



# Sheriff's Office Training Bulletin

Volume 24 Issue 4

April 2022

## **CORRECTIONS PERSONNEL SHALL UNDERSTAND THE PROVISIONS OF THE CORRECTIONS POLICY MANUAL PERTAINING TO INMATE RECEPTION.**

Corrections personnel must have a complete understanding of Sheriff's Office policy regarding inmate reception. Corrections personnel shall be familiar with the policy and what it contains. Corrections Policy 503 establishes the Sheriff's Office policy regarding inmate reception. The following are excerpts from that policy. *All affected personnel must be familiar with the entire Policy as stated in the Corrections Policy Manual.*

### **DEFINITIONS**

- ✓ Thorough Clothing Search: A systematic touching of body surfaces through the clothing. Thorough clothing searches include the genital, anal and female breast areas.

See "Corrections" continued on page 2

### **INSIDE THIS ISSUE**

- p. 1** Corrections personnel shall understand the provisions of the Corrections Policy Manual pertaining to inmate reception.
- p. 4** An officer violated a driver's Fourth Amendment rights by conducting a patdown search without reasonable fear for officer safety.
- p. 6** From the Rangemaster's Office

### Dispatcher Appreciation



### **FROM THE TRAINING MANAGER**

For those in Corrections, there has been a push to complete STC compliance training (e.g., First Aid, Defensive Tactics, and jail mental health) this year. I want to thank all of you that put in the hard work to complete this training. I also would like to acknowledge Sgt. Donald Burnett (First Aid/CPR/AED), Sgt. Jason Reed (Defensive Tactics), and our valued Instructor cadre for their selfless dedication to duty.

There are some new and exciting training opportunities coming later this year. One of them is our new [VirTra simulator system](#). This video-based immersive screen system will enable us to train using interactive scenarios in de-escalation, use of force, mental illness, skills drills, and low light conditions. This valuable investment is indicative of our commitment to providing you the most recent and relevant training available today. We will continue to embrace technology and emerging trends in training as we set our training roadmap into motion.

- Sgt. Jason Leone

## CODE OF ETHICS

**AS A LAW ENFORCEMENT OFFICER**, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

**I WILL** keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

**I WILL** never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

**I RECOGNIZE** the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

*"Corrections" continued from page 1*

- ✓ Strip Search: A strip search is a visual body cavity search which requires a person to remove or arrange some or all of his or her clothing so as to permit a visual inspection of the underclothing, breasts, genitalia, rectal cavity, and vaginal cavity of such person.
- ✓ Body Cavity: The throat, rectal cavity and vagina.
- ✓ Visual Body Cavity Search: The visual inspection of the body cavities.

### **SAN MATEO COUNTY SHERIFF'S OFFICE TRAINING BULLETIN**

The San Mateo County Sheriff's Office Training Bulletin is published monthly by the San Mateo County Sheriff's Office Training Unit, 400 County Center, Redwood City, California 94063.

Carlos G. Bolanos, Sheriff

Sergeant Jason Leone, Training Manager

Lance Bayer, Editor

For further information, please contact the Training Unit at [Sheriffs\\_TrainingUnit@smcgov.org](mailto:Sheriffs_TrainingUnit@smcgov.org)

- ✓ Physical Body Cavity Search: The physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity.
- ✓ Individualized Reasonable Articulate Suspicion: Specific and articulable facts that, taken together with rational inferences from those facts, reasonably warrant a belief that the person is hiding a weapon, controlled substances, or other contraband. Officers must be able to articulate not only which factors were relied upon, but also indicate how and why those specific factors create the requisite level of suspicion. Individualized reasonable articulable suspicion shall be based on totality of the circumstances and shall not be based on race, ethnic origin, or other factors that indicate prejudice or an irrational predisposition to suspect persons solely because they are part of an otherwise legitimate organization or group.
- ✓ General population—General population means the jail housing unit a person is assigned to after it is determined that the person will not make bail or otherwise

secure release within eight hours after booking. It shall include Administrative Segregation, Disciplinary Isolation, and Medical Housing.

### **PRE-BOOKING SCREENING**

All arrestees shall be screened prior to booking to ensure they are medically acceptable for admission and that all paperwork is in order to qualify the arrestee for booking. Required paperwork may include the following:

- ✓ Arrest reports
- ✓ Probable cause declarations
- ✓ Warrants or court orders
- ✓ Victim notification information
- ✓ Special needs related to religious practices, such as diet, clothing and appearance (see the Religious Programs Policy)
- ✓ Accommodation requests related to disabilities (see the Inmates with Disabilities Policy)
- ✓ Information regarding suicidal statements or actions

Any discrepancies or missing paperwork should be resolved before accepting the arrestee for booking from the arresting or transporting peace officer.

Prior to accepting custody of an arrestee who claims to have been arrested due to mistaken identity due to identity theft leading to the issuance of a warrant in the arrestee's name, staff shall make reasonable efforts to investigate the arrestee's claim of identity fraud or mistake. Staff shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity theft.

Arrestees who can post bail or qualify for a release on their Own Recognizance (O.R.), citation, or Penal Code § 849(b) will be processed and released (15 CCR 1029(a)(5)).

### **IMMIGRATION DETAINERS**

No individual shall be held on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

### **IMMIGRATION INQUIRIES**

No staff member shall inquire into an individual's immigration status for any reason.

### **SEARCHES BEFORE ADMISSION**

All arrestees and their property shall be searched for contraband by the booking officer before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting officer for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting officer prior to the arrestee being accepted for booking. A description of the items returned to the arresting or transporting officer shall be documented on the arrestee's booking record.

### **BOOKING SEARCHES**

All arrestees and inmates entering the Maguire Correctional Facility shall be subject to a thorough clothing or strip/visual cavity search to prevent weapons and contraband from entering the facility. Correctional staff shall not personally conduct physical body cavity searches. The type and timing of searches shall be based on several factors:

- ✓ Arrestees being booked into jail for short periods and not placed in general population are afforded greater protection against intrusive searches than inmates who are or will become part of the general population of the facility. If it appears likely that an arrestee will make bail or otherwise secure release within eight hours after booking (i.e.: cite and release, release on own recognizance, release when sober, etc.), he/she will remain on arrestee status, will not be placed in the general population and

*See "Corrections" continued on page 4*

will be subject only to a thorough clothing search unless there is individualized reasonable articulable suspicion to conduct a strip/visual body cavity search.

- ✓ Arrestees, who will not post bail or otherwise secure release within eight hours of booking and will become part of the general population of the facility, will be subject to a strip/visual body cavity search.
- ✓ Post-arraignment inmates may be subjected to strip searches. These general housing population searches must be reasonable and further a legitimate penological interest. General housing population searches include, but are not limited to: inmates returning from contact visits; inmates entering or leaving administrative segregation (or other restricted areas); inmates being transported to court, medical clinic, or other such venue; inmates returning to the jail facility from outside activities; inmates returning from a work project outside the jail facility; and inmates returning from activities within the facility.

### LEGAL BASIS FOR DETENTION

Arrestees admitted to the facility shall be notified of the official charge for their detention or legal basis of confinement in a language they understand.

### ADMISSION OF SEX OFFENDER REGISTRANTS

The San Mateo County Sheriff's Office shall inform the California Department of Justice when inmates required to register address changes under Penal Code § 290.013 have been admitted into the correctional facility within 15 days of the admission (Penal Code § 290.013).

### MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

Staff shall respond promptly to medical symptoms presented by inmates to lessen the risk of a life-threatening medical emergency and to

promote the safety and security of all persons in the facility. Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify a supervisor, who shall ensure that the appropriate medical staff are notified.

### JUVENILE DETAINEES

Juveniles are not eligible for admission to our correctional facilities. A juvenile may be held only for the length of time needed for release to a parent or guardian or transfer to an appropriate facility, and in any case, for a maximum of six hours (Welfare and Institutions Code § 207.1). ☆

---

### **AN OFFICER VIOLATED A DRIVER'S FOURTH AMENDMENT RIGHTS BY CONDUCTING A PATDOWN SEARCH WITHOUT REASONABLE FEAR FOR OFFICER SAFETY.**

A police officer was on patrol and noticed that the license plate light and the third brake light located at the back window of a vehicle were not working. The officer conducted a vehicle stop. The location was a high crime area.

The officer contacted the driver of the vehicle. The officer recognized the driver and remembered that he had a history of violence and firearm possession and was an investigative lead in a homicide. The officer had prior personal contact with the driver and had seen his name on briefing logs. The officer recalled transporting the driver once when he was arrested for possession of firearms and did not recall having any personal contact with the driver when a crime of violence was involved.

When the officer first approached the driver's side door of the vehicle, the window was

## MISSION STATEMENT

The San Mateo County Sheriff's Office is dedicated to protecting lives and property and is committed to providing the highest level of professional law enforcement and correctional services. We pledge to promote public trust through fair and impartial policing and will treat all persons with dignity, compassion, and respect.

### COMMITMENT

We are committed to protecting life and property and preserving the public peace by acting professionally, with integrity, and without prejudice, even in the most challenging circumstances, when no one is watching, and on and off duty. We hold others accountable to the same standards and challenge any inappropriate behavior.

### INTEGRITY

We are committed to ethics, equity and excellence. We understand that making a difference in the quality of life is an opportunity that policing and correctional services provides. We provide excellent service by respecting and upholding the rights and freedoms of all people in all our interactions, free from bias or stereotype, seeking to understand and help others by making a difference.

### COMPASSION

We understand that sometimes we interact with the community during their most trying times. We are committed to treating all people with compassion, empathy, and respect; going the extra mile to ensure others feel safe, supported, included, engaged, and valued; standing up for those who cannot stand up for themselves; and valuing others' life experiences.

### INNOVATION

We promote an environment that encourages continuous improvement and innovation. We strive to be leaders in modern policing, acting on input and feedback from our communities and colleagues; constantly implementing best-practices; and exploring alternative solutions to current issues.

rolled down. The driver asked the officer if he wanted to see his license, registration, and proof of insurance. There were no signs that the driver was intoxicated. There was no smell of marijuana. There was no contraband in plain view. A records check revealed that the driver had a valid driver's license and showed that he was not on probation or parole. He told the officer that he got off probation in 2018. When asked about marijuana, the driver told the officer that he did not use marijuana. He did not consent to a search of his vehicle.

After the driver refused to give consent to search the vehicle, the officer asked the driver to get out of his vehicle and put his hands on his head because the officer was going to cite him for the Vehicle Code equipment infractions. When a second officer arrived, the officer conducted a patdown search for weapons. Although the driver did not make any sudden movements, the officer felt that he appeared to be getting nervous when told that he was going to pat him down. The driver was wearing baggy clothing and the hoodie he was wearing had bulges in it. The officer conducted the patdown search in part due to the driver's history

of weapons. During the patdown search, the officer felt what appeared to be a handle of a handgun. After lifting the front of the driver's hoodie, the officer located a loaded revolver.

In the case of People v. Pantoja, the California Court of Appeal ruled that the patdown search violated the driver's Fourth Amendment rights against unreasonable searches and seizures.

In its written decision, the Court first stated, "[T]he United States Supreme Court held that there exists a narrowly drawn authority to permit a reasonable search for weapons for the protection of the police officer, where he has reason to believe that he is dealing with an armed and dangerous individual, regardless of whether he has probable cause to arrest the individual for a crime. The officer need not be absolutely certain that the individual is armed; the issue is whether a reasonably prudent man in the circumstances would be warranted in the belief that his safety or that of others was in danger. The sole justification of the search is the protection of the police officer and others nearby, and it must therefore be confined in scope to an intrusion reasonably

*See "Patdown" continued on page 6*

designed to discover guns, knives, clubs, or other hidden instruments for the assault of the police officer. The officer must be able to point to specific and articulable facts together with rational inferences therefrom which reasonably support a suspicion that the suspect is armed and dangerous. An inchoate and un-particularized suspicion or 'hunch' is insufficient."

The Court then looked at the facts of the driver's case.

The Court stated, "Defendant was stopped for a vehicle code infraction in this case. He was cooperative at all times during the traffic stop, he did not appear to be intoxicated, his driver's license was valid, he answered [the officer]'s questions, he made no furtive or sudden movements, and [the officer] did not describe any other behavior by defendant that suggested he was armed and dangerous." ☆

## **FROM THE RANGEMASTER**

### **Training Mindset**

As the Rangemaster, my sole goal is to better our people and the range training staff. Since we shifted directions in range training, I wanted to tell everyone in the organization who has attended training how appreciative we are for all your hard work. We have not encountered any negative feedback of consequence. We have seen all of you embrace the training with positive attitudes and an eagerness to learn. The next training cycle will begin in July.

When we enter into this training cycle, we will be training on **LOW LIGHT ONLY**. We will emphasize training with your weapon light and rifle light. We want you to bring a hand held light as well. If you are assigned to patrol, make sure you have your Modlite. If you do not possess a hand held flashlight, we will provide one for you to use during this training. We will teach you how to use light and when to use light. Everything you do in this training cycle will be done in the dark. We look forward to seeing you in the next training cycle. Stay ready.

- Sgt. David Weidner