course of action. The supervisor shall make a determination as to the reason for the employees’ exhaustion and may opt to relieve the employee of duty on paid or unpaid leave for the remainder of the shift if necessary to insure the safety of the employee, their co-workers, and patrons.

600.1 (23) Breaks

Procedure

The following procedure will be adhered to whenever a Code Compliance Inspector or Supervisor takes a meal or refreshment break. As a general rule, there should be no more than two Code Compliance Personnel out of service on breaks at any given time.

Meal Breaks

Inspectors

A Code Compliance Inspector will be required to notify Central Control to request permission to remove himself/herself from service for a thirty-minute meal break.

Central Control will issue an authorization if there are no other inspectors currently taking a meal break, or if the CCI Supervisor approves the break. If the break is authorized, the CCI shall provide the name and location of the establishment to the controller.

To insure that each CCI receives an uninterrupted lunch break, the CCI may turn off the issued radio for the duration of the thirty-minute break period. The Inspector will not be required nor expected to perform any duties during the meal break. The Inspector will be required to turn on the issued radio at the conclusion of the thirty-minute meal break and advise control that he/she has returned to service. The Inspector will enter the beginning and ending time of the break on the daily activity log.

In the event that an Inspector returns to service due to an emergency situation, the Inspector must advise a Supervisor of the circumstances and request approval to return to service. If approval is granted, the Inspector will be compensated at the overtime rate for the half-hour meal period. If the Inspector elects to receive overtime compensation for the meal period, the Inspector may not take an additional meal break for the remainder of the shift.

Unless working a team assignment, Inspectors will take their meal breaks by themselves to insure that only one Inspector is out of service for a meal break at any given time.

Rev. 07.31.2017
In the event of team assignments, Inspectors will be allowed to take meal breaks in groups of two.

Refreshment Breaks

CCIs and Supervisors are authorized two fifteen-minute refreshment breaks during their regularly assigned shift. An Inspector shall notify a supervisor when he/she is going to take a refreshment break and provide the name and location of the establishment. The Inspector will enter the beginning and ending time of the refreshment break on the daily activity log.

Inspectors may take refreshment breaks in groups of two to facilitate the exchange of pertinent enforcement/safety information.

Due to the short duration of the refreshment break, Inspectors should monitor their radio for bulletins and other officer safety related radio traffic. Inspectors are neither required nor expected to perform any duties during a refreshment break, but may be directed to go back into service during an incident requiring an urgent response. The break may be resumed at the conclusion of the incident.

Supervisors

The same meal/refreshment break procedure will be in effect for Supervisors. Supervisors need not obtain permission, but should notify central control of the name and location of the establishment if he/she is going to turn off the issued radio during the meal break.

While in service, Supervisors will be required to monitor radio traffic in an attempt to assist central control in keeping track of meal breaks for Inspectors assigned to his/her watch. A Supervisor will not authorize more than two inspectors to be out of service for a meal break at any given time.

A Supervisor may take his/her meal or refreshment break with an Inspector or team of two Inspectors to facilitate the exchange of pertinent enforcement/safety information and develop camaraderie with members of his/her enforcement team. Supervisors shall assign breaks to employees working overtime assignments at their discretion based on the number of overtime hours worked by the CCI.

600.1 (24) Neglect of Duty

Employees shall not read, play games, watch television or movies or otherwise engage in entertainment while on duty, except as may be required in the performance of duty. They shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty, refer to MTS Rules: Section 1.4.20.

Employees shall not leave MTS property or vehicles except in the authorized performance of their official duties. Authorized duty assignments shall include court appearances, training assignments, inter-agency meetings, transportation of detainees, victims or evidence, authorized movement required by special assignments, i.e.: Bicycle Enforcement Team, and to take authorized meal or refreshment breaks.
600.1 (25) Telephone, Name, Address

In order to receive timely communications regarding work assignments and schedules, employees shall have telephones in their residences, and all employees shall immediately report any changes to telephone numbers, names, or addresses to their supervisor and to such other persons as may be required by MTS.

Employees should be aware that, under certain circumstances, they may be subject to call back to ensure the efficient operation of MTS.

Employees who utilize answering machines must return calls from supervisors in a timely fashion. Failure to return calls from supervisors related to call back, overtime, reporting for duty, completing reports, or other duty related topics may subject the employee to discipline, up to and including termination.

600.1 (26) Failure to Meet Standards

Employees shall properly perform their duties and assume the responsibilities of their positions. Employees shall perform their duties in a manner that will establish and maintain the highest standards of efficiency in carrying out the mission, functions and objectives of MTS.

A. Failure to meet standards may be demonstrated by, among other things, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee’s position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving attention; absence without leave; unauthorized absence from the assignment during a tour of duty; the failure to submit complete and accurate reports in a timely manner when required or when directed by a supervisor; failure to satisfactorily complete required training; failure to satisfactorily perform the duties of the employee’s position; and failure to comply with safety standards and to promptly report all work-related accidents, injuries or safety hazards. Failure to meet listed standards, or any other standards established by MTS, constitutes grounds for discipline, up to and including termination.

B. Failure to satisfactorily complete the course of instruction and pass all testing per California Penal Code Section 832, as applicable, constitutes grounds for discipline, up to and including termination.

600.1 (27) Fictitious Illness or Injury Reports

Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of MTS as to the condition of their health.

600.1 (28) Personal Appearance

A. Employees on duty shall wear uniforms or other clothing appropriate to their assignment in accordance with established MTS procedures.

B. Employees on duty shall maintain a neat, well-groomed appearance according to established MTS Regulations.
C. Employees having occasion to visit any MTS facility, while on or off duty, shall be neat and clean in their appearance.

600.1 (29) Use of Tobacco

Employees shall not smoke or use smokeless tobacco when they:

(1) are in formation,

(2) have to leave their assignment or post for the sole purpose of doing so (except during regular breaks and meal periods),

(3) are engaged in traffic control or direction,

(4) are dealing in person with the public, or

(5) are in department vehicles or designated nonsmoking areas. (Smoking or use of smokeless tobacco at all other times will be compliance with state and local smoking ordinances.)

600.1 (30) Employment Outside of MTS

Employees may engage in off-duty employment subject to the following limitations:

(1) such employment shall not interfere with the employee’s employment with MTS;

(2) employees shall submit a written request for off-duty employment to the Deputy Director of Transit Enforcement and the Human Resources Administrator, whose approval must be granted prior to engaging in such employment.

Approval may be denied where it appears that the outside employment might:

(1) render the employee unavailable during duty and special events;

(2) physically or mentally exhaust the employee to the point that their performance may be affected;

(3) require that any special consideration be given to scheduling of the employee’s regular duty hours; or

(4) create a conflict of interest. Reference Section 1.4.22 “Outside Employment” of the SOT! Rules for Employees and Procedure Manual.

600.1 (31) Operation of Vehicles

This rule applies to employees who must operate vehicles in the performance of their duties. Employees shall operate official vehicles in a careful and prudent manner, and shall obey all laws of the state and all MTS orders pertaining to such operation. Employees shall set a proper example for other persons by their operation of official vehicles. Loss or suspension of, or failure to renew, an employee’s driver’s license shall be reported to MTS immediately and may be cause for reassignment, suspension, or termination. When employees drive any
vehicle requiring other than a regular driver’s license (Class 3) they shall possess the required class endorsement.

When any member of this department transports ANY person other than a CCI or Contract Security Officer in a department vehicle, central control will be notified and provided with the starting location and intended destination. The controller will be given the beginning and ending time and mileage according to the employee’s wristwatch and odometer reading from the vehicle they utilize to conduct the transport. Employees will confirm the time and mileage with the controller and document it on their daily activity log.

Department vehicles equipped with emergency flashers, strobe lights or any other light-emitting signal device shall only be used while the vehicle is parked in a manner that may cause a hazard to other vehicles or trains, i.e., at an accident scene or while conducting business on or near the right-of-way. Sirens or signaling devices shall never be used while the vehicle is in motion. Personnel responding to emergency situations including code-3 incidents shall obey all traffic laws and drive at a speed that does not endanger the driver, passengers or other vehicles.

600.1 (32) Carrying of Firearms

Employees who are licensed by the County Sheriff to carry a concealed weapon shall carry them in accordance with all applicable Federal, State and Local laws.

Employees with C.C.W. permits are prohibited from carrying a licensed firearm under the following circumstances.

   A. on their person or in their private vehicles at any time while on/in MTS, SDTI, and SDTC properties or vehicles at any time while working for MTS. (Refer to MTS Rules, Section 1.4.12)

   B. C.C.W. License: See S.O.P.; section 600.1 (15) C

MTS will not intervene nor recommend to the County Sheriff that Code Compliance personnel be granted a license to carry a concealed weapon based on their duties and/or responsibilities as a Code Compliance Inspector.

600.1 (33) Use of Equipment

Employees shall utilize department equipment only for its intended purpose, in accordance with established MTS procedures and shall not abuse, damage or lose MTS equipment. All MTS equipment issued to employees, including manuals, shall be maintained in proper order and shall remain in the custody and control of the employee or be secured in an MTS facility or vehicle.

600.1 (34) Intervention

Employees shall not use their position, or knowledge gained by employment with this department to intervene in or interfere with any case, or investigation being handled by MTS, or any other agency.
600.1 (35) Dissemination of Information

Employees shall treat the official business of MTS as confidential. Information regarding official business shall be disseminated only to those who have a business need and are authorized to receive it, in accordance with established MTS procedures. Employees may not remove or copy official records or reports from MTS records without specific permission from their supervisor or Transit Security Administrator, and in accordance with established MTS procedures.

600.1 (36) Processing Property

Property which has been discovered, gathered or received in connection with MTS responsibilities will be processed in accordance with established MTS procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property found or obtained in connection with the performance of their duties, except in accordance with MTS procedures.

600.1 (37) Abuse of Process/Withholding Evidence

Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold evidence or information in connection with their employment with MTS, or make false accusations of a civil or criminal violation of law.

600.1 (38) Reports

Employees shall submit all necessary reports on time and in accordance with established MTS procedures. Reports submitted by employees shall be truthful and complete. No employee shall knowingly enter or cause to be entered any inaccurate, false or improper information, nor omit pertinent information reasonably expected to be included.

Daily Activity Logs shall be maintained by each department employee and shall depict an accurate, chronological recounting of an employee’s shift activity. Log entries shall include enforcement contacts, passenger counts, train inspections, fare paid zone inspections and locations, calls for service and assistance, all breaks, court appearances, training assignments, meetings, transportation of persons, property or evidence in department vehicles to include time and mileage as necessary, special assignments, and any other activity that requires a change of location and activity by the employee. Training Officers shall keep a Daily Activity Log independent of their trainee’s Daily Activity Log.

CCIs shall remain in service on Transit Property to complete citation notes or log entries. CCIs shall not go off of Transit Property for the sole purpose of writing citation notes or log entries.

CCIs that have completed most of their paper work in the field shall not return to the facility earlier than thirty (30) minutes prior to the end of shift. No CCI shall spend excessive idle time at the facility awaiting the end of shift.

CCIs requiring additional time prior to the end of shift to complete unfinished paper work shall contact their supervisor to arrange sufficient time to return to the facility to complete their reports.
CCIs turning in incident, crime, or arrest reports prior to his/her scheduled days off must complete the paper work, turn it in for approval or corrections to their Supervisor, prior to leaving for their scheduled days off.

**Supervisors**

Supervisors shall ensure that any corrections are completed prior to the CCI leaving for scheduled days off. To minimize overtime, Supervisors shall also ensure the CCI has sufficient time during the shift to complete and have the reports approved prior to the end of their shift before scheduled days off.

Supervisors must estimate the time necessary to review and approve his/her shift’s paperwork to ensure sufficient time to properly complete the task. Supervisors shall schedule report-writing time to limit the number of personnel out of service.

Shift Supervisors are responsible for insuring that paperwork returned for corrections and additional information be re-submitted for processing in a timely matter. Supervisors are responsible for reviewing and processing reports every shift. This includes completed paperwork submitted by your team members prior to the end of shift and any late paperwork submitted by the previous shift. In the case of citations, a supervisor shall place the initials of their first and last name and their identification number on the bottom of the citation after review and approval. Supervisors discovering reports and citations needing correction and/or additional information shall return the document to the supervisor of the authoring CCI prior to forwarding the report to Records clerks. This procedure will ensure that each team supervisor is aware of the errors being made by individual team members and that prompt follow-up occurs.

Citation errors will be tracked on a monthly basis and all personnel found to have excessive error rates shall be subject to disciplinary action beginning with a warning letter to their personnel file. More stringent discipline may be warranted if the error rates remain unacceptable. In order to be fair and consistent, since the number of reports differs from month to month for each inspector or supervisor, the error rates shall be judged on an individual basis rather than a set percentage of errors.

600.1 (39) Political Activity

A. Employees are prohibited from:

   1. Using their official capacity to influence, interfere with or affect the results of an election;

      (a) Directly or indirectly, using, promising, threatening, or attempting to use any official influence in any political activity, or to affect the result of any election or political office, or upon any other corrupt condition or consideration;

      (b) Engaging in political activity of any kind while in uniform prescribed for any employee of MTS or during any hours in which they have been directed to perform their assigned duties, or in a MTS facility or on any property leased or controlled by MTS.
600.1 (40) Medical Examination, Photographs

A. Medical Examinations

Employees may be required to submit to medical or psychological examinations at MTS request when necessary to determine whether they are able to safely perform their job duties or when otherwise required or permitted by law.

B. Drug and Alcohol Tests

See the Drug and Alcohol Policy, which specifies when drug and alcohol tests may be required.

C. Photographs

Photographs are required for identification purposes. See also SOP 600.1 (1)

600.1 (41) Truthfulness

When asked by any MTS supervisor or manager, employees will always answer questions, whether orally or in writing, truthfully and to the fullest extent of their knowledge. All written and verbal reports shall be truthful and complete.

600.1 (42) Treatment of Persons in Custody

Employees shall not mistreat, nor abuse physically or verbally, persons who are in their custody. Employees shall handle persons in accordance with law and established MTS procedures.

600.1 (43) Use of Force

Employees shall not use more force in any situation than is reasonably necessary under the circumstances. Employees shall use force in accordance with law and established procedures, and report all use of force in writing.

600.1 (44) Use of Lethal/Less Lethal Weapons

Employees shall not use of handle lethal or less than lethal weapons (including chemical agents, saps, baton, taser guns, etc.) in a careless or imprudent manner. Employees shall use these weapons in accordance with law and established MTS procedures.

600.1 (45) Arrest, Search and Seizure

Employees shall not make any arrest, search or seizure, nor conduct any investigation or official MTS business in a manner, which they know or should know, is not in accordance with law and established MTS policies and procedures.
600.1 (46) Conflicts of Interest

No employee shall make, participate in making or in any way attempt to use his or her official position or influence a governmental decision in which the employee knows, or has reason to know, that he or she has a financial interest.

600.1 (47) Discrimination

MTS is committed to maintaining a workplace that is free from unlawful discrimination and harassment. There shall be no unlawful discrimination or harassment, in any aspect of employment, because of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, pregnancy, marital status, gender, age, political beliefs, sexual orientation or any other basis of qualifications, competence and experience. Reasonable accommodations are available for qualified individuals upon request, provided they do not impose an undue hardship on MTS. Employees who observe or are subject to unlawful discrimination or harassment are encouraged to report it pursuant to the procedures set forth below in SOP 600.1 (48).

Supersedes: Revised 10/2001

600.1 (48) Sexual and Other Unlawful Harassment

MTS is committed to maintaining a workplace that is free from unlawful discrimination and harassment. In keeping with this commitment, MTS strictly prohibits all unlawful harassment and discrimination, including harassment protected by law. Sexual harassment is specifically prohibited as unlawful and against MTS policy. Any employee found to be responsible for sexual or other unlawful harassment or discrimination in violation of this policy will be subject to disciplinary action up to and including termination.

Definition of Sexual or Other Unlawful Harassment

Sexual or other unlawful harassment includes unwelcome advances or unwelcome verbal, physical or visual conduct base on sex, race, national origin, religion, disability, age, sexual orientation, or any other legally protected category made either explicitly or implicitly:

(a) As a term or condition of employment;

(b) As a basis for any employment decision affecting an individual; or

(c) In a manner, which creates an intimidating, hostile or offensive working environment.

Examples of Sexual or Other Unlawful Harassment

It is not possible to identify each and every act, which constitutes or may constitute sexual or other unlawful harassment. However, examples of sexual or other unlawful harassment are provided below.

(a) Unwelcome requests for sexual favors; lewd or derogatory comments or jokes based on sex, race, disability, national origin or any other legally protected category; comments regarding sexual behavior or the body of another employee; sexual innuendo and other vocal activity such as cat calls or whistles. Racial slurs.
(b) Obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial material of a sexual nature or based on race, national origin, age, disability or other legally protected category.

(c) Continuing to express sexual interest after being informed the interest is unwelcome.

(d) Retaliating against an employee for refusing a sexual advance or reporting an incident of possible sexual or other unlawful harassment or discrimination of the Company or any government agency.

(e) Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors. Any unwanted physical toughing or assault or blocking or impeding movements.

Internal Complaint Process

Any employee who believes he or she has been subjected to unlawful harassment or discrimination by a coworker, supervisor or management should promptly report the incident to the Human Resources Administrator, unless the Human Resources Administrator is the alleged perpetrator of the misconduct, in which case all duties of the Human Resources Administrator described below will be assumed by the President and General Manager or his designee. The Human Resources Administrator will investigate all complaints of unlawful harassment and discrimination, and base on appropriate action. Upon completion complainant, the alleged perpetrator of the misconduct and, as appropriate, to all others directly concerned.

If sexual or other unlawful harassment or discrimination is proven, prompt and effective remedial action will be taken. This includes the following steps:

1. Appropriate action will be taken against the perpetrator of the misconduct and communicated to the complainant;

2. steps will be taken to prevent any further harassment or discrimination; and

3. other appropriate remedial action.

Non-retaliation

No employee will suffer reprisals for reporting sexual harassment, or any other unlawful conduct, or for initiating or assisting in any action or proceeding regarding unlawful harassment or discrimination. Any incidents of further unlawful harassment, discrimination or retaliation should be reported immediately to the Human Resources Administrator.

External Complaint Process

If you are not satisfied with MTS’s handling of a harassment or discrimination complaint, you may seek legal relief by filing a complaint with the appropriate state or federal agency. The California Department of Fair Employment and Housing (“DFEH”) will, in appropriate cases, investigate your complaint, and attempt to help you an MTS resolve the matter. If the DFEH finds evidence of unlawful conduct and conciliation efforts fail, it may file a formal accusation. This can lead to a hearing before the Fair Employment and Housing Commission.
(“FEHC”), which makes a final determination in the matter. If the FEHC finds a violation of the law, it can order appropriate remedies including back pay, limited emotional distress damages and administrative fines. The local office of the DFEH can be contacted by consulting the government listings section of your telephone directory. For more information about eliminating sexual or other unlawful harassment or discrimination in the workplace, please contact the Human Resources Administrator.

600.1 (49) Punishment

Violation of these Rules of Conduct will subject the employee to discipline up to and including termination.
PURPOSE

This procedure identifies the scope of authority and restrictions on code compliance inspectors assigned to the transit enforcement department in processing citizen arrests and releasing of arrested persons.

POLICY

Citizens arrests and releasing of arrested persons per 849(b)(1) P.C shall be processed in accordance with the following procedures.

PROCEDURE

Background

Penal Code Section 849(b)(1) dictates that a “Peace Officer” may release an arrested person from custody based on a variety of circumstances.

Penal Code Section 836.5 defines Code Compliance Inspectors as “Public Officers”, and provides Inspectors with the authority to release violators pursuant to the issuance of a “Notice to Appear” citation for authorized citable offenses in lieu of physically taking the violator before a magistrate or into physical custody.

Penal Code Section 837 provides the parameters by which private citizens and private security officers may affect an arrest. Private security officers and private citizens, by statute, are not empowered to release persons arrested via citation.

In the event that a contract security officer affects a citizen’s arrest on transit property, a Code Compliance Inspector will respond to provide assistance. The responding Code Compliance Inspector will issue a citation for evaluation and disposition by the court of authority if he/she feels the elements of the criminal section cited have been met. The arresting contract security officer will prepare a report detailing the circumstances of the contact and arrest.

If a SWORN officer of a local police department responds for assistance, the sworn officer may take charge of the scene and release the violator. The responding Inspector will treat this as a professional evaluation by an officer empowered to release per 849 P.C., and will not issue a citation. The inspector will prepare an officer’s report detailing the circumstances of the release, and will include the identifying information of the violator.
contract security officer, and sworn officer. The contract security officer should prepare an eForce report detailing the circumstances of the contact and arrest, including the officer's name, I.D. number, and agency of the sworn officer who released the arrestee, and check the 849(b)(1) P.C. release box.

When a civilian employee of MTS affects a citizen’s arrest, a Code Compliance Inspector will respond to provide assistance. The responding Inspector will ONLY issue a citation if the arresting civilian employee is still on scene. The arresting civilian employee must be willing to place the subject under arrest. The Inspector issuing the citation will insure that the person placing the violator under citizen’s arrest ACTUALLY OBSERVED the offense being committed.

The Inspector issuing a citation, for the arresting civilian employee, will prepare a report detailing the circumstances of the arrest and citation. The Inspector will include the name of the arresting party, complete identifying information, employee identification number, circumstances as related to the Inspector by the arresting party, observations of the Inspector, and any evidence observed/obtained. The Inspector will place the name of the arresting party and identification number on the face of the citation as the arresting officer. The Inspector will obtain the signature of the arresting civilian employee on the face of the citation next to their name. The Inspector will include his/her own name on the citation as the issuing officers. The arresting MTS civilian employee should provide the Inspector with a written “Special Report” prior to the end of shift. Employees of SDTC will prepare a “Miscellaneous Duty Report” for the Inspector. (This does not apply to arrests made by contract security officers. Refer to the procedure described earlier in this policy whenever an arrest is made by a contract security officer).

Whenever a contract security officer places a violator under arrest per 647(f) P.C., the responding Code Compliance Inspector will take custody of the violator. If the Inspector feels that the violator does not meet the legal parameters of 647(f) P.C., the Inspector can release the subject. If the subject meets the elements of 647(f) P.C., the local law enforcement agency of jurisdiction shall be notified to transport the subject to Detox or San Diego county Jail.

Mills Building Security Officers

It shall be the policy of the Transit Enforcement Department to issue citations on behalf of the Mills Building security officers, and authorized staff, when called upon to do so. In these cases, Code Compliance Inspectors will confirm the validity of the charges requested to insure the violation falls within the purview of authorized Ordinances, Public Utility Code (PUC) Sections, and designated California Penal Code Sections. Citations shall only be issued for violations committed on MTS property. A report should be obtained from the Mills Building security officer.

In the event a citizen, who is not an employee of the transit system, places a person under citizen’s arrest for an alleged violation on transit property, the responding Code Compliance Inspector will request the local police agency of jurisdiction to respond to handle the incident. Code Compliance Inspectors will not issue citations for arresting citizens who are not employees of the transit system.
PURPOSE

This procedure establishes the guidelines and restrictions on code compliance inspectors assigned to the Transit Enforcement Department in regards to reporting for duty, use of sick leave and requesting vacation, and other leave time.

POLICY

Employees shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume the duties. Judicial subpoenas and training assignments shall constitute an order to appear under this section. If the employee is unable to report for duty due to illness or injury, sick leave shall be used in accordance with the following procedures. Additionally, other leave such as vacation, floating holiday or “day off in lieu of scheduled work on a holiday” shall be requested in accordance with the following procedures.

PROCEDURE

Background

Attendance and punctuality are important to the efficient operation of MTS. Good attendance and punctuality are essential components of solid employee performance and are measured by objective standards. Poor attendance and tardiness disrupt productivity and make it difficult for MTS to function effectively.

Sick Leave

MTS recognizes, however, that an employee is susceptible to a disabling illness or injury that might prevent an employee from reporting to work. The purpose of the Attendance Policy is to establish the standards for acceptable attendance, provide progressive disciplinary procedures for these employees who do not meet the Company’s attendance standards and provide general guidelines for the administration of the above standards.

The Collective Bargaining Agreement between the Company and TEOA provides for the Accrual of Sick leave benefits for full time employees. The sole purpose of these benefits is to protect the employee’s earnings when absent due to illness or injury. Such accrued benefits should not be considered authorization for taking time off work. The existence of accrued sick leave benefits does not relieve the employee of the duty or obligation to
maintain a level of physical fitness that will render one capable of reporting to work regularly, nor are the benefits to be used indiscriminately.

It is understood that an employee may have medical documentation confirming an illness or injury and that such documentation may be required to be eligible for sick leave benefits. Such medical documentation does not necessarily excuse an absence since an employee’s attendance record is reviewed based on total absences from work. An employee, even with the best reasons, may be absent so much that the employee’s services may become of little value to the Department or the organization. In such an event, an employee cannot expect to remain in the employ of the organization.

Prior to the effective date of this policy, each current, regular part-time and full-time employee received a copy of the policy. Thereafter, any newly hired regular part-time or full-time employee will receive a copy of this policy during their initial orientation period. Each employee will sign a receipt for the policy at the time of issue.

Refer to Attendance Policy 600.1(21) at: http://mtsnet/HumanResources/documents/AttendanceTardyMissOutPolicy5210Final_000.pdf

Employees shall make every effort to call the on-duty CCI Supervisor at least thirty (30) minutes before the start of their shift when calling in sick. If they are unable to reach the on-duty CCI Supervisor, the employee should call the Operations Control Center and advise the dispatcher, who in turn will notify the CCI Supervisor as soon as possible. The employee’s sick time will be documented in the SDMTS payroll system as well as on the daily deployment roster and records maintained by the Field Operations Manager.

Vacation, Floating Holiday or “Day Off in Lieu of Scheduled Work on a Holiday”

Employees desiring vacation time off, floating holiday off or day off in lieu of scheduled work on a holiday must request the time off by completing the MTS Transit Enforcement Department Time-Off Request form. The form shall be complete and submitted to the CCI Supervisor no less than 15 days prior to the requested time off and no more than 60 days before. Upon approval by the CCI Supervisor, the form shall be submitted to the Field Operations Manager for final approval and documentation.