

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

UNIFORM AND EQUIPMENT REGULATIONS

Uniform Regulations

PR 300 Uniform – Regulation – Sworn Officers. The regulation uniform for sworn officers of the Berkeley Police Department shall consist of the following items, for which **detailed specifications** are on file in the Uniform & Equipment Specifications Manual:

Coat	Shirt	Trousers
Shoulder Patches	Cap	Shoes
Tie	Belt	Holster
Badge	Name Bar	Service Stripes
Breast Patch	All Purpose Jacket	Helmet

PR 301 (Rescinded)

PR 302 Uniform – Optional – Sworn Officers. Wearing of the following uniform items is optional, but when worn they shall conform to detailed specifications on file in the Uniform & Equipment Specifications Manual:

Scarf	Raincoat	Cap Cover
Rubber Boots	Rain Jacket	Baseball Cap
Rain Pants	Rain Shoes	Black Turtleneck
Gloves	Windbreaker	Dickie
Class C Uniform	Jacket	Special Awards/Pins

PR 303 Uniform – Regulation – **Community Service Officers.** The regulation uniform for **Community Service Officers** of the Berkeley Police Department shall consist of the following items, for which detailed specifications are on file in the Uniform & Equipment Specifications Manual:

Coat	Badge	Class C Uniform
Cap	Name Bar	Shoulder Patches
Shirt	Tie	Key Strap
Trousers	Shoes	Sweater (Optional)
Rain Jacket	Rain Pants	Handcuffs
Belt	Jacket	Handcuff Case
	Service Stripes	

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

Uniform – Regulation – Public Safety Dispatchers. The regulation uniform for Public Safety Dispatchers of the Berkeley Police Department shall consist of the following items, for which detailed specifications are on file in the Uniform & Equipment Specifications Manual:

Badge	Name Bar	Shoulder Patches
Belt	Tie	Sweater (Optional)
Shirt	Shoes	Special Awards/Pins
	Trousers	

Uniform – Regulation – Parking Enforcement **Officers**. The regulation uniform for Parking Enforcement **Officers** of the Berkeley Police Department shall consist of the following items, for which detailed specifications are on file in the Uniform & Equipment Specifications Manual:

Badge	Name Bar	Shoulder Patches
Belt	Tie	Helmet
Shirt	Shoes	Dress Jacket
	Trousers	

Uniform – Optional – Parking Enforcement **Officers**. Wearing of the following uniform items is optional, but when worn they shall conform to detailed specifications on file in the Uniform & Equipment Specifications Manual:

Shirt	Rain Shoes	All Purpose Jacket
Shorts	Rain Jacket	Sweater - Pullover
Turtleneck	Rain Pants	Sweater - Cardigan
Gloves	Head Scarf	Jacket
Dickie	Neck Scarf	Baseball Cap

PR 304

Uniform – Regulation – Police Aides. The regulation uniform for Police Aides of the Berkeley Police Department shall consist of the following items, for which detailed specifications are on file in the Uniform & Equipment Specifications Manual:

Shirt	Jacket	Shoes
Tie	Rain Shoes	Shoulder Strap Covers
Trousers	Rain Jacket	Name Bar
Belt	Rain Pants	Badge

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

PR 305 Uniform – Insignia of Rank. The Departmental rank of officers shall be indicated by the following insignia when uniforms are worn:

Chief of Police	Chiefs badge and cap shield, gold braid on cap, Four (4) stars (gold) on shoulder or shirt collar (star mandatory on coat).
Captain	Captain's badge and cap shield, gold braid on cap, double bar (gold) on shoulder or shirt collar (shoulder bars mandatory on coat).
Lieutenant	Lieutenant's badge and cap shield, gold braid on cap, single bar (gold) on shoulder or shirt collar (shoulder bars mandatory on coat).
Sergeant	Sergeant's badge and cap shield, sergeant's chevrons on coat and shirt.
Patrol Officer	Patrol Officer's badge and cap shield.
Senior Community Service Officer	"Senior" stripe above shoulder patch.
Senior Public Safety Dispatcher	"Senior" inscribed on badge.
Supervising Public Safety Dispatcher	Silver collar pins "SUPV"
Supervising Parking Enforcement Officer	Silver collar pins "SUPV"

PR 306 Uniform - Who Must Possess. All sworn officers of the Department shall possess a regulation uniform.

Non-sworn employees of the Department who shall possess a regulation uniform are:

Community Service Officers	Police Aides
Public Safety Dispatchers	Parking Enforcement Officers

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

- PR 307 Uniforms – Wearing of – Who Shall. All on-duty sworn officers and non-sworn personnel authorized to wear uniforms shall be attired in regulation uniform including insignia of rank except as otherwise provided by Departmental Order or orders of a superior officer. The wearing of uniform coat or jacket is optional except when ordered by competent authority.
- PR 308 Uniform – Specifications – Shall Conform. Employees on duty shall not wear any uniforms or portions thereof which do not conform with the specifications on file in the office of the **Professional Standards** Division Captain and/or designated office.
- PR 309 Uniforms – Authorization to Purchase – New Employees. Employees newly appointed shall not purchase or wear uniforms or portions thereof until authorized by competent authority.
- PR 310 Uniforms – Equipment – Maintenance of. Employees shall maintain uniforms and equipment in serviceable condition. Uniforms or portions thereof shall be clean, pressed, and shall not be noticeably patched, torn or worn. Shoes, leather and metal equipment shall be well polished and shined.
- PR 311 Uniform Cap – Wearing of – Removal. The wearing or not wearing of a uniform cap by uniformed employees while on outside uniform duty is optional except in certain situations. Caps shall always be available at the place of the employee's duty assignment, e. g., patrol vehicle, desk or work area. The uniform cap shall be worn at the direction of a supervisory or Commanding Officer and should be worn for purposes of personal safety in cases such as prowler calls, block searches and traffic collisions where immediate identification as a police officer is advantageous. If the cap is worn in routine situations, its removal shall be directed by normal courtesy.
- PR 312 Uniform Necktie – Wearing of Undergarment. Uniform employees, at their discretion, may remove the uniform tie except when wearing the dress coat. Other than a protective vest, the only visible garment authorized to be worn under the shirt is a white **or black** crew neck tee shirt or other authorized garments as set forth in the Uniform & Equipment Specifications Manual.
- PR 313 Non-Uniform Attire. All on-duty employees who normally or are authorized to wear civilian attire shall dress in a neat, clean and conservative manner. Male personnel shall wear a necktie unless authorization to the contrary has been given by a supervisor.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

Equipment Regulations

PR 314 Equipment – Personal – Furnished by City. Officers at the time of employment shall be furnished the following items of equipment by the City:

Ammunition	Flashlight	Radio Holder
Ammunition Case	Helmet	Rain Hat Cover
Sidearm	Key Ring/Holder	Rain Jacket
Holster	Keys	Rain Pants
Batons (Wood/Asp)	-Call Box	Baton Ring
Handcuffs	-PSB	Belt Keepers (2)
Handcuff Case	Badge	Whistle
Duty Bag	Name Bars	Soft Body Armor
Duty Belt	OC Dispenser	General Orders
	OC Holder	

Community Service Officers, Public Safety Dispatchers, and Police Aides shall be furnished by the City with the following items of equipment:

Name Bars	Handcuff Case (CSO only)	Keys
Flashlight	Cap Shield (CSO only)	- PSB
Whistle	General Orders	- Call Box

Parking Enforcement **Officers** shall be furnished by the City with the following items of equipment:

Badge	Patches	Key Ring/Holder
Name Bars	Whistle	Keys
Rain Pants	Flashlight	- PSB
Rain Jacket	Traffic Safety Vest	- Call Box
	General Orders	

PR 315 Equipment – Personal – Furnished by Employee. Officers at the time of employment shall provide at their own expense the following items of equipment:

Uniform shoes
Watch
Cap shield (authorized by Commanding Officer)

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

Community Service Officers and Police Aides at the time of employment shall provide at their own expense the following items of equipment:

Uniform Shoes
Watch

Public Safety Dispatchers and Parking Enforcement Officers at the time of employment shall provide at their own expense the following items of equipment:

Uniform shoes

PR 316 Equipment – Specifications – Shall Conform. Employees shall not carry any required equipment which does not conform with the specifications on file in the Uniform & Equipment Specifications Manual maintained by the Professional Standards Bureau.

PR 317 Equipment – Carried on Person. Officers on uniformed duty shall carry the following items of equipment on their person unless approval to the contrary is received from a Commanding Officer:

Badge	Handcuffs	Keys
Name Bars	Watch	- PSB
Sidearm	Ball Point Pen	- Call Box
Whistle	Key Ring/Holder	- Handcuff key

Community Service Officers and Police Aides on-duty shall carry the following items of equipment on their person:

Badge	Handcuffs (CSO only)	Keys
Watch	Ball Point Pen	- PSB
Whistle	Key Ring/Holder	- Handcuff key (CSO only)

Public Safety Dispatchers and Parking Enforcement **Officers** on-duty shall carry the following items of equipment on their person:

Badge	Key Ring/Holder
Ball Point Pen	Keys - PSB

PR 317.1 Soft Body Armor. All sworn officers assigned primarily to street duties shall be required to wear Soft Body Armor. All sworn employees who are assigned station duties may wear Soft Body Armor at their discretion unless ordered otherwise. Employees issued Soft Body Armor shall be responsible for its maintenance. Should defects or damage be noted, the **Professional Standards Division – Personnel and Training Bureau** shall be notified and arrangements will be made for repair or replacement.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

PR 318 Grooming Standards - All Personnel. In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

PR 319 (Rescinded)

PR 320 Automatic Weapons – Chemicals – Approval to Use. Employees shall not use **automatic weapons**, gas, or other types of chemical weapons not specifically approved for Departmental use except with the approval of a Commanding Officer.

PR 321 (Rescinded)

PR 322 Carotid Restraint Hold – Use of – Not Permitted. Council Resolution No. 52,605-N.S., dated February 14, 1985 states:

"Prohibiting Use of 'choke hold' for law enforcement purposes in the City of Berkeley.

Be it resolved by the Council of the City of Berkeley as follows: That the choke hold, including (but not limited to) the carotid restraint and the bar-arm hold, is hereby banned from use for law enforcement purposes in the City of Berkeley."

Care and Use of Firearms

PR 323 Firearms – Use of – By Officers.

- 1 - The term "display" shall be used to describe the unholstering or showing of a lethal firearm during the conduct of police business.
- 2 - The term "lethal firearm" shall be used to describe a firearm that is loaded with ammunition designed to kill.
- 3 - A lethal firearm may be displayed only if the officer feels such action is, or may become, necessary in the defense of the officer's or another's life or under the provisions of applicable Regulations.
- 4 - Lethal firearms shall not be discharged as a warning.
- 5 - Lethal firearms shall not be pointed at a person in an attempt at apprehension unless the officer has reasonable cause to believe the person falls within the purview of applicable Regulations.
- 6 - Officers shall not unnecessarily display any firearm in any public place or carelessly handle a firearm at any time.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

- 7 - Officers shall not carry a firearm or be expected to take police action as authorized in applicable Regulations when under the influence of alcohol as defined in the California Vehicle Code and/or other drugs.

PR 324

Firearms – Discharge of/Use of Deadly Force – When Permitted.

Officers shall not discharge firearms or use other lethal force in connection with police duty, except in the following circumstances:

- (a) When the officer reasonably believes that doing so is necessary to protect the officer or others from death or serious bodily injury, and, where feasible, some warning has been given.**
- (b) To apprehend a suspected fleeing felon:**
 - (1) When necessary to prevent escape, and**
 - (2) When the officer has probable cause to believe that the suspected fleeing felon poses a significant threat of death or serious bodily injury to the officer or others, and**
 - (3) Where feasible, some warning has been given.**
- (c) During other police duty:**
 - (1) In supervised Department training sessions at an approved range, or other site.**
 - (2) To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured. If possible, supervisory approval should be obtained prior to using lethal force to destroy an animal.**

PR 325

Firearms – Discharge of – File Report. An officer who discharges a firearm, accidentally or intentionally, while performing any police function, **on or off-duty**, shall make an oral report to the Communications Center as soon as circumstances will permit and **shall advise** one's superior officer as soon as practical. If any person is seriously injured or killed as a result of an officer's actions, such officer shall be placed on administrative leave for a period of time, as determined by the Chief of Police, depending upon the circumstances of the situation. The officer shall not return to regular duties until he/she meets with a mental health professional.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

- PR 326 Firearms – Cleaning or Loading – Restrictions. Employees shall not clean, repair, load or unload firearms, except as noted below, at any place in the **Public Safety Building** other than those locations specified by the **Professional Standards** Division Captain. This restriction shall not apply to sidearms when loading or unloading is ordered by a superior officer for inspection purposes.
- PR 327 Firearms – Weapons – Storage of. Employees shall not place or store any firearms in the **Public Safety Building** except when the place of storage is locked.
- PR 328 Firearms – Selling – Restrictions. Employees shall not lend, give, or sell any firearm to any persons who do not have a legal right to possess such firearm.
- PR 329 Firearms – Purchase or Loss of File Report. Officers shall file a written report with the **Professional Standards** Division Captain immediately following the purchase, replacement, loss, or other disposition of regulation firearms and shall list complete descriptions including the serial numbers. Reports concerning the loss of a regulation firearm shall include all facts surrounding the loss.
- PR 330 Ammunition – Replacement – Security of – Authorized. Officers shall be issued normal replacement ammunition by their supervisor or under the authority of the Range Master. Only ammunition that has been issued by Department authority is authorized for duty use in the primary weapon. Any exceptions to this rule must be approved by a Command Officer in writing. No ammunition for replacement purposes should be obtained from the arms locker except for emergency police conditions.

Police Vehicles

- PR 331 Police Vehicles – Safe Operation. Employees operating police vehicles shall drive in a reasonable and prudent manner.
- PR 332 Police Vehicles – Exceptional Use
- Officers shall not use police vehicles to ram or block other vehicles, persons, or moving objects in a manner that reasonably appears to constitute the use of lethal force, except in the following circumstances:**
- (a) **When the officer reasonably believes that doing so is necessary to protect the officer or others from death or**

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

serious bodily injury, and, where feasible, some warning has been given.

- (b) To apprehend a suspected fleeing felon:
 - (1) When necessary to prevent escape, and
 - (2) When the officer has probable cause to believe that the suspected fleeing felon poses a significant threat of death or serious bodily injury to the officer or others, and
 - (3) Where feasible, some warning has been given.

PR 333 Police Vehicles – Passengers In. Employees operating police vehicles shall not permit passengers to ride except when necessary in the accomplishment of an essential police objective or when authorized by a Commanding Officer or in the absence of a Commanding Officer by the ranking officer on-duty.

PR 334 Police Vehicles – Citizens Requesting to Ride with Officers. Participation from members of the general public riding as observers in patrol cars was rescinded on 10/18/91. As set forth in the amended ride-along procedures, individuals eligible to ride along are limited to Berkeley Police Aides and Public Safety Dispatchers, and individuals specifically authorized by the Chief of Police.

Special Requests

PR 335 Special Requests – Mutual Aid/Assistance – Police Dogs. The use of Police Dogs from other law enforcement agencies is permitted with the approval of the Chief of Police or City Manager:

- 1 - to apprehend suspects where there is a threat to human life, and the suspect is reasonably believed to be armed with a deadly weapon, and the suspect is in a controlled, contained area and there are no known occupants of the area other than the suspect; or
- 2 - to locate missing persons; or
- 3 - to locate crime scenes.
- 4 - The use of dogs is explicitly prohibited for use in crowd control.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

The City Council shall be notified in writing within 24 hours in each case where a dog is used. (Berkeley City Council Resolution No. 51.408 – N.S.)

PR 336 Special Requests – Mutual Aid/Assistance – Helicopters. The use of police helicopters from other law enforcement agencies is permitted with the approval of the Chief of Police or City Manager for:

- 1 - Disaster Assistance
- 2 - Rescue efforts, excluding hostages
- 3 - Locating missing persons

The City Council shall be notified in writing within 24 hours in each case where a helicopter is used. (Berkeley City Council Resolution No. 51.408 – N.S.)

PR 337 Special Requests – Mutual Aid/Assistance – Tasers. The use of police tasers at the request of the Berkeley Police Department may be permitted with the approval of the Chief of Police or City Manager. Once approved, a taser will only be deployed by Outside Agency Personnel responding to a request for assistance.

Care and Use of Departmental Property

PR 338 Departmental Property – Location – Moving From. Employees shall not move office equipment or furnishings outside of the Division to which the equipment is assigned without permission of the Commanding Officer of the Division concerned and the Support Services Division Commander.

PR 339 Departmental Property – Care Of. Employees using Departmental equipment or property shall be responsible for its proper care and use. Failure of an employee to exercise reasonable care in the use of Departmental equipment or property may result in disciplinary action.

Off duty loss of or damage to equipment permanently issued to employees (e.g., gun, leather, handcuffs, etc.) shall be the employee's responsibility to repair or replace. Other loss or damage to property or equipment issued to employees shall be the employer's responsibility to repair or replace so long as it is a direct consequence of the discharge of the employee's duties.

In those instances where the employee has the responsibility for repair or replacement, the employee shall make his/her own arrangements expeditiously, insuring that replaced equipment meets approved

BERKELEY POLICE DEPARTMENT

DATE ISSUED: November 26, 2012

POLICE REGULATIONS – CHAPTER 3

specifications.

In those instances where there is a question or a difference in opinion as to whether the loss or damage should be the financial responsibility of the employee or the obligation of the Department, an investigation board shall be established per General Order E-7. In all cases, the decision of the Chief of Police shall be final.

- PR 340 Departmental Property – Loss of – Damage – File Report. Employees shall promptly report in writing through channels to their superior officer the loss of, damage to, or unserviceable condition of any Departmental property or equipment issued for, or assigned to, their use. Such reports shall be forwarded immediately by the superior officer to the **Professional Standards** Division.
- PR 341 Advertising Matter – **Public Safety Building** – Posting of. Employees shall not attach objects to the walls of the **Public Safety Building** without authorization of the Division Commander.