

# *SAN DIEGO POLICE DEPARTMENT COURT LIAISON UNIT*



## *OPERATIONS MANUAL*

*AUGUST 2020*

**Portions of this document are deemed by the San Diego Police Department to be records of security procedures and are exempt from disclosure under the California Public Records Act (CPRA), Government Code Section 6254 (f).**

## **GOALS and OBJECTIVES:**

The Court Liaison Unit coordinates officers subpoenaed to appear in court through continuous communication with the court, District Attorney, and City Attorney staff. This is done by maintaining a subpoena file and monitoring feedback from the judicial and prosecuting agencies.

The Court Liaison Unit insures that the San Diego Police Department investigative packages are presented to the District Attorney's office in a timely manner in order to prevent 825 PC (no charges filed) released from jail and to obtain successful prosecutions of criminals.

Unit personnel monitor officers' appearance, punctuality, and courtroom demeanor in order to maintain Department standards and credibility with the courts.

The unit acts as a resource for Police Department employees by providing assistance and information regarding court processes.

The unit continues to track the Department's usage of court overtime and develops systems and policies to reduce the Department's court overtime costs each fiscal year.

## **UNIT DESCRIPTION:**

In April 2009, the Department combined the District Attorney Liaison Unit and the City Attorney Court Liaison Unit under the Operational Support Command. The Court Liaison Unit consists of the three components listed below.

**District Attorney Liaison:** Two officers maintain an office on the 8<sup>th</sup> floor of the Hall of Justice. The office is staffed from 0600 to 1600 hours, Monday thru Friday. This unit's primary functions are logging and tracking of all felony cases that come into the District Attorney's Office at the Hall of Justice, ensuring all submitted cases packages are complete, signing all complaints, tracking all complaint request evaluations (CRE), preparing quarterly statistical reports, and maintaining an open line of communication with the District Attorney's Office.

**City Attorney's Court Liaison:** One officer maintains an office on the 5<sup>th</sup> floor of the City Attorney's Office. The office is staffed from 0600-1600 hours, Monday thru Friday. This unit's primary functions are monitoring officers' appearance and punctuality in court, tracking and reducing court overtime, storage of issued subpoenas, and maintaining an open line of communication with the City Attorney's Office and Superior Court.

**Kearny Mesa Court Liaison:** One officer maintains an office at the Kearny Mesa Court. The office is staffed from 0600-1600 hours, Monday thru Friday. This unit's primary functions are monitoring officers' appearance and punctuality in court, storing of issued subpoenas, tracking and reducing court overtime, and maintaining an open line of communication with the City Attorney's Office and the Kearny Mesa Court.

Officers assigned to the Court Liaison Unit works the 4-10 plan with the option to work the 5-8 plan.

### **Expectations:**

The unit's dress code is either approved business attire or the Class A uniform. If an officer is sick, late, or not able to work, he/she must call the unit's sergeant as soon as possible.

The unit's message line will be checked periodically throughout the day and all inquiries will be handled promptly and efficiently.

### **Time Cards**

Weekly time sheets will be maintained by the Operational Support Unit Word Processing Operator. Electronic Time Cards and leave slips must be submitted to the Court Liaison Sergeant by the Wednesday of the pay period ending week. The Cost Center number for the Court Liaison Unit is 1914141214.

## **UNIT OPERATING DUTIES AND PROCEDURES**

### **Court Liaison Unit Sergeant Duties and Responsibilities**

The Court Liaison Unit Sergeant supervises four Police Officers assigned to the unit and one Centralized Telephone Report Unit (CTRU) officer. Two are assigned to the District Attorney's Office, one to the City Attorney's Office, and one to the Kearny Mesa Court.

- Reports to the Operational Support Unit Lieutenant and keeps him/her updated on a weekly basis as to the current status of all operations in the unit.
- Insures that felony prosecution packages are submitted on time and coordinates effort to prevent 825 PC (jail releases).
- Attends the Investigative Command Group (ICG) meetings and coordinates attendance by representatives of the District and City Attorney's office.
- Acts as a resource for Department personnel and court staff.
- Mediates problems/concerns between District Attorney's, City Attorney's, and Police Department personnel.
- Ensures Court Liaison Officers adhere to the rules and regulations of the Department and the Court Liaison Unit.
- Monitors and inspects progress of the Department Computerized Subpoena Log and Electronic Red Book.
- Responds to issues and problems occurring with the prosecution of infraction crimes at the Kearny Mesa Court and South Bay Court.
- Assists with research, planning, and development of procedures and methods to reduce court overtime hours.
- Ensures court coverage for all three locations, City Attorney, District Attorney, and Kearny Mesa Court for the five-day court work week.
- Coordinates staffing of relief officers with the Centralized Telephone Report Unit Sergeant.
- Supervises and evaluates performances of personnel assigned to all three offices.
- Conducts inspections in accordance with the Department's Inspection Guide.

## **DISTRICT ATTORNEY COURT LIAISON OFFICERS' DUTIES**

- Identifies all San Diego Police Department 3rd day in-custody felony arrests. Uses CRMS and NetRMS to determine the assigned Investigator for each arrest.
- Coordinates scheduling of arraignments for in-custody felony arrests with DA JURIS personnel. See DA memo regarding 3<sup>rd</sup> day in-custody arraignment dates
- Receives, reviews for completeness, and enters into the computer database all felony packages and delivers them to DA JURIS personnel for processing.
- Receives and signs all issued felony Criminal Complaints for all San Diego County law enforcement agencies. SDPD felony Criminal Complaint dispositions will be entered into the SDPD database.
- Assists investigators with “walking-through” in-custody, out-of-custody and arrest warrant request cases. See attached DA memo regarding “walk-through” procedures for non in-custody cases.
- In emergency situations, will walk-through arrest warrants by presenting them to the assigned duty judge and ensuring that the arrest warrant is filed with the courts and activated.
- Provides assistance to DA personnel, included but not limited to: additional reports, officers contact information, running rap sheets, determining investigative status in high profile cases, etc.
- Create and share BWC footage when cases are being redirected to the City Attorney’s office, and from the City Attorney’s Office.
- Conduct searches, and create and share BWC footage for District Attorney’s Office personnel when they believe that other footage may possibly exist.
- Provides assistance to SDPD personnel and other law enforcement agencies, included but not limited to: status of current and past cases submitted to the DA’s office, advise investigators on how to prepare felony case files, DDA contact information, booking procedures, arraignment dates for in-custodies and bail to return dates for defendants etc.
- Prepares felony case file packages that have been referred to the DA’s office from the City Attorney’s Office. This includes filing out all pertinent forms, running raps, obtaining lab reports, etc.
- Processes and tracks Complaint Request Evaluations (CRE’s) for SDPD cases.
- Maintains and disseminates to the Court Liaison Sergeant, current CRE Recipient List.

- Prepares quarterly reports using computer generated information.
- Participates in training with the City Attorney and Kearny Mesa Court Liaison Officers in the duties and functions of those offices, and assist when needed.

## OFFICE PROCEDURES

### Arraignment Calendar

- Receive the jail arraignment calendar from DA JURIS staff and determine which scheduled arraignments are SDPD arrests. Run those cases in CRMS to determine the assigned Investigators and the dispositions of the cases if possible. There is one SDPD LAN computer located in the Officer's Waiting Room that is available for department business. Notify Case Issuance DDA's via email, the number of case files expected that day.

### Felony DA Packages

- All incoming SDPD DA felony packages will be checked to make sure that the package contains all of the following:
  - A completed witness list that includes all involved officers, victims, witnesses and lab personnel information.
  - A statement of case form for each defendant (DA-160)
  - All state and federal criminal histories for each defendant.
  - Narcotic lab reports, if applicable.

If any of the above items are missing the assigned investigator should be contacted and made aware of the missing documents. The assigned investigator should fax or email the missing items to the DA Liaison Unit (**Deleted – Records of Security**). If the case is time sensitive the liaison officers will attempt to obtain the needed items by using the SDPD computer. The investigator should still be contacted and made aware of the missing items.

- All SDPD cases (except task force cases) should be processed through the DA Liaison Unit and entered in the SDPD DA Database located on the X drive on the DA LAN computers located on each of the Liaison Officers desks. Information to be entered is to include the following:
  - Date and time the case was received
  - Defendant(s) name
  - Crime Type
  - Submitting Officer/Detective's name, ID number and Command
- 3rd day in-custody SDPD DA Felony case files are to be delivered to the unit by 1030 Monday – Thursday and by 0900 on Fridays. There are two mail deliveries daily to the

office usually 0830 and 1330. Additionally there is a drop off bin in the Sheriff's Court Services/Field Services Bureau located at 1301 C St. This bin should be checked at least twice in the morning, at 0900 and 1030. Case files can also be brought to the unit office at 330 W. Broadway, 8<sup>th</sup> floor.

### **Criminal Complaints**

- Sign Criminal Complaints for all law enforcement agencies. For SDPD cases, enter "I" (for issued) in the disposition column of the SDPD Case Tracking database.

### **Complaint Request Evaluations (CRE's)**

- Complaint Request Evaluations (CRE's) are a District Attorney non-discoverable work product. CRE's are used to request information from the Investigating or Arresting Officer, or to notify the Investigating or Arresting Officer of problems or issues with the case. There are four categories of CRE's:
  - Issued - Further Investigation Needed (also known as R-1). Stamp the CRE with a return date within 7 days. Send one copy of the CRE to the appropriate CRE recipient for that division or unit and one copy to the assigned Investigator. Responses will be forwarded to the appropriate DDA (check CMS-A database to determine DDA currently assigned to the case).
  - Rejected – Further Investigation Needed (also known as R-2). Stamp the CRE with a return date within three weeks. Send both copies of the CRE to the CRE recipient for that division or unit. In the Remarks column of the SDPD Case Tracking Database for that defendant, enter the requested return date. Put the case file in the R-2 file drawer. Responses will be attached to the original case file and returned to JURIS staff.
  - Rejected (also known as R-3) Send both copies of the CRE to the CRE recipient for that division or unit. In the Disposition column of the SDPD Case Tracking Database for that defendant, enter "R-3".
  - Redirected. If the charges are being reduced to misdemeanors, send both copies of the CRE to the CRE recipient for that division or unit. Enter "CA" in the disposition column for that defendant in the San Diego Case Tracking Database. Send the case file to the City Attorney's Office via inter-office mail.

If Investigators fail to respond to CRE's in a timely manner, a second notice will be sent to the CRE recipient for that division or unit and also to the assigned Investigator. If no response is received within 30 days, a memo will be sent to the Captain of the division notifying them of the lack of response from the Investigator. If there is still no response, the file will be returned to the assigned DDA for final case disposition, and a copy of the CRE rejection notice will be sent to the Captain.

The unit will maintain a list of cases awaiting responses to CRE's. That list will be sent to the Court Liaison Sergeant monthly.

## **Additional Follow-up Case Information**

- When additional information is received and needs to be added to the case file (not including responses to CRE's) the Liaison Officer will access the DA's case tracking database (CMS-A) to determine the location of the file and will ensure that the additional information is delivered to the assigned DDA.

## **Lab Reports**

The SDPD Lab personnel will email official narcotics reports to the Liaison Officers. **(Deleted – Records of Security)**

## **Quarterly Reports**

- The quarterly reports are due ten days after the end of the quarter. The reports will contain the following information:
  - The number of felony case files received for that quarter for each division.
  - The number of those cases that were issued for each division
  - The number of those cases that were rejected for each division
  - The number of those cases that were sent to the City Attorney for each division
  - The number of those cases that are still pending a disposition
  - Individual Investigator information for cases submitted during that quarter
- Completed reports are to be sent to the Research/Analysis/Planning Sergeant and the Court Liaison Unit Sergeant.

## **Mail-Runs /Sheriff's Run**

Department mail messengers will make two runs daily between Police Headquarters and the District Attorney Court Liaison's Office. The mail messengers arrive at 0830 and 1400 hours. If they are going to be late or unable to make a run, the mail room supervisor will call the District Attorney Court Liaison Office to explain the problem and other arrangements will be made.

Felony packages can also be brought directly to the District Attorney's Court Liaison Office on the 8<sup>th</sup> floor of the Hall of Justice at 330 West Broadway.

## **CITY ATTORNEY'S COURT LIAISON OFFICER'S DUTIES**

- Preparation of the daily court calendar.
- Verification of service on subpoena's for court cases.
- Maintenance of signed and served subpoenas files.



- Use Department's Electronic Red Book Program to check status of issued subpoenas.
- Process Officer Declaration for Continuance Forms for District Attorney, City Attorney, and other law enforcement agencies.
- Check-in officers in the Officer's Waiting Room.
- Handle filing of all subpoenas, Officer Declaration for Continuance Forms, and any paperwork coming into the office on a daily basis.
- Department's primary contact for any questions regarding an officer's request for continuance of a case.
- Provide support and assistance to Department's personnel and Deputy City Attorney's in the Criminal Division.
- Keep Court Liaison Sergeant informed of unit status.
- Create and share BWC footage when cases are being redirected to the District Attorney's office, and from the District Attorney's Office.
- Conduct searches, and create and share BWC footage for City Attorney's Office personnel when they believe that other footage may possibly exist.
- Participate in training with District Attorney and Kearny Mesa Court Liaison Officers in the duties and functions of those offices, to assist when needed.

## **CITY ATTORNEY'S OFFICE PROCEDURES**

### **Calendar**

A copy of the Daily Court Calendar is placed in the unit's in-box located on the 7<sup>th</sup> floor of the City Attorney's Office. Check for service of subpoenas by checking the subpoena files, Electronic Red Book, or calling the officer's unit subpoena clerk.

Check court date on subpoena. Some subpoenas are issued for the first date of court and some are for future court dates. If the subpoena has not been received, check the Electronic Red Book for date subpoena was issued and date it was served. Indicate on the Court Calendar if subpoena was received, served, or not issued.

### **Copies**

Check the Manual Red Book (located in the Court Liaison Office) for the names of officers that submitted an Officers Declaration for Continuous Form and make two copies of it. Make two copies of the City Attorney's On Call List, one copy of the On Called Log, and one copy of the Daily Court Calendar.

### **Fax to Kearny Mesa Court Liaison (Deleted – Records of Security)**

One copy of the Officers Declaration for Continuous Forms List and one copy of the City Attorney's Call Off List. These copies are used by the Kearny Mesa Court Liaison Officer to prepare his/her Court Calendar.

### **Calendar Package Includes**

The Daily Court Calendar includes: One copy of the Officers Declaration for Continuous Forms List, one copy of the City Attorney's On Call List, one copy of the On Called Log, and a copy of the Domestic Violence Calendar, which is e-mailed daily to the office by the City Attorney's Office Domestic Violence Unit.

### **Officer's Waiting Room**

The Officer's Waiting Room is located on the **(Deleted – Records of Security)** and the phone number is **(Deleted – Records of Security)**. Arrive at the Officer's Waiting Room by 0745 hours, have San Diego Police Officers sign the Court Log and check-in all officers listed on the Court Calendar including outside law enforcement agencies. If officers are missing attempt to locate them by calling their cell telephone number, home telephone number, or request for Communications to send an MCT message to the officer to contact the Officer's Waiting Room. Before going to Department 1 of the Superior Court, appoint an officer to answer the phone and leave one copy of the Dailey Court Calendar in the Officer's Waiting Room.

### **Superior Court /Department 201/202**

Arrive at Department 201/202 by 0830 hours and update the Deputy City Attorney on the status of the officers. Indicate on the Court Calendar dispositions made by the Court such as: Change of Plead (COP), case sent to Department 11, trailed for a future date, or defendant failed to appear and a bench warrant was issued. Calls the Officer's Waiting Room and updates the officers on the status of their cases. Return to the Officer's Waiting Room, assist officers with questions, and secure the room.

### **Mail**

Unit's mail is picked-up in the City Administration Building at 1200 Third Avenue 7<sup>th</sup> Floor.

### **Subpoenas**

Sort subpoenas by City Attorney's, District Attorney, and Kearny Mesa Court. City Attorney's subpoenas are sorted by month, date, defendant's name and then file in the cabinet. District Attorney's subpoenas are sorted and sent to the DA Liaison Office. The Kearny Mesa Court subpoenas are mailed to the Kearny Mesa Court Liaison Officer at Mail Station # 36.

### **Declarations for Continuance**

All Declarations for Continuance Forms are logged-in in the Red Book and separate by City Attorney's, District Attorney's and Kearny Mesa Traffic court. Copies of the City Attorney's declarations are made and placed in the URGENT Bin located in the City Attorney's Resource Room on the 7<sup>th</sup> floor and the original forms are placed in the unit's binder. The original District Attorney's Continuance Forms are filed in the DA Liaison Office. The original Kearny Mesa Court Declaration Forms are mailed to the Kearny Mesa Court Liaison Officer at Mail Station #36.

### **Message Line / (Deleted – Records of Security)**

The unit's message line must be checked periodically throughout the day and messages must be returned as soon as possible.

### **Complaint Request Evaluations (CRE's)**

- Complaint Request Evaluations (CRE's) are a City Attorney non-discoverable work product. CRE's are used to request information from the Investigating or Arresting Officer, or to notify the Investigating or Arresting Officer of problems or issues with the case. There are four categories of CRE's:
  - Issued - Further Investigation Needed (also known as R-1). Stamp the CRE with a return date within 7 days. Send one copy of the CRE to the appropriate CRE recipient for that division or unit. Responses will be forwarded to the appropriate DCA (check CMS-A database to determine DCA currently assigned to the case).
  - Rejected – Further Investigation Needed (also known as R-2). Stamp the CRE with a return date within three weeks. Send a copy of the CRE to the CRE recipient for that division or unit. Log the CRE in the City Attorney CRE Tracking Log. Put the original CRE in the CRE file drawer. Responses will be attached to the original case file and returned to Issuing DCA. A copy will be provided to the Court Liaison Sergeant.
  - Rejected (also known as R-3) Send both copies of the CRE to the CRE recipient for that division or unit. In the Disposition column of the SDPD Case Tracking Database for that defendant, enter "R-3".
  - Redirected. If the charges are being reduced to misdemeanors, send both copies of the CRE to the CRE recipient for that division or unit. Enter "CA" in the disposition column for that defendant in the San Diego Case Tracking Database. Send the case file to the City Attorney's Office via inter-office mail.
- If Investigators fail to respond to CRE's in a timely manner, a second notice will be sent to the CRE recipient for that division or unit and also to the assigned Investigator. If no response is received within 30 days, a memo will be sent to the Captain of the division notifying them of the lack of response from the Investigator. If there is still no response, the file will be returned to the assigned DCA for final case disposition, and a copy of the CRE rejection notice will be sent to the Captain.
- The unit will maintain a list of cases awaiting responses to CRE's.

## **KEARNY MESA COURT LIAISON OFFICER'S DUTIES**

Is the Department's primary liaison officer to the Kearny Mesa Court (formerly known as Traffic Court).

- Prepares the daily calendar for officer's appearances.
- Verifies service on subpoena's for court cases.
- Checks officers in as they arrive for each appearance time.
- Works with the Department's Records Division to locate officer's missing citations.
- Files subpoenas, Officer Declaration for Continuance Forms, and any paperwork coming into the office on a daily basis.
- Liaison with the Commissioners of the court to resolve any issues or concerns that arise during the daily operation of court.
- Liaison with the manager and clerical staff of the court to resolve any scheduling conflicts which may occur.
- Monitors how Department personnel are testifying in court. Make suggestions to correct any deficiencies.
- Completes and mails Missed Court Discrepancy Memos to Commanding Officers and mails copy of Memo to Court Liaison Unit Sergeant.
- Trains with District Attorney and City Attorney Court Liaison Officers in the duties and responsibilities of those offices, to assist when needed.
- Keeps Court Liaison Sergeant informed of all important information and issues.

## **KEARNY MESA COURT OFFICE PROCEDURES**

### **Subpoenas**

A large number of subpoenas are received and must be filed by month and day. Service of subpoena is verified for officers scheduled to appear in court and appropriate entries are made on the Dailey Calendars to indicate if the subpoena was issued, issued but not served, or not issued. Due to the inability of a Department computer at the Kearny Mesa Court, verification of subpoenas need to be done by calling the City Attorney's Court Liaison Officer who will check the Electronic Red Book for the most current information or calls the appropriate subpoena clerk.

### **Dailey Court Calendar**

A master copy of the daily calendar is delivered to the Court Liaison Officer by the court staff. Monday through Thursday there are four court appearance times during the day requiring calendars: 0800, 0930 1300, and 1430 hours. On Fridays there are two court appearance times, at 0800 and 0930 hours. Each court time requires four copies of the calendar: Master copy for the office, one copy for the Court Deputy, and two copies for the court clerk.

### **Checking in Officers**

Law enforcement officers from different agencies will be checked in on all four copies of the calendar and officers from San Diego Police Department will be required to sign-in on the log. Logs are filed and retained for a year.

### **Records Division**

Officers are responsible for calling the Department's Record Division and requesting to have a copy of their citation fax to the Kearny Mesa Court. When officers need assistance with obtaining a copy of their citation, the Court Liaison Officer will contact Records Division and attempt to obtain the necessary documents. The Court Liaison Officer will also coordinate any issues and concerns with a Records Division representative.

### **Mail**

Mail is received on a daily basis and must be sorted and filed. Mail includes subpoenas and Officers Declarations for Continuance Forms.

### **Court Discrepancy Memos**

If an officer fails to appear in court the Court Liaison Officer will verify that the officer was properly served and that he/she was not excused from appearing in court. A Court Discrepancy Memo will be filled out and a copy of the subpoena will be attached to it and sent to the officer's Commanding Officer. A copy of the memo and subpoena will be sent to the unit's sergeant.

## **VIRTUAL COURT**

When the San Diego Judicial system determines a need for Virtual Court, the Court Liaison Sergeant will immediately notify the Operational Support Lieutenant and Captain of this event. At that point, appropriate steps will be made by the Department (Department Announcement or Department Order) to notify members of any change in court procedures, appearance locations/times or any other court information that Department members will need when attending Virtual Court.

At all times, it will be the responsibility of the Court Liaison Unit to monitor and maintain all Virtual Courtrooms set-up by the San Diego Police Department. This includes making sure computers and all peripherals are in good working order and that proper instructions for the use of the computers is posted at the Virtual Court locations. Any damaged or broken equipment will be reported through the Operational Support chain of command.