

CHAPTER 4

CONDUCT AND REGULATIONS

1. GENERAL.

a. Volunteers associated with the Senior Volunteer Program (SVP) acquire no proprietary interests, vested or non-vested, arising from their association with the CHP. Their status is maintained solely at the discretion of the Area or Section commander and they may be separated from the program without cause. Volunteers are used to assist regular departmental employees in the performance of their duties and in the furtherance of the Department's mission. Volunteers shall not supplant departmental employees.

b. Inconsistent and Incompatible Activities. All volunteers shall abide by the contents of HPM 10.3, Chapter 14, Inconsistent and Incompatible Activities. With regard to item 14 in Annex A of that chapter, volunteers are not restricted from having financial interest in an activity regulated by this Department. However, the volunteer will not be permitted to engage in any activity for this Department that would create a conflict of interest between their business entity and their assigned duties.

c. Statement of Professional Ethics. Volunteers shall abide by the Department's Volunteer Statement of Professional Ethics, CHP 462C (Annex I). Volunteers shall read and sign a copy of the statement attesting to their agreement to abide by these ethical standards. A copy of the signed form shall be provided to each volunteer and the original shall be filed in their personnel folder.

2. PERSONAL CONDUCT.

a. Volunteers shall be required to comply with all departmental rules and regulations governing the conduct of non-uniformed employees. Volunteers shall be prepared to assist with any need or duty assigned. Additionally, volunteers shall comply with the following:

b. Work Shifts. Volunteers will work a shift that has been agreed upon by the Area coordinator and the volunteer. Work shifts must occur during the area office's business hours. Work shifts may fluctuate with the current office workload. At a minimum, volunteers should work at least eight (8) hours per month, unless HPM 70.55 4-2 otherwise coordinated with the Area commander. Training sessions and meetings may be counted as part of the required work hours.

c. ID Cards. SVP ID cards (Annex G) shall be carried at all times while on duty.

d. Professional Conduct. Volunteers shall conduct themselves in a professional manner at all times. They are to present a positive, courteous, and helpful image to peers, departmental employees, and the public.

e. Commitment to Equal Employment Policies. Volunteers are to ensure that their activities convey commitment to the Department's equal employment opportunity policy. Any volunteer who willingly and knowingly fails to adhere to the intent of this policy shall be subject to dismissal.

f. Under the Influence of Drugs and Alcohol. No volunteer shall report for duty while under the influence of drugs or alcohol. The odor of alcohol shall be considered presumptive evidence that the volunteer is under the influence. If a volunteer necessarily takes prescription medications that cause drowsiness or hampers their ability to perform the duties assigned to them, the volunteer shall notify the Area coordinator or other supervisor before reporting to the office. The Area coordinator can then make any necessary adjustments to the volunteer's work shift and/or transportation.

g. Wearing of SVP Uniforms. Volunteers shall not wear their SVP uniforms while off-duty, except when traveling to and from the office. The uniform must be covered with a non-uniformed jacket or shirt, for concealment, while traveling to and from the office.

h. Public Attention to Uniform. Volunteers, while on duty, are subject to public scrutiny. The presence of volunteers in locations or establishments that are inconsistent with law enforcement activities can bring censure to the volunteer and embarrassment to the Department, unless the volunteer is obviously conducting business in the scope and course of his/her duties. An example would be dining in an establishment where the primary business is dispensing alcoholic beverages, or being present in that portion of the restaurant that dispenses alcoholic beverages.

i. Responsibilities of Volunteers. Volunteers shall be responsible for using sound judgment in their conduct while in uniform. Volunteers shall avoid conduct that would debase law enforcement or detract from the Department's image.

j. Work Breaks. To be taken on an as-needed basis and arranged with the Area coordinator.

3. RESPONSIBILITIES OF COMMANDER. Commanders shall ensure local procedures are adequate to protect the image and reputation of the Department from situations of the type illustrated above.

4. CONDUCT TOWARD OTHERS.

a. Volunteers shall act, both privately or officially, in such a manner as to avoid bringing discredit upon law enforcement in general, the Department, the SVP, or fellow volunteers.

(1) Volunteers shall imply through appearance, action, or word that they are strictly volunteers and they do not have any law enforcement or peace officer powers.

(2) Volunteers shall only communicate with any in-custody prisoners, suspects, or witnesses when directed to do so by an officer (i.e., provide bilingual services, interpretation, etc.).

5. PUBLIC RELATIONS AND SERVICE.

a. Public Appearances.

(1) Volunteers may address a public gathering or any organization on matters concerning the Department's SVP only with the approval of the Area commander.

(2) Volunteers may write articles or manuscripts for publication in the press concerning departmental business only with authorization from the commander and the CHP Office of Public Affairs. If a member of the press requests a statement from a volunteer, the volunteer will be courteous and direct the person to a public affairs officer, the Area coordinator, or any supervisor or manager

b. Complaints and Information Requests. Volunteers who receive inquiries from the public concerning complaints about the Department and/or any employee shall direct the person to an on-duty sergeant or manager. Volunteers may provide the public with the status of traffic collision reports, general office information (i.e., office address or directions). Volunteers may log traffic complaints that come into the Area office telephonically or by mail, however, volunteers should avoid offering their personal opinions about specific complaints or operational issues.

c. Assistance Requests. Volunteers receiving requests from the public for SVP assistance shall direct the request to the Area coordinator.

d. Reporting Violations/Incidents.

(1) A volunteer who commits, or observes another volunteer commit a violation of law or departmental policy, while in the course of their duties, shall report the violation to the Area coordinator or a supervisor as soon as possible. This includes any citations received while on duty.

(2) A volunteer who is on duty and a party to a traffic collision or a witness to an incident that involves a response by law enforcement, shall immediately notify the on-duty supervisor through the communications center.

6. ABSENCES.

a. Volunteers must attend all scheduled SVP functions unless excused by the Area coordinator.

b. In cases of emergency, sickness, or injury, where volunteers cannot attend an SVP function or work shift, they shall notify the Area coordinator. If contact cannot be made prior to the event, the volunteer should leave a message with any Area supervisor.

7. COMPLAINT PROCESS. Complaints against the actions or inactions of a volunteer by members of the public shall be handled in the same manner as complaints against other CHP employees (see HPM 10.4, Citizen's Complaint Investigation Manual).

8. DISCIPLINARY ACTION.

a. In order to maintain the highest standards of professionalism and ethics, volunteers are subject to disciplinary action when they violate a law or any rule, regulation, or policy of the Department.

b. Forms of Disciplinary Action. Each incident involving misconduct must be considered on its own merit. Factors such as the volunteer's attitude, past record, and awareness of the alleged misconduct must always be considered when selecting the appropriate level of disciplinary action. The following describes four disciplinary actions that may be taken against a volunteer as deemed appropriate by the Area commander. In all cases, the volunteer is to be notified of the 4-5 HPM 70.55 disciplinary action taken. The decision of the commander, however, is final and not subject to appeal.

(1) Verbal Admonishment. A verbal notice of the violation along with verbal direction to correct the violation.

(2) Written Reprimand. A memorandum of direction or censurable incident report filed in the personnel folder of the volunteer that describes the incident in question.

(3) Suspension. The removal of a volunteer from duty for a period of time determined by the Area commander. A memorandum explaining the reason(s) for the suspension shall be provided to the volunteer, and a copy shall be

maintained in the volunteer's personnel folder. The suspension shall not exceed ten scheduled work days.

(4) Dismissal. Termination from the SVP by the Area commander.

9. AWARDS AND SPECIAL RECOGNITION.

a. Volunteer Recognition. All graduation certificates, commendations, years-of-service awards, commander's citations, etc., shall become part of a volunteer's personnel folder.

b. Business and Individual Recognition. Individuals outside the Department and business organizations may be recognized by a command for special service to the SVP. The appropriate level of recognition shall be determined by the Area commander.

10. PERSONAL SAFETY.

a. The personal safety of all volunteers has the highest priority. For this reason, volunteers shall not place themselves in a situation that could become confrontational. If necessary, volunteers are to remove themselves from the situation, immediately notify the communications center and a supervisor of their location, and request assistance from an officer. The following shall also apply for all commands and volunteers in the SVP:

b. Enforcement Activity. Volunteers shall not take any type of enforcement action, regardless of the circumstance. If a volunteer becomes aware of a situation requiring enforcement action, the volunteer shall notify the communications center and request an officer to respond.

c. Carrying of Weapons. Volunteers shall not carry weapons of any type while on duty. This includes, but is not limited to, firearms, knives (other than a pocket knife), and pepper spray or mace. Although properly trained private citizens may carry pepper spray, volunteers shall not carry it while representing the Department.

d. Traffic Stops. Volunteers shall not attempt to make any type of traffic stop or arrest.

e. Radio Calls for Assistance. Volunteers shall not respond to radio calls from beat units or attempt to cover an officer who has requested "back-up" assistance.

f. Crimes in Progress. Should a volunteer encounter a dangerous situation or observe a crime in progress, the volunteer shall not become involved. The volunteer SHALL move to a safe location and call the communications center for assistance.

g. Patrolling in State Vehicles. Volunteers, if driving an enforcement vehicle as part of an assigned task, shall not engage in any type of patrolling activity. If a collision or some other type of incident is observed by the volunteer while driving the vehicle, the volunteer shall advise the communications center of the location, provide a description of the incident, and request a beat officer respond to the situation.

11. DRIVING STATE VEHICLES.

a. The Area commander is responsible for the Area's state vehicle fleet and therefore, the issue of volunteers driving a state vehicle is at the Area commander's discretion. Prior to driving state vehicles, a volunteer shall comply with the training provisions as outlined in Chapter 5 of this manual. In addition, the following will apply:

b. Officers shall always have first priority for use of enforcement vehicles.

c. Volunteers shall not use enforcement vehicles for any purpose other than those directly related to the SVP.

d. Volunteers shall have a valid California driver's license in their possession at all times when driving a state vehicle.

e. No unauthorized person shall be allowed to drive or ride in a state vehicle at any time.

f. Vehicles shall be locked at all times when left unattended.

g. Any traffic accident involving a state vehicle shall be immediately reported to the communications center and the on-duty supervisor.

h. Volunteers are responsible for ensuring the state vehicle is refueled and parked in its designated parking space at the end of the shift.

i. Volunteers are responsible for documenting any needed vehicle repairs prior to ending their shift. Any serious defect, such as brakes or steering, shall be reported to the automotive technician or shift supervisor so the vehicle can be taken out of service.

j. Volunteers shall obey all traffic laws, including parking regulations, and shall operate the vehicle in a safe manner at all times.

k. Any time an enforcement vehicle is used by a volunteer in the course of their assigned duties, a "VOLUNTEER" sign (Annex N) shall be affixed to both rear door windows. The "VOLUNTEER" sign should be lettered with 4-inch black letters on a white background. The sign should be approximately 6-inches tall and 24-inches wide.

I. Personal vehicles shall not be used for SVP duties without prior approval of a uniformed supervisor.

12. RIDE-ALONGS.

a. Volunteers may participate in a ride-along with field officers. The ride-along shall be pre-arranged through the Area coordinator. The volunteer will attend the appropriate briefing and may ride with the officer for the entire shift with the approval of the on-duty supervisor.

b. During the ride-along, the volunteer is under the direct supervision of the officer. In the event the officer must respond to a potentially dangerous incident, the volunteer may be dropped off at a safe location (restaurant, for example). If this occurs, the volunteer shall remain at that location. The officer shall notify the communications center so that another unit can respond to transport the volunteer.

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