



Sheriff's Office Training Bulletin

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SHERIFF'S PERSONNEL SHALL UNDERSTAND THE PROVISIONS OF THE POLICY MANUAL PERTAINING TO STANDARDS OF CONDUCT.

Sworn personnel must have a complete understanding of Sheriff's Office policy regarding standards of conduct. Sworn personnel shall be familiar with the policy and what it contains. Sheriff's Policy 318 establishes the Sheriff's Office policy regarding standards of conduct. *The following are excerpts from that policy. All affected personnel must be familiar with the entire Policy as stated in the Sheriff's Policy Manual.*

GENERAL STANDARDS

- ✓ Members shall conduct themselves, whether on-duty or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

See "Standards" continued on page 2

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Sheriff's Cliff Rescue



FROM THE TRAINING MANAGER

We have the following training planned for staff in the next few months:

- JTO school for JTOs
- Use of Force (new course)
- Domestic Violence Update (new course)
- First Aid practical skills testing
- PREA (revised version)
- Bloodborne Pathogens for First Responders
- Pursuit Policy
- STC Supplemental Core Academy

We will continue to host training courses in Use of Force report writing and Interview & Interrogation.

- 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.

"Standards" continued from page 1

- ✓ Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.
- ✓ Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain

discipline. This policy is not intended to cover every possible type of misconduct.

CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient Sheriff's Office service:

LAWS, RULES AND ORDERS

- ✓ Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in Sheriff's Office or County manuals.
- ✓ Disobedience of any legal directive or order issued by any employee of a higher rank.
- ✓ Violation of federal, state, local or administrative laws, rules or regulations.

SAN MATEO COUNTY SHERIFF'S OFFICE TRAINING BULLETIN

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ETHICS

- ✓ Using or disclosing one's status as an employee of the San Mateo County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for Non-Office business or activity.
- ✓ The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.
- ✓ The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the employee's duties (lawful subpoena fees and authorized work permits excepted).
- ✓ Acceptance of fees, gifts or money contrary to the rules of this Office and/or laws of the state.
- ✓ Offer or acceptance of a bribe or gratuity.
- ✓ Misappropriation or misuse of public funds, property, personnel or services.
- ✓ Any other failure to abide by the standards of ethical conduct.

DISCRIMINATION, OPPRESSION OR FAVORITISM

- ✓ Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

RELATIONSHIPS

- ✓ Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- ✓ Engaging in on-duty sexual activity including, but not limited to, sexual

intercourse, excessive displays of public affection or other sexual contact.

- ✓ Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- ✓ Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this Office.
- ✓ Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the employee knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this Office.

UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- ✓ Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this Office.
 - Members of this Office shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
 - Disclosing to any unauthorized person any active investigation information.
- ✓ The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this Office for personal or financial gain or without the express authorization of the Sheriff or designee.
- ✓ Loaning, selling, allowing unauthorized use, giving away or appropriating any San Mateo

County Sheriff's Office badge, uniform, identification card or Office property for personal use, personal gain or any other improper or unauthorized use or purpose.

- ✓ Using Office resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

PERFORMANCE

- ✓ Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- ✓ The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any Sheriff's Office record, public record, book, paper or document.
- ✓ Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any Office related business.
- ✓ Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this Office or its employees.
- ✓ Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this Office or subverts the good order, efficiency and discipline of this Office or that would tend to discredit any of its employees.
- ✓ Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - While on any County premises.
 - At any work site, while on-duty or while in uniform, or while using any County equipment or system.

- Gambling activity undertaken as part of a deputy's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

- ✓ Improper political activity including:
 - Unauthorized attendance while on-duty at official legislative or political sessions.
 - Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on County property except as expressly authorized by County policy, the memorandum of understanding, or the Sheriff.
- ✓ Engaging in political activities during assigned working hours except as expressly authorized by County policy, the memorandum of understanding, or the Sheriff.
- ✓ Any act on-duty or off-duty that brings discredit to this Office.

CONDUCT

- ✓ Failure of any member to promptly and fully report activities on their part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- ✓ Unreasonable and unwarranted force to a person encountered or a person under arrest.
- ✓ Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- ✓ Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- ✓ Engaging in horseplay that reasonably could result in injury or property damage.
- ✓ Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this Office or the County.
- ✓ Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this Office.
- ✓ Unauthorized possession of, loss of, or damage to Office property or the property of

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.

others, or endangering it through carelessness or maliciousness.

- ✓ Attempted or actual theft of Office property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of Office property or the property of another person.
- ✓ Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.
- ✓ Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Sheriff of such action.
- ✓ Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this Office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this Office or its members. ☆

SEARCH OF A VEHICLE DURING A PROLONGED DETENTION VIOLATED THE DRIVER'S FOURTH AMENDMENT RIGHTS.

Police officers, including at least one plainclothes officer, followed a vehicle. As the vehicle approached an intersection, the driver drove in the bicycle lane for about 50 to 70 feet before the start of the broken line where the right turn lane begins. When the driver got to the intersection, he turned on his right turn signal, but the signal did not light up until the vehicle had reached the crosswalk.

After the driver made the turn and drove a few blocks, officers initiated a traffic stop. An officer made contact with the driver as he sat in the vehicle. The officer began to question the driver while he sat in his vehicle. The officer obtained his license and registration.

After about three and a half minutes, officers ordered the driver out of the vehicle. His

See "Prolonged" continued on page 6

license and registration appeared to be valid. An officer questioned the driver and asked him for consent to search his vehicle. It was about six minutes after the stop. The driver refused to give consent. The officer questioned the driver about using drugs and performed two tests for narcotics symptoms.

Officers then brought a narcotics dog to the vehicle. The dog arrived 12 minutes and 45 seconds after the stop. The dog sniffed around the outside of the vehicle until the dog alerted. Officers then searched the vehicle and located narcotics.

The vehicle stop had been motivated by the desire to conduct a narcotics investigation. This intent was demonstrated in part by the presence of an undercover plainclothes narcotics officer from a team specializing in narcotics investigation, along with the presence of a trained narcotics dog and other officers in multiple police vehicles.

In the case of People v. Ayon, the California Court of Appeal ruled that the search and seizure violated the driver's Fourth Amendment rights against unreasonable searches and seizures because it was the product of a prolonged detention.

In its written decision, the Court first stated, "A seizure for a traffic violation justifies a police investigation of that violation. A traffic stop begins once the vehicle is pulled over for investigation of the traffic violation."

The Court continued, "Because the traf-

fic violation is the purpose of the stop, the stop may last no longer than is necessary to effectuate that purpose. The tolerable duration of police inquiries in the traffic-stop context is determined by the seizure's 'mission'—to address the traffic violation that warranted the stop, and attend to related safety concerns. A police stop exceeding the time needed to handle the matter for which the stop was made violates the Constitution's shield against unreasonable seizures. A seizure justified only by a police-observed traffic violation, therefore, becomes unlawful if it is prolonged beyond the time reasonably required to complete the mission of issuing a ticket for the violation. Beyond determining whether to issue a traffic ticket, an officer's mission includes ordinary inquiries incident to the traffic stop. Typically such inquiries involve checking the driver's license, determining whether there are outstanding warrants against the driver, and inspecting the automobile's registration and proof of insurance. There is no set time limit for a permissible investigative stop; the question is whether the police diligently pursued a means of investigation reasonably designed to confirm or dispel their suspicions quickly. An officer may conduct certain unrelated checks during an otherwise lawful traffic stop. But the officer may not do so in a way that prolongs the stop, absent the reasonable suspicion ordinarily demanded to justify detaining an individual." ☆

FROM THE RANGEMASTER

Red Dot Accuracy Follow Up

After one year of having the red dot sight equipped weapon platform in the field, we have seen an increase in accuracy when deputies come to the range (see typical range targets below). This is largely due to the fact you can now threat focus rather than front sight focus. When you look through the optic and stare at the suspect while superimposing the red dot onto the suspect/target, you will be able to see everything the suspect is doing. This will likely lead to a decrease in reaction time and an increase in decision making while under a stressful situation. If you need additional training, please email me, and I will set up a date and time to work with you.

- Sgt. David Weidner

