

Memorandum

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

SUBJECT: SEE BELOW

DATE: September 17, 2020

Memo# 2020-040

SUBJECT

**DUTY MANUAL REVISION - C 1418.5 BODY ART, TATTOOS, BRANDS,
INTENTIONAL SCARRING, MUTILATION
OR DENTAL ORNAMENTATION**

BACKGROUND

On 6/12/20 the San Jose City Council, by unanimous vote, directed the San Jose Police Department to amend Department policy to explicitly prohibit the hiring of sworn personnel with body art that is considered racist and/or associated with hate groups.

The Department has a standing practice to investigate the tattoos of police applicants as part of the hiring background process. We screen out applicants with racially offensive and hate oriented body art. Although this is our current practice, the department recognizes the value in explicitly including it in the Duty Manual as a public expression of our values.

Language is being added to Duty Manual section C 1418.5 - BODY ART, TATTOOS, BRANDS, INTENTIONAL SCARRING, MUTILATION OR DENTAL ORNAMENTATION, to explicitly prohibit hiring police recruits or officers who have body art, tattoo(s), brand(s), intentional scarring, mutilation or dental ornamentation that is considered racist and/or associated with hate groups.

ANALYSIS

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

**C 1418.5 BODY ART, TATTOOS, BRANDS, INTENTIONAL SCARRING, MUTILATION
OR DENTAL ORNAMENTATION:**
Revised 09-17-20

All department members are prohibited from displaying body art, tattoo(s), brand(s), intentional scarring, mutilation or dental ornamentation while on duty or representing the Department in any official capacity.

Any current department member with existing body art, tattoo(s), brand(s), intentional scarring, or mutilation ~~or dental ornamentation~~ that is visible shall have the following options:

- On-duty department members shall cover existing body art, tattoo(s), brand(s), intentional scarring or mutilation by wearing a long-sleeve uniform shirt and/or uniform trousers/breeches, or;
- Cover the existing body art, tattoo(s), brand(s), intentional scarring or mutilation with a skin tone patch or make-up, or;
- Have the tattoo(s) or brand(s) removed at the employee's expense.

Body art, tattoo(s), brand(s), intentional scarring, or mutilation ~~or dental ornamentation~~ that is not able to be covered or concealed is prohibited. This includes, but is not limited to, foreign objects inserted under the skin; pierced, split or forked tongue and/or stretched out holes in the ears.

On-duty department members shall not have any dental ornamentation. The use of gold, platinum, silver or other veneer caps for the purpose of ornamentation are prohibited. Teeth, whether natural, capped or veneered, shall not be ornamented with designs, jewels, initials, etc.

Any exceptions to this policy must be approved by the Office of the Chief of Police.

Hiring Prohibition:

Having body art, tattoo(s), brand(s), intentional scarring, mutilation or dental ornamentation that depicts racist ideals or is associated with a hate group shall be a bar to being hired as a police officer or police recruit with the Department.

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 and the word 'For' written below it.

EDGARDO GARCIA
Chief of Police

By Acting Chief of Police
DAVE KNOPF

EG:PC