

Title	Alhambra Police Department	07/07/2023
	by Katie Martel in Organized Retail Theft Prevention Grant Program	id. 41335674
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Original Submission 07/07/2023

The Organized Retail Theft (ORT) Prevention Grant Program Application is divided into five (5) sections as identified below: Background Information Contact Information Program Information Proposal Narrative and Budget Mandatory Attachments Each section has a series of questions requiring a response. Applicants will be prompted to provide written text, select options from a drop down menu, select options from a multiple choice menu, or upload attachments. Questions with a red asterisk require responses. Applicants will not be able to submit the application until all questions with a red asterisk have been completed. Applicants may reference the ORT Prevention Grant Program Proposal Instruction Packet for background information, key dates, rating factors, and other important information to aid in the completion of the ORT Prevention Grant Program Application. The ORT Prevention Grant Proposal Instruction Packet is available on the Board of State and Community Corrections (BSCC) website. NOTE: Applicants may start and stop their application but must select "Save Draft" at the bottom of the application before existing.

SECTION I - BACKGROUND INFORMATION This section requests information about the applicant's name, location, mailing address, and tax identification number.

Name of Applicant Alhambra Police Department
(i.e., Police Department, Sheriff's Department, or Probation Department)

Multi-Agency Partnerships Information (if applicable) Applicants may apply for funding as part of a multi-agency partnership (two [2] or more agencies). The agencies and jurisdictions comprising the collaborative application are not required to be contiguous. One (1) Lead Public Agency must be identified on behalf of the partnership.

Multi-Agency Partnerships **No: This is not a Multi-Agency Partnership Application**

Lead Public Agency Information **All applicants are required to designate a Lead Public Agency (LPA) to serve as the coordinator for all grant activities. The LPA is a governmental agency with local authority within the applicant's city or county. The applicant may choose to fill the role of LPA itself or it may designate a department, agency, or office under its jurisdiction to serve as the LPA. The role of the LPA is to coordinate with other local government agency partners and non-governmental organizations to ensure successful implementation of the grant program. The LPA is responsible for data collection and management, invoices, meeting coordination (virtual and/or in-person), and will serve as the primary point of contact with the BSCC.**

Lead Public Agency **Alhambra Police Department**

Applicant's Physical Address **211 S First Street
Alhambra
CA
91801
US**

Applicant's Mailing Address (if different than the physical address) *n/a*

Mailing Address for Payment **111 S First Street
Alhambra
CA
91801
US**

Tax Identification Number **95-6000665**

SECTION II - CONTACT INFORMATION **This section requests contact information for the individuals identified as the Project Director, Financial Officer, Day-to-Day Project Contact, Day-to-Day Fiscal Contact, and the Authorized Signature.**

Project Director **John
Lee**

Project Director's Title with Agency/Department/Organization **Lieutenant, Alhambra Police Department**

Project Director's Physical Address **211 S First Street
Alhambra
CA
91801
US**

Project Director's Email Address **mlee@alhambrapd.org**

Project Director's Phone Number	+16265705121
Financial Officer	Dean Johnson
Financial Officer's Title with Agency/Department/Organization	Assistant Director of Finance, City of Alhambra
Financial Officer's Physical Address	111 S. First Street Alhambra CA 91801 US
Financial Officer's Email Address	deanj@cityofalhambra.org
Financial Officer's Phone Number	+16265705017
Day-To-Day Program Contact	David Tran
Day-To-Day Program Contact's Title	Sergeant, Alhambra Police Department
Day-To-Day Program Contact's Physical Address	211 S First Street Alhambra CA 91801 US
Day-To-Day Program Contact's Email Address	dtran@alhambrapd.org
Day-To-Day Program Contact's Phone Number	+16265706161
Day-To-Day Fiscal Contact	Nicole Smith
Day-To-Day Fiscal Contact's Title	Management Analyst, Alhambra Police Department
Day-To-Day Fiscal Contact's Physical Address	211 S First Street Alhambra CA 91801 US

Day-To-Day Fiscal Contact's Email Address	nsmith@alhambrapd.org
Day-To-Day Fiscal Contact's Phone Number	+16265705146
Name of Authorized Officer	Jessica Binnquist
Authorized Officer's Title	City Manager, City of Alhambra
Authorized Officer's Physical Address	111 S First Street Alhambra CA 91801 US
Authorized Officer's Email Address	jbinnquist@cityofalhambra.org
Authorized Officer's Phone Number	+16265705010
Authorized Officer Assurances	checked
SECTION III - PROGRAM INFORMATION	This section requests a Project Title, Proposal Summary description, Program Purpose Area(s) selection, and Scope Funding Category selection.
Project Title	License Plate Reader Cameras for Alhambra Police Department
Proposal Summary	This project will enhance the coordination of efforts to prevent, respond to, and recover from terrorist attacks and other emergencies. Expansion of ALPR capacity widens the scope of criminal and counter-terrorism information the region can collect, share, and analyze. The focus of effort is to collaborate other law enforcement agencies through sharing of valuable information collected from the ALPR.
PROGRAM PURPOSE AREAS	Applicants must propose activities, strategies, or programs that address the Program Purpose Areas (PPAs) as defined on pages 5 - 8 in the ORT Prevention Grant Proposal Instruction Packet. A minimum of one (1) PPA must be selected; applicants are not required to address all three (3) PPAs. All proposed activities, strategies, or programs must have a link to the ORT Prevention Grant Program as described in the authorizing legislation and the ORT Prevention Grant Proposal Instruction Packet.
Program Purpose Areas (PPAs):	PPA 1: Organized Retail Theft

Funding Category
Information

Applicants may apply for funding in a Medium Scope OR Large Scope Category. The maximum an applicant may apply for is up to \$6,125,000 in the Medium Scope category OR up to \$15,650,000 in the Large Scope category. Applicants may apply for any dollar amount up to and including the maximum grant amount identified in each category. Multi-agency partnerships (determined as Medium Scope OR Large Scope) may apply for up to the maximum grant award in that category, multiplied by the number of partnering eligible applicants. For Example: Four (4) eligible applicants in the Medium Scope category may submit one (1) application for up to \$24,500,000 o \$6,125,000 (Medium Scope Max) x 4 (# of Agencies) = \$24,500,000 Two (2) eligible applicants in the Large Scope category may submit one (1) application for up to \$31,300,000 o \$15,650,000 (Large Scope Max x 2 (# of Agencies) = \$31,300,000 Please reference pages 10-12 in the ORT Prevention Grant Proposal Instruction Packet for additional information.

Funding Category

Medium Scope (Up to \$6,125,000)

SECTION IV -
PROPOSAL
NARRATIVE AND
BUDGET

This section requests responses to the Rating Factors identified in the the ORT Prevention Grant Program Application Instruction Packet.

The Proposal Narrative must address the Project Need, Project Description, Project Organizational Capacity and Coordination, and Project Evaluation and Monitoring Rating Factors as described in the ORT Prevention Grant Instruction Packet (refer to pages 20-24). A separate narrative response is required for each Rating Factor as described below: The Project Need narrative may not may not exceed 6,711 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately three (3) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. The Project Description narrative may not may not exceed 11,185 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately five (5) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. The Project Organizational Capacity and Coordination narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately two (2) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. The Project Evaluation and Monitoring narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately two (2) pages in Arial 12-point font with one-inch margins on all four (4) sides and at 1.5-line spacing. A character counter is automatically enabled that shows the number of characters used and the remaining number of characters before the limit for each response is met. If the character limit is exceeded, a red prompt will appear with the message "You have exceeded the character limit". Applicants will be prohibited from submitting the ORT Prevention Grant Program Application until they comply with the character limit requirements. NOTE: It is up to the applicant to determine how to use the total word limit in addressing each section, however as a guide, the percent of total point value for each section is provided in the ORT Prevention Grant Proposal Instruction Packet (refer to page 15).

Project Need

The Alhambra Police Department (APD) seeks funding for the acquisition and implementation of license plate reader (LPR) cameras. Our aim is to enhance our efforts in deterring and combating organized retail theft, which has become a significant challenge for our community and local businesses. In Alhambra, shoplifting has increased 31% this year compared to last year. January-May 2023 had 128 incidents versus 98 incidents in January-May 2022. In addition, larceny is up 10% with 642 incidents in 2023 year to date compared to the 540 incidents over the same period last year.

In Alhambra, organized retail theft occurs in several "big box" stores within the city, including Target, Kohls, Sephora and Costco. APD works with loss prevention staff at these locations to prepare for and deter theft, as much as possible. When suspects flee the scene in a vehicle, it would help the investigation greatly to be able to locate a vehicle. Likewise, the LPR program can alert APD when vehicles suspected in organized retail theft are in Alhambra.

The implementation of license plate reader cameras will significantly contribute to our efforts in deterring and combating organized retail theft, thereby safeguarding our community and supporting local businesses.

Project Description

Alhambra Police Department (APD) will add 35 ALPR cameras to the existing 15 cameras. With 50 cameras total, this project will allow for the to capture vehicle license plates, dates, times which will aid in the investigation of any organized retail theft criminal activity in and around critical facilities. The captured data can be compared against databases of stolen vehicles, allowing law enforcement to identify stolen cars and take appropriate action.

APD will conduct a thorough assessment to determine the most vulnerable areas for organized retail theft and identify suitable locations for the deployment of LPR cameras. APD will work with reputable vendors to procure and install the LPR cameras, ensuring they are integrated seamlessly with existing APD systems and databases. APD personnel will be trained on the operation and utilization of LPR cameras and associated software.

APD will continue partnerships with local businesses and agencies to foster collaboration and raise public awareness about organized retail theft, its impact on the community, and the importance of reporting suspicious activities.

Project
Organizational
Capacity and
Coordination

Alhambra Police Department (APD) currently has 15 LPR cameras that are leased from a reputable vendor. APD has accessed data and intelligence from these cameras in order to assist in investigating crimes. Most notably, in January 2023, APD was able to use LPRs to locate the vehicle of the suspected shooter in the Monterey Park Mass Shooting. Using the vehicle description garnered from the mass-casualty scene, APD was able to scan the LPR data which showed that the vehicle had entered the city of Alhambra. From there, APD worked with the Incident Command Team to trace the path of the suspect.

APD has a team of experienced detectives that work directly on property crimes, including larceny and organized retail theft. These detectives work with loss prevention personnel from various retailers to deter, prepare for, and respond to retail theft, particularly organized retail theft. The project will allow these detectives to access 50 LPRs and data in order to investigate incidents of organized retail theft and find patterns of suspects.

Project Evaluation
and Monitoring

Alhambra Police Department (APD) will continuously monitor and evaluate the effectiveness of the LPR cameras in deterring organized retail theft and the impact of the project, including statistics on theft reduction and arrests made. An investigative support specialist, a non-sworn full-time APD employee, will be assigned evaluation tasks such as monitoring crime trends and analyzing data. Through this project, APD is able to leverage technology and analytics to analyze data, identify patterns, and develop proactive strategies to prevent organized retail theft.

Budget Instructions

Applicants are required to submit a Proposal Budget and Budget Narrative (Budget Attachment). Upon submission the Budget Attachment will become Section 5: Budget (Budget Tables & Narrative) making up part of the official proposal. The Budget Attachment must be filled out completely and accurately. Applicants are solely responsible for the accuracy and completeness of the information entered in the Proposal Budget and Budget Narrative. The Proposal Budget must cover the entire grant period. For additional guidance related to grant budgets, refer to the BSCC Grant Administration Guide. The Budget Attachment is provided as a stand-alone document on the BSCC website.

Budget Attachment

[ORT-Grant-Program-Budget-Attachment-Final.xlsx](#)

SECTION V -
ATTACHMENTS

This section list the attachments that are required at the time of submission, unless otherwise noted. Project Work Plan (Appendix B) - Mandatory Grantee Assurance for Non-Governmental Organizations (Appendix D) - Mandatory Local Impact Letter(s) (Appendix E) - Mandatory Letter(s) of Commitment (Appendix F) - If Applicable Policies Limiting Racial Bias - Refer to page 9 of the Proposal Instruction Packet - Mandatory Policies on Surveillance Technology - Refer to page 9 of the Proposal Instruction Packet - If Applicable Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix G) - Mandatory Governing Board Resolution (Appendix H) - Optional

Project Work Plan (Appendix B)

[Project-Work-Plan-ORT.docx](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[ALPR_-_NGO.pdf](#)

Local Impact Letter(s) (Appendix E)

[Local-Impact-Letters-ORT.docx](#)

Letter(s) of
Commitment,
(Appendix F)

n/a

Policies Limiting Racial Bias

[Standards_of_Conduct.pdf](#)

Policies on
Surveillance
Technology

n/a

Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix G)

[ALPR.pdf](#)

OPTIONAL:
Governing Board
Resolution (Appendix
H)

n/a

OPTIONAL:
Bibliography

n/a

CONFIDENTIALITY
NOTICE:

All documents submitted as a part of the Organized Retail Theft Prevention Grant Program proposal are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, § 6250 et seq.)

Appendix B: Project Work Plan

Applicants must complete a Project Work Plan. This Project Work Plan identifies measurable goals and objectives, process and outcome measures, activities and services, responsible parties for those activities and services, data sources and estimated timelines. Completed plans should (1) identify the project’s top goals and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, and start and end dates, process and outcome measures; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant. As this grant term is for three (3) years, the Project Work Plan must attempt to identify activities/services and estimate timelines for the entire grant term. A minimum of one goal and corresponding objectives, process measures, etc. must be identified.

Applicants must use the Project Work Plan provided below. You will be prompted to upload this document to the BSCC-Submittable Application.

(1) Goal:	> Expand ALPR Program in City of Alhambra		
Objectives (A., B., etc.)	A. Install 35 additional ALPR cameras at prime locations within the city limits. B. Operate 50 total ALPR cameras for vehicle recognition		
Process Measures and Outcome Measures:	> The Alhambra Police Department will have a robust ALPR program that covers all major egress/ingress locations and high-traffic intersection that will aid in investigations.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Procure contract with reputable ALPR vendor for 35 new leased ALPR cameras and software coverage for all 50 cameras.	> Lieutenant John Lee	> October 1, 2023	> December 31, 2026
List data and sources to be used to measure outcomes: > Vendor contract			

(2) Goal:	>		
Objectives (A., B., etc.)	>		
Process Measures and Outcome Measures:	>		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
>	>	>	>
List data and sources to be used to measure outcomes: >			

(3) Goal:	>		
Objectives (A., B., etc.)	>		
Process Measures and Outcome Measures:	>		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
>	>	>	>
List data and sources to be used to measure outcomes: >			

Organized Retail Theft Prevention Grant Program - Project Budget and Budget Narrative

Name of Applicant: *Alhambra Police Department*
(i.e., County Sheriff's Office, County Probation Department, or City Police Department)

44-Month Budget: October 1, 2023 to June 1, 2027

Note: Rows 7-16 will auto-populate based on the information entered in the budget line items (Salaries and Benefits, Services and Supplies, etc.)

Budget Line Item	Total
1. Salaries & Benefits	\$0.00
2. Services and Supplies	\$375,000.00
3. Professional Services or Public Agencies	\$0.00
4. Non-Governmental Organization (NGO) Subcontracts	\$0.00
5. Data Collection and Evaluation	\$75,000.00
6. Equipment/Fixed Assets	\$0.00
7. Financial Audit (Up to \$25,000)	\$0.00
8. Other (Travel, Training, etc.)	\$0.00
9. Indirect Costs	\$0.00
TOTAL	\$450,000.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

1b. Salaries & Benefits Narrative:

Enter narrative here. You may expand cell height if needed.

2a. Services and Supplies

Description of Services or Supplies	Calculation for Expenditure	Total
35 Leased Automatic License Plate Reader Cameras	35 cameras x \$2500 per camera per year for installation and software x 3 years	\$262,500.00
Software Service for 15 ALPR (already leased)	15 cameras x \$2500 per camera per year for software and maintenance x 3 years	\$112,500.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$375,000.00

2b. Services and Supplies Narrative:

With grant funds, 35 new ALPR cameras will be installed in the city of Alhambra. There are already 15 leased ALPR cameras installed in Alhambra. The license plate recognition software and operation of the cameras is \$2500 per camera per year.

3a. Professional Services		
Description of Professional Service(s)	Calculation for Expenditure	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

3b. Professional Services Narrative
 Enter narrative here. You may expand cell height if needed.

4a. Non-Governmental Organization (NGO) Subcontracts		
Description of Non-Governmental Organization (NGO) Subcontracts	Calculation for Expense	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

4b. Non-Governmental Organization (NGO) Subcontracts Narrative
 Enter narrative here. You may expand cell height if needed.

5a. Data Collection and Evaluation		
Description of Data Collection and Evaluation	Calculation for Expense	Total
Local Evaluation Plan	Salary for full-time Investigative Support Specialist	\$75,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$75,000.00

5b. Data Collection and Evaluation Narrative
 The Investigative Support Specialist is a new non-sworn position with Alhambra Police Department. This position is responsible for data collection and analysis across the department, include crime statistics, program evaluation and data verification. Grant funds will be used to pay for 1/3 of the salary costs of the Investigative Support Specialist over 3 years. APD will cover the remaining salary costs and full cost of benefits through matching funds.

6a. Equipment/Fixed Assets		
Description of Equipment/Fixed Assets	Calculation for Expense	Total

Please see instructions tab for additional information regarding Indirect Costs. If the amount exceeds the maximum allowed and/or turns **red**, please adjust it to not exceed the line-item noted.

TOTAL

\$0

\$0

9b. Indirect Costs Narrative:

Enter narrative here. You may expand cell height if needed. If using a federally approved indirect cost rate, please include the rate in the narrative.

Appendix E: Local Impact Letter(s)

The Organized Retail Theft Prevention Grant Program encourages collaboration, communication, and innovation to combat organized retail theft. In supporting this approach, proposed projects may have impacts on retailers and local government agencies that prevent projects from operating as intended (e.g., increased law enforcement presence in retail spaces, increased referrals to the District Attorney's Office, overlapping or duplicative public awareness campaigns, etc.)

To acknowledge any anticipated impacts, each Lead Public Agency is required to:

- Identify each agency agency(ies) that reasonably could be expected to be impacted by this grant project;
- Submit a Letter of Agreement signed by both the Lead Public Agency and the impacted agency agency(ies) that includes the following:
 - The name of the Organized Retail Theft Prevention Grant Program project and a brief project description;
 - A description of how the Organized Retail Theft Prevention Grant Program project might impact retailers and local government agencies; and
 - An explanation of how the Lead Public Agency and the impacted agency(ies) will work together to address stated impacts.

Note: If the Lead Public Agency concludes that the Organized Retail Theft Prevention Grant Program project **will not** impact any other agency agency(ies), the Lead Public Agency must include a letter to that effect.

Standards of Conduct

321.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Alhambra Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

321.1.1 LAW ENFORCEMENT CODE OF ETHICS

The Alhambra Police Department requires all personnel to abide by the Law Enforcement Code of Ethics and mandates that ethics training be conducted for all personnel biennially.

321.1.2 RESPONSIBILITY OF THE PROFESSIONAL STANDARDS UNIT

The Professional Standards Unit is responsible for maintaining all confidential files pertaining to citizen complaints and administrative investigations. Annually, the Professional Standards Unit will complete a report outlining the number of citizen complaints and administrative investigations to the Chief of Police, which will be made available to the public. This report will be statistical in nature and will not include any confidential information.

321.2 POLICY

The continued employment or appointment of every member of the Alhambra Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

321.2.1 DISCIPLINARY STANDARD

- (a) Any member of the police department may be disciplined whenever the member's job performance or job-related misconduct so warrants.
- (b) The "just cause" for such disciplinary action shall include, but is not limited to, incompetence, commission of a criminal offense, inefficiency, dishonesty, neglect of duty, misconduct, insubordination, conduct which tends to reflect unfavorably upon the member, department, or city, or failure to observe departmental or city policies, procedures, rules, and/or regulations. The specific charge against a member must be directly related to the member's duties and, if off-duty, they must be related to an act or acts that materially may affect the member's ability to perform the duties assigned or required or which are indicative of unfitness for his/her position. No sworn member may be suspended, demoted, transferred for punitive reasons or dismissed from his/her position for an act or acts of misconduct unless such member is "officially charged" with the misconduct within one year after the misconduct comes to the attention of the Chief of Police.

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1. **Officially Charged** -- For purposes of this section, means that point in time at the completion of all disciplinary procedures, when the appointing authority or his/her designee, serves the member with a statement of the sustained allegations of misconduct and the recommended penalty, if applicable.

321.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

321.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

321.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

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- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

321.3.3 PERSONAL CONDUCT

All police employees must strive to maintain the high degree of public trust placed upon the law enforcement profession. Therefore, it follows that public actions, inaction, attitudes and opinions of police personnel which are unprofessional or unworthy of this trust tend to undermine and detract from the public respect of law enforcement individually and collectively. With this in mind, the following is a list of some of the more obvious requirements and restrictions relating to conduct in public. Employees shall:

- (a) Be civil, orderly and courteous in conduct and demeanor.
- (b) Not seek a restraining order against anyone encountered in the line-of-duty without the express permission of the Chief of Police.
- (c) Avoid answering questions in a short or abrupt manner, give the greatest possible attention and courtesy and avoid controversy.
- (d) Give all proper information carefully, courteously, accurately and respectfully and furnish their name and badge number to any person upon request.
- (e) Refrain from harsh, violent, coarse, profane or insolent language and not speak slightly of the nationality, color, creed or beliefs of any person while on-duty.
- (f) Not conduct oneself in an immoral, indecent, lewd or disorderly manner.
- (g) Not enter places of amusement while on-duty except for official police purposes.

321.3.4 SUPERVISION RESPONSIBILITY

- (a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and the actions of all personnel comply with all laws.
- (b) Failure of a supervisor to timely report known misconduct of an employee to his or her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

321.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- 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.

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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.

321.4.1 WRITTEN REPRIMANDS

a. **Written Reprimand:** Written Reprimand means a formal notification to the employee of performance or conduct deficiencies. Employees will have no right to prior notice.

b. **Appeal Hearing and Response to Written Reprimand:**

1. **Right to Appeal Hearing:** An employee who has successfully completed his/her probationary period and is entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act for administrative appeal who has received a Written Reprimand will be entitled to request an appeal of the imposed Written Reprimand as established in this policy.

2. **Requesting an Appeal Hearing:** A Written Reprimand issued by a supervisor shall be appealable only to an uninvolved supervisor of at least one rank above the rank of the supervisor issuing the Written Reprimand, who will serve as the Hearing Officer. The supervisor issuing the Written Reprimand will select and assign the uninvolved supervisor to serve as the Hearing Officer. A Written Reprimand issued by the Chief of Police will be appealable only to the City Manager or his/her designee, who will serve as the Hearing Officer. Reprimands are excluded from the appeal procedure for disciplinary actions set forth in Alhambra Municipal Code Section 2.48.180 Rule XVII: Appeal to the Civil Service Commission.

Any eligible employee wishing to appeal a Written Reprimand must file a written request with the Office of the Chief of Police within ten (10) calendar days of the date of the Written Reprimand. The request must identify the subject matter of the appeal, the grounds for the appeal, and the relief desired by the eligible employee.

3. **Scheduling the Appeal Hearing:** The appeal hearing will be scheduled by the Office of the Chief of Police and held within thirty (30) calendar days of the date of the written request, unless otherwise agreed to in writing by the Chief of Police and the eligible employee.

4. **Representation and Employee Appearance at Appeal Hearing:** The eligible employee is entitled to be represented by counsel or other representative at the appeal hearing. However, an employee who requests an appeal must be present during the appeal hearing. Failure to be present will constitute a waiver of the employee's right to an appeal. Waiver will not occur if the employee can demonstrate good cause for his/her failure to be present within three (3) calendar days from the date the employee fails to appear.

5. **Conduct of Appeal Hearing:** The appeal hearing will be an informal meeting at which time the eligible employee will have the opportunity to present evidence, rebut the charges against him/

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her, state any mitigating circumstances, and to present oral arguments. Eligible employees are not entitled to call and examine witnesses or to confront and cross-examine witnesses.

c. Issuance of a Decision.

1. Within thirty (30) calendar days after the appeal hearing, a written statement of decision will be issued by the Hearing Officer. The Hearing Officer will have the authority to affirm, modify or revoke the Written Reprimand. The Hearing Officer may not provide for discipline more stringent than the Written Reprimand.

2. The Hearing Officer's decision constitutes a final resolution of any Written Reprimand and no further appeal will be permitted within the City's or Department's administrative process. A copy of the written decision will be provided to the employee.

3. Notwithstanding the above, the Hearing Officer will not have binding authority to add, modify, or subtract from the City's Municipal Code, City or Department rules and regulations, memoranda of understanding, or any resolutions, ordinances, or policies adopted by the City or the Department. Further, the Hearing Officer will not have the authority or power to render a binding decision that requires the City or the Department to expend additional funds, to hire additional personnel, to buy additional equipment or supplies, or to pay wages or benefits not specifically provided for in the City's Municipal Code, City or Department rules and regulations, memoranda of understanding or any resolutions, ordinances, or policies adopted by the City or the Department. The Hearing Officer will not have the authority to require the City or the Department to perform any other action that would violate state or federal laws.

d. Response to Written Reprimand.

1. An employee who is entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act in connection with the right to review and respond to adverse comments who has received a Written Reprimand will be required to review, requested to sign, and entitled to respond to the Written Reprimand in accordance with California Government Code Sections 3305 - 3306, Right to Review and Respond to Adverse Comments.

2. An employee not entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act in connection with the right to review and respond to adverse comments who has received a Written Reprimand will be required to review and requested to sign the Written Reprimand.

321.5 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 department service:

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321.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
 - 1. The Department shall make this manual available to all employees.
 - 2. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.
- (d) Knowingly fail to follow the procedures set forth in the Civil Service Rules governing grievances.

321.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Alhambra Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) Employees shall not use their position or knowledge gained by employment with the Department to intervene or interfere with any case or investigation being handled by this Department or any other agency.
- (d) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (e) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (f) Offer or acceptance of a bribe or gratuity.
- (g) Misappropriation or misuse of public funds, property, personnel or services.
- (h) Any other failure to abide by the standards of ethical conduct.

321.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status 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.

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321.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on--duty sexual activity, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) 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.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the member 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 department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.
- (f) Participation in a law enforcement gang as defined by Penal Code § 13670. Participation is grounds for termination (Penal Code § 13670).

321.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval from a supervisor.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

321.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) 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 department.
 - (a) Members of this department shall not disclose the name, address, or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

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- (e) Using department 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.

321.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Careless workmanship resulting in waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.
- (d) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (e) Unauthorized sleeping during on-duty time or assignments.
- (f) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers, dependents, marital status or emergency notification.
 - (a) A member may use a Post Office Box as a mailing address, but the member is still required to provide the APD and Personnel Department with their current home address.
 - (b) Members shall have on file their Department Emergency Contact Information. Members shall submit changes in Emergency Contact Information via the Chain of Command. This information shall be reviewed and updated by the employee each January.

321.5.8 PERFORMANCE

- (a) 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.
- (b) 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 department record, public record, book, paper or document.
- (c) 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 department-related business.
- (d) Employees shall provide complete and truthful responses to questions posed during interviews in connection with any investigation.
- (e) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

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- (f) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (g) Knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or members thereof.
- (h) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (i) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.
- (j) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.
- (k) Any act on- or off-duty that brings discredit to this department.

321.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her 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.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved department practices or procedures.
- (d) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (e) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (f) Engaging in horseplay that reasonably could result in injury or property damage.

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- (g) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (h) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (i) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (j) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (k) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (l) 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.
- (m) 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 Chief of Police of such action.
- (n) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

321.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off- duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Violating Departmental and/ or City safety standards or safe working practices.
- (i) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

321.5.11 INTOXICANTS

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- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.