

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM:** Edgardo Garcia
Chief of Police

SUBJECT: SEE BELOW

DATE: September 17, 2020

Memo# 2020-039

SUBJECT

DUTY MANUAL REVISION: S 1114 – WEARING OF THE REGULATION BADGE

**DUTY MANUAL REVISION: S 1118 – WEARING OF BADGES WHILE IN
PLAINCLOTHES**

BACKGROUND

On 6/12/20 the San Jose City Council, by unanimous vote, directed the San Jose Police Department to amend Department policy to prohibit officers from covering their badge while in uniform. Currently DM section S 1114 requires uniformed personnel to wear their badge on their outermost uniform garment and DM section S 1118 requires plainclothes officers to wear a badge on their outermost garment when at the scene of a search and arrest situation. While not wearing a badge is a clear violation of either section, neither section speaks directly to a circumstance where personnel cover their badge from view. The display of the badge while in uniform or when taking enforcement actions in plainclothes is necessary for our accountability to the community. Therefore DM sections S 1114 – WEARING OF THE REGULATION BADGE and S 1118 – WEARING OF BADGES WHILE IN PLAINCLOTHES are being revised to explicitly state that badges will not be covered.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*.

S 1114 WEARING OF THE REGULATION BADGE: **Revised 09-17-20**

The badge will be worn centered over the left breast on the outside of the outermost garment.

The display of a badge is necessary for the maintenance of accountability to the community we serve. Personnel will not cover the badge on their outermost garment.

NOTE: The purpose of this section is to maintain the Department's accountability to the community and is not intended to create a punitive circumstance when personnel inadvertently and momentarily cover the badge in the performance of their duty (i.e. temporarily covering a badge with a carrying strap or sling).

S 1118 WEARING OF BADGES WHEN IN PLAINCLOTHES:
Revised 09-17-20

Plainclothes officers who are engaged in enforcement activity or who are at the scene of a search and/or arrest ~~situation in progress~~ will identify themselves by wearing their badge on their outermost garment in a visible location.

The display of a badge is necessary for the maintenance of accountability to the community we serve. Personnel will not cover the badge on their outermost garment.

NOTE: The purpose of this section is to maintain the Department's accountability to the community and is not intended to create a punitive circumstance when personnel inadvertently and momentarily cover the badge in the performance of their duty (i.e. temporarily covering a badge with a carrying strap or sling).

ORDER

Effective immediately, all sworn personnel will adhere to the above listed Duty Manual changes.

A handwritten signature in black ink, appearing to read 'Edgardo Garcia', with a stylized flourish at the end.

EDGARDO GARCIA
Chief of Police

By Acting Chief of Police
DAVE KNOPF

EG:PC