



THE CITY OF EUREKA
EUREKA POLICE DEPARTMENT

M E M O R A N D U M

DATE: August 9, 2017

TO: All EPD Sworn Personnel

FROM: Steve Watson, Interim Chief of Police

SUBJECT: Additions to Approved Uniforms

We recently participated in a wear-test of Elbeco's West Coast Distinction uniforms, which are a higher quality article than the typical uniforms currently being issued (standard features include: poly-wool blend, wire zipper, better fit- less baggy, Mesh Flex underarms, Dual wire access and Mic holder). This brand and style is authorized for patrol wear effective immediately; the Elbeco version looks virtually identical to our current Flying Cross uniforms (also still authorized) but with generally better fit, construction and materials. When ordering from Broese's Uniforms or online, make sure the color is the LAPD midnight blue with plain pocket (non-pleated shirt pocket). The long-sleeve shirt is the **Men's LS Plain PKT: 850N / Women's LS Plain PKT: 9350LCN**, and the short sleeve is the **Men's SS Plain PKT: 8850N / Women's SS Plain Pkt: 9850LCN**. The trouser style is the **Men's Straight Front PKT: E454R / Women's Stratight: E9454LC**. When you have them tailored, be sure to include the black sewn-on mohair braid down the outside seams of the pant leg.

Also now authorized for patrol Class B wear are both the **Flying Cross Legend Style Cargo Pocket Pant** and the **Elbeco Distinction Hidden Cargo pants**. These pants are not authorized for Class A uniform wear. When selecting either brand with a hidden cargo pocket, be sure they are the model otherwise identical in appearance to our current uniform pants. Also, these cargo/side pockets are designed to be very low profile, so by choosing to purchase these versions of uniform pants you are expected not to stuff them full of items to the point they substantially bulge outward in an unprofessional/sloppy looking appearance. Sergeants, please inspect and insure the uniforms adhere to our policy.

I'd like to extend a thank you (as should you) to Greg Hill for his input after wear-testing the Flying Cross version. Enjoy.



<http://flyingcross.com/cargo-pants>

<http://elbeco.com/product/distinction-hidden-cargo-pants-mens/>

Broese's Uniforms - 1117 Myrtle Avenue, Eureka, CA 95501
(707) 443-2677

jgorman@elbeco.com (contact for Elbeco uniforms if you have questions)



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M E M O R A N D U M

DATE: November 15, 2018

TO: Steve Watson, Chief of Police

FROM: Terry Liles, Patrol Sergeant

SUBJECT: Use of 9mm Handguns as Duty Weapons

Over the last several months EPD's Firearms Training Staff has been T&E a Glock 9mm handgun with your approval. This was the result of a Tactical Handgun training we attended in Sacramento this summer. A large number of departments are trending back to using the 9mm as their duty firearm. I was skeptical and surprised, but kept an open mind. Over the two day training the Sac SO training staff convinced me we also needed to allow the use of department approved 9mm Glock handguns. There are many reasons, but to highlight a few there is a significant cost savings over time for both the ammunition as well as the life of the handgun and maintenance.

I found there to be significant tactical advantages for a variety of shooters. One of our goals as a training staff is to increase the accuracy of our shooters. Less misses is a highly desirable goal and we organize our training toward that goal. The 9mm round allows us to achieve that goal over a broad range of shooters. Allowing more sizes of handguns into our lineup enables us to fit a handgun to the shooters hand. Then there is the science behind the advancements to the 9mm round. Simply put, it performs much better than it used to. Please see the attached document from Federal Premium Law Enforcement Ammunition.

I purpose that we allow officers to purchase with their own money one of the approved Glock 9mm handguns. We will still issue the Glock .40 S&W. If the new handgun requires a new holster they will be responsible for that expense as well. We would require one of the approved Safariland holsters. We will also require that all 9mm Glock magazines be fitted with a different color end-plate to make their identification easier. We will provide the training and duty ammo (at a cost savings to the Dept. in both practice and duty ammo). All personally owned handguns will require a hold harmless agreement between the department and the officer. All personally owned handguns will still be subject to all the rules and policies of department owned handguns i.e. inspection by armorer, night sights, and flashlight mounting.

This change will just allow us to make officers more accurate with their duty handgun, and be a cost savings to the department.



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M E M O R A N D U M

DATE: October 24, 2017

TO: All EPD Personnel

FROM: Stephen Watson, Chief of Police

SUBJECT: Addition to Approved Uniform List for Jackets

Upon the recommendation of Officer Mark Meftah, reinforced by supervisor/officer feedback received, I am authorizing the **5.11 “Tactical Fleece” jacket (black)** for immediate duty wear by both Patrol and specialty assignment positions, as well as Communications and professional staff. The jackets can be purchased locally through Broese’s Uniforms (1117 Myrtle Avenue, Eureka (707) 443-2677). These jackets will not be issued by the department and must be purchased at your own expense. However, the department will cover your costs to have EPD patches, cloth badge, and name/section sewn on one jacket per individual.

Andy Broese is currently in the process of ordering high quality embroidered EPD badge patches (mirroring our current badge color scheme--silver for officers, gold for sergeants and above), which will be the only authorized badge type for use on the jackets. For professional staff, the name of their section may be embroidered on the chest also (e.g. “RECORDS, PROPERTY, DISPATCH, etc.). I’ll work with the Support Services Manager on the configuration details for professional staff’s jackets.

I’d like to extend a thank you (as should you) to Mark Meftah for his initiative in making this request and recommendation to me for consideration. Mark’s jacket will be purchased for him by the department (to replace his current dark blue one). Due to some sizing issues, Mark recommends you purchase the jacket locally where you can try it on before you buy. The jackets run around \$110.00. <http://www.511tactical.com/tactical-fleece.html>





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M E M O R A N D U M

DATE: August 23, 2017

TO: All EPD Personnel

FROM: Steve Watson, Interim Chief of Police

SUBJECT: Police Officer Lateral Signing Bonus & Recruitment Incentive

The Eureka Police Department is budgeted for 56 sworn police officer positions. EPD currently has six (6) vacant Police Officer positions, including the permanent Chief of Police position, with a number of officers also in various stages of testing with other agencies

In an effort to bolster our staffing levels (our goal is to become fully staffed with all positions filled), EPD will soon be offering a very generous and competitive Lateral Police Officer signing bonus. The plan is to start by recruiting quality local lateral police officer candidates (if need be, this recruitment may be expanded regionally or statewide later).

To that end EPD is creating a limited time recruitment program for Lateral Police Officers. This program will initially be aimed at hiring 4-5 qualified Lateral Police Officers over the next six months. We would offer a total signing bonus of \$10,000 with \$5,000 being paid upon hiring (on the first pay period), \$2,500 being paid upon successful completion of the Field Training Program, and the final \$2,500 being paid upon successful completion of the Lateral Police Officer's probationary period. A qualified lateral would thus receive the entirety of the bonus within 15 months from the time they are hired. This bonus would be tied to a three-year, prorated contract. The Police Officer Lateral Signing Bonus Program will be continually evaluated for its effectiveness in light of the cost-benefit analysis. The program may be extended or modified, with the City Manager's approval, based on merit and need.

We recognize that you are our best recruitment tool, so any EPD member, sworn or civilian, who recruits a successfully hired Lateral Police Officer will receive two discretionary days off with pay. Over the next 2-3 weeks, I will be working with the Personnel Department, City Attorney, and EPD staff to work out the details about how this program will be implemented, and what the recruitment and selection process will be. In the meanwhile, start "shoulder-tapping" lateral candidates you feel may be interested and worthy of EPD.



A Lateral Police Officer Candidate is defined by the California Commission on Peace Officer Standards and Training (POST) as someone who has completed a POST-certified Regular Basic Course (basic academy) and is currently employed as a Police Officer in California, or who within the last three (3) years has worked as a Police Officer in California and possesses a valid POST Basic Certificate or a valid POST Basic Course Waiver, or who was employed as a Police Officer more than three years ago but has completed a California POST Requalification Course.



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M E M O R A N D U M

DATE: October 10, 2016
TO: All EPD Personnel
FROM: Brian Stephens, Captain
SUBJECT: Major Injury/Fatal Traffic Collision Protocol

With the vacancies in our Traffic Division and the need to still handle major injury and fatal traffic collisions within the city, we recognize the need to provide a protocol to assist patrol in handling these investigations. The following protocol will be used to conduct these investigations.

The following personnel have advanced Traffic Accident Investigation Training and are subject to call out through dispatch:

- Sergeant Gary Whitmer
- Officer Stephen Linfoot

Watch Commanders will contact the on-call Evidence Technician and request they respond to the scene. If it is a large scene or a scan is needed, have dispatch contact Linda Schwend to assist. I am working on getting more Evidence Technicians and Detectives training on the scanner. Evidence Technicians will be responsible for:

- Scanning the scene, vehicles, evidence as it is found at the scene
- Marking (paint) evidence, vehicle positions
- Documentation of the scene through photographs
- Documentation of evidence through photographs and scanning
- Collection of all the evidence from the scene and or hospital related to an involved party
- Properly securing and sealing any vehicles that may need to be processed as evidence through a search warrant. Proper documentation of this process.

Watch Commanders Responsibilities:

- Ensure the scene is secure (Safety)
- Establish who is the handling officer
- Evaluate the scene, injuries, to see if the investigation has the making of a Major Injury or Fatality.



- Have dispatch contact the on-call Traffic Accident Investigator and the on-call Evidence Technician.
- Evaluate the situation for the potential of a crime and if it appears it's going to be some type of manslaughter case contact the on-call CIS Detective and follow the protocol/considerations attached.
- Do the best you can to preserve evidence and the scene.
- Ensure someone is in route to the hospital with the injured party. Secure a blood sample as soon as possible, preferably before they start pumping stuff into the injured party. (All done within parameters of the applicable laws and policies.)
- Evaluate parties for signs of intoxication and handle appropriately. A lot of times they will consent to a test such as blood or breathe so it doesn't hurt to ask, of course after you have done your evaluation/FSTs. Remember a search warrant may be necessary.
- Ensure involved vehicles are secured as evidence, properly towed and secured for further inspection and processing. (Evidence Technicians will assist with this process). Storage should be inside at Humboldt Towing, as per policy.
- Obtain assistance if available from EVP to help with scene security while the scene is being processed and to allow you to free up patrol officers.
- Make sure all witnesses, involved drivers and passengers have been contacted and at a minimum their names, addresses and phone numbers attained for further questioning. It is beneficial to do as many of these interviews (initials) on scene to help you process how the collision occurred.
- I have contacted CHP Captain Brett Fabbri and inquired about getting assistance from CHP in the form of an advisor that could assist with ensuring the scene is correctly processed and to provide answers to questions you may have. In addition, as we all know, crime doesn't stop just because we have one major call, the CHP assistance could be used if the Watch Commander needed to leave to oversee another incident. CHP will not be taking these reports, outside their designated areas (101 corridor) but they would be an asset we could use for their expertise. If this is a route you choose to pursue, please have dispatch contact their dispatch center and they will contact the on duty Sergeant and request the assistance directly from them. This way they can assign the appropriate resource to our situation.



VEHICULAR MANSLAUGHTER GUIDELINES

The four vehicular manslaughters:

- 1) Misdemeanor Vehicular Manslaughter/PC 192©(2)
- 2) Gross Vehicular Manslaughter/PC 192©(1)
- 3) Vehicular Manslaughter While Intoxicated—Ordinary Negligence/PC 191.5(b)
- 4) Gross Vehicular Manslaughter While Intoxicated/PC 191.5(a)

Investigative considerations:

- 1) *Take steps to prove who was driving*
 - a) Suspect statements...witness statements...ownership of vehicle...setting of driver's seat...location of personalized property in relation to driver's seat {injuries to driver/passengers. Such as seatbelt marks, abrasions, vehicle component strikes (pillars, sun visor, etc. with head), bent steering wheel, broken knee caps (instrument panel strike) Airbag deployment (remove bag) for DNA sampling – part of warrant }
 - b) Consider if passengers could have switched seats. All occupants of suspect vehicle should be given FST's and blood taken if probable cause can be established.
 - c) Consider driver's area of car for print work if suspect driver's identity is in doubt.
 - d) Consider Facebook for pics of suspected driver with or driving the suspect vehicle.
- 2) *Impound vehicles for later evidence work and search warrants*
 - a) Write warrant to search involved vehicles for evidence of drug or alcohol use and identify evidence to place persons in vehicle.
 - b) Include in warrant mechanical diagnostic inspection to determine if crash was caused by a vehicular mechanical failure.
 - c) Include in warrant **damage match point** inspection to create a linkage between deceased and suspect vehicle.
 - d) **Some vehicles have Airbag Control Modules that record varying parameters such as pre-impact and at-impact speeds. Remove key and secure, keeping track of any turn of the ignition key to the "ON" position (important for investigation and timing of stored data). You can retrieve data in most cases with auto vs. ped where the airbag did not deploy. Inquire.**
- 3) *Intoxicated drivers*
 - a) Return suspected drivers to HQ. Conduct FST's in well lit flat service. Video tape.
 - b) Mirandize and interview
 - 1) Establish who was driving
 - 2) Establish when, where and with whom alcohol and drugs consumed
 - 3) Establish speed
 - 4) Establish weather



- 5) Establish cause of crash...i.e, inattention, cell phone, debris in roadway, another vehicle, ect. *This helps to separate gross negligence from ordinary negligence.*
 - 6) Establish duress or lack of duress. *Duress can be a criminal defense.*
 - 7) Establish illness, injury or fatigue or lack of such. *Illness, injury and fatigue can be used to undermine your FST's*
 - c) Photograph driver's injuries or lack of injuries and clothing. *(clothing helps identify driver).*
 - d) Take blood not breath. *There are too many ways the breath tests can be challenged in court.*
 - e) Transport suspected drivers to hospital for blood draw. Return blood to EPD refrigerator. Get blood to DOJ ASAP. Request both BAC and Drug screen.
 - f) Seek surveillance videos from bars or restaurants showing alcohol consumption prior to driving.
 - g) If suspect is at the hospital, get someone out there to get blood before docs start injecting him/her or he/she is transported out of county. This might be an exigency to not get a search warrant.
 - h) Check facebook to see if there are posts of being at a party.
 - i) Collect phone to establish communications about parties, purchasing drugs or alcohol, what bar they were at.
 - j) If the suspect was at a bar, write a warrant for his banking records to show purchases at bar.
- 4) **Determine gross or ordinary negligence**
- a) Determine what vehicle violations were violated or other actions that caused crash.
 - b) Seize cell phone to show time of last call. **{Send preservation letter to service provider immediately, while awaiting warrant. Text content and GPS data (for tracking movement prior to the collision) not always saved past three days with the larger providers}** *May show cell phone use while driving.*
 - c) Seek exterior surveillance videos that may show speed or driving activity prior to crash.
 - d) Seek proof of road and weather conditions through MAV videos or exterior surveillance videos.
 - e) Retrieve speed survey report from city engineer office.
 - f) Interview all witnesses above and beyond what traffic officers did. Determine their location and the quality of their view of crash. *The defense always challenges what witnesses saw.*
 - g) Query crash history for crash location. *City engineering or records can assist with this.*
- 5) **Additional follow up**
- a) Get 911 audios and interview 911 callers
 - b) Get first responder reports from fire and ambulance. Many times they record spontaneous statements from involved parties.



- c) Get medical reports from hospitals. Significant injuries are necessary for additional charges of DUI with serious injuries or hit and run with injuries.
 - d) Go to autopsy and retrieve reports
 - e) Consider using CHP MAIT {Mechanical inspections of all types of vehicles, Calculations / speed determination, damage match points, Roadway Analysis, Dynamics, Occupant Kinematics, etc }
 - f) Get all DMV documents related to suspect driver. *Establishes driver history.*
Call [REDACTED] requestor code [REDACTED].
- 6) **Watson Advisement requires:**
- a) Prior DUI conviction and open court reading of the Watson Advisement
 - b) Attended DUI school or similar training.
 - c) Collect this evidence for your case. It may elevate crime to 2nd degree murder.
- 7) **Forced blood draws for BAC requires search warrants**



**THE CITY OF EUREKA
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M E M O R A N D U M

DATE: January 16, 2019

TO: Terry Liles, Patrol Sergeant, Range Master

FROM: Brian Stephens, Captain

SUBJECT: Training Standards

This memorandum will serve as direction for you as the Range Master and for the department members concerning training and qualifications with both our duty weapons and patrol rifles.

EPD Policy 311.6 – Firearms Training and Qualifications and 311.6.1 Non-Certification or Non-Qualification broadly covers failure to attend training and failure to meet minimum qualifications. As a Command Staff we discussed the recommendations you and I discussed. Those recommendations being anyone who fails to qualify after two attempts with their primary duty weapon will be removed from their assignment and placed on modified duties. Additionally, anyone who has been issued a patrol rifle shall attend a minimum of 8 hours of training annually. Anyone who fails to meet this minimum standard will have their patrol rifle removed until they meet the required training hours.

In regards to failing to qualify with the primary duty firearm after three attempts the following will be required by range staff:

The employee will be given remedial training by range staff between the second failure and the third attempt. If there is a third failure the range instructors on scene will notify the Range Master and advise them of the failure to qualify. The Range Master will notify a Captain who will then make the modifications to duty assignment. The Range Master will submit a memorandum to the Captain immediately following the range which will explain the deficiencies and remedial training provided. The Range Master will then implement the remedial training plan. Within one week, the Range Master will complete the remedial training plan which will include a 4 hour range training and requalification. If the employee again fails to qualify after three attempts the Range Master will immediately document in a memorandum all training completed and the deficiencies noted and submit to the Captain. The employee will remain on modified duty until such a time they can successfully qualify with their duty weapon.



Eureka Police Department Ride-Along Program Standard Operation Procedure

The following Standard Operating Procedure (SOP) has been put into place to ensure that the ride-along program runs effectively.

An inbox has been placed on the back wall of the Sergeant's Office next to the key box labeled 'Pending Ride-Along Requests'. Please place all new ride-along requests in the pink folder labeled 'Not Reviewed.'

Once a background check has been completed, the Sergeant overseeing the ride-along program will contact the rider and inquire the dates and times they are available. The Sergeant will e-mail the Watch Commander of the watch that best fits the rider's needs, including a scanned copy of the ride-along request along with the dates and times they are requesting. The Watch Commander is responsible for contacting the rider and setting up the ride-along within two weeks of receiving the e-mail notification.

The yellow folder in the box labeled "Approved/Assigned" is the folder that will be utilized to hold ride-along request when the background check has been completed and the rider has been assigned to ride with a specific watch.

After the ride-along has been completed, the Watch Commander will email the program Sergeant with the date, time and assigned officer so the ride along request can be closed out. The completion of the form is to be handled by the program Sergeant to ensure the request has been completed.

Ride-along requests made by officers for friends/family can be submitted through the Officer's Watch Commander. The Watch Commander can complete the background check and submit it to the Patrol Captain when the ride-along is completed. These ride-along requests do not need to go in the inbox on the wall.