

BERKELEY POLICE DEPARTMENT

DATE ISSUED: January 13, 1994

GENERAL ORDER P-5

SUBJECT: SOLICITOR'S PERMITS

PURPOSE

- 1 - The purpose of this Order is to describe procedures for handling Solicitor's Permits.

POLICY

- 2 - Police Department employees are expected to follow Berkeley Municipal Code, Chapter 9.40, which governs the issuance of solicitor and peddling permits. The ordinance does not apply to persons peddling or soliciting newspapers, ice, or to any person having a bakery route or milk and dairy products route.

PROCEDURES

- 3 - An applicant must present to the Service **Bureau** a receipt and Solicitors/ Peddlers Application, form #350-2DP, issued by the License and Collections Division of the Finance Department. The receipt and application form must show that the applicant has paid the permit fee. If there is no proof that fees have been paid, the applicant should be referred back to License and Collections.
- 4 - Two fees are required for processing of applicant fingerprints:
 - (a) Cash or check for current BPD civilian fingerprinting fees, made payable to the "Berkeley Police Department".
 - (b) A check for current Department of Justice (DOJ) fingerprint processing fees, made payable to the "Department of Justice".
- 5 - The applicant shall be fingerprinted using one Department of Justice "BID-7" fingerprint card. The Department of Justice check and the fingerprint card shall be forwarded to the Identification **Expert**, who shall:
 - (a) Send the DOJ check and the fingerprint card to DOJ.
 - (b) Date and initial both copies of the application form, and pend the application in a special file.
- 6 - Upon return of a response from DOJ, the Identification **Expert** shall do the following:
 - (a) If there is no record involving fraud, felonies, or crimes of moral turpitude, the Identification **Expert** shall mark both copies of the application as "approved," sign and date them, and return one copy of the application to License and Collections. License and Collections will provide the applicant with a photograph and a finalized copy of the permit which must be carried at all times while soliciting. The Identification **Expert** shall file

* Highlighted text is new

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the original copy of the application in a Service **Bureau** file established for that purpose.

- (b) If the applicant's record shows a history of crimes described above, the Identification **Expert** shall forward both copies of the application form to the **Support Services** Division Commander.
- 7 - The **Support Services** Division Commander shall, based on the type of criminal history, assign the application to the appropriate Detective **Bureau** Inspector/**Detective Sergeant**. The assigned **person** shall review the application and the criminal history, and prepare a written recommendation to the **Support Services** Division Commander as to whether the application should be approved or denied. The **Support Services** Division Commander shall review and finalize the recommendation, write "approved" or "denied" on the back of the forms, and return the application forms to the Identification **Expert**.
- 8 - If approved, the Identification **Expert** shall proceed as outlined in paragraph 6(a) above. If denied, the Identification **Expert** shall forward the duplicate copy to License and Collections for notification of the applicant. The Identification **Expert** shall maintain the original application in the Service **Bureau** file.
- 9 - For the purpose of this Order, "Moral Turpitude" shall be defined as conduct contrary to justice, honesty, modesty, or good morals.

Reference: Berkeley Municipal Code 9.40
CALEA Standards