

# BERKELEY POLICE DEPARTMENT

DATE ISSUED: March 1, 2000

GENERAL ORDER C-6

SUBJECT: CAREER CRIMINAL TRACKING

## PURPOSE

- 1 - The purpose of this General Order is to describe the efforts made to identify, prosecute, and track habitual offenders through the criminal justice system.

## POLICY

- 2 - The Berkeley Police Department **is aware that a substantial and disproportionate amount of serious crime is committed by a relatively small number of multiple and repeat felony offenders commonly known as Career Criminals. It shall be the policy of the Berkeley Police Department to attempt to identify subjects who make their livelihood preying on others and to assist the District Attorney's Office in criminal prosecutions of those individuals to the fullest extent of the law.\***

## DEFINITION

- 3 - Section **999e of the California Penal Code\*** lists the following as criteria for labeling a person as a Career Criminal:

An individual who is under arrest for the commission or attempted commission of one or more of the following felonies listed below, and who is either being prosecuted for three or more separate offenses, or who has prior convictions for the crimes listed in sections (a) or (b) below, shall be the subject of career criminal prosecution efforts.\*

**Murder\***

**Manslaughter\***

**Rape\***

**Sexual assault\***

Child Molestation

Robbery

Carjacking

Burglary

Arson

Receiving stolen property

Grand theft

Grand theft auto

Lewd and lascivious conduct upon a child

**Assault with a firearm\***

## BERKELEY POLICE DEPARTMENT

DATE ISSUED: March 1, 2000

GENERAL ORDER C-6

**Discharging a firearm into an inhabited structure or vehicle\***

**Firearms violations as specified in Section 12021(a) or (b)\***

**Any unlawful act) relating to controlled substances in violation of Sections 11351, 11351.5, 11352, or 11378 of the Health and Safety Code\***

- (a) **Or, during the preceding 10 years has been convicted of first degree robbery, carjacking, first degree burglary, arson (451PC), unlawfully causing a fire (452PC), forcible rape, sodomy or oral copulation committed with force, lewd or lascivious conducted committed upon a child, kidnapping (209PC or 209.5PC), murder, or manslaughter.\***
- (b) **Or, at least two convictions during the preceding 10 years for grand theft, grand theft auto, receiving stolen property, second degree robbery, second degree burglary, kidnapping (207PC), assault with a deadly weapon or instrument, or any unlawful act relating to controlled substances in violation of Section 11351 or 11352 of the Health and Safety Code.\***

The 10 year periods specified in this law are exclusive of any time which the arrested person has served in state prison.

### PROCEDURES

- 4 - Persons meeting the guidelines for consideration as Career Criminals are subject to special, "vertical" prosecution by the Career Criminal Prosecution Unit of the Alameda County District Attorney's Office and to enhanced penalties upon conviction.
- 5 - Detective Bureau personnel shall, through screening of in-custody cases under their jurisdiction, determine which local arrestees meet the Career Criminal criteria. **While the decision to prosecute an offense as a Career Criminal matter rests solely with the District Attorney's Office, Detective Bureau personnel shall act as liaison with that office and provide whatever assistance is necessary to further Career Criminal prosecution.\***
- 6 - Individual Detective Bureau details shall also serve as liaison between the Department and the State Prison System, Probation and Parole Offices, and other facets of the Criminal Justice System, in keeping track of Career Criminals who **live in or will be\*** released to, the City of Berkeley.
- 7 - Information regarding local Career Criminals shall be disseminated to other members of the Department in a timely fashion through the **Berkeley Police Department Information Bulletin ("Bullwinkle"),\*** or memoranda as needed.

**BERKELEY POLICE DEPARTMENT**

**DATE ISSUED: March 1, 2000**

**GENERAL ORDER C-6**

References: CALEA Standards  
California Penal Code, **Section 999e\***  
General Order D-4  
Police Regulation 407  
**Police Regulation 408\***