

Metro Unit Guidelines

January 1st, 2022



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I.) UNIT PURPOSE AND DESCRIPTION

The primary mission of the Metro Unit is to augment patrol in targeting significant narcotics dealers and criminal street gangs who often possess illegal weapons and are responsible for aggravated assaults. Members of the Metro Unit utilize a combination of overt and covert methods to accomplish their mission and work both in a uniformed and plainclothes capacity.

The Metro Unit coordinates enforcement efforts with the Bureau of Investigations and Divisional BFO Captains to identify areas within the City that are affected by gang-related violent crimes and narcotics trafficking. Additionally, they work collaboratively with the Drug Enforcement Administration, District Attorney's Office, Crime Strategies Unit, County Probation, State Parole and other governmental agencies. Metro Personnel are members of the Collateral Response Team (CRT), which augments MERGE during callouts and search warrants.

Metro is a resource to the Patrol Division and aids with large-scale patrol events, in-progress crimes, and gang-related activity. Additionally, since Metro officers are highly trained in investigations, surveillance, and entry tactics, they are often called upon by the Bureau of Investigations and the Patrol Division to assist in the apprehension of wanted suspects.

Metro also assists in policing special events such as festivals, demonstrations, and dignitary visits. Metro Unit personnel have developed expertise in the management of political demonstrations, festivals, and other citywide special events. Metro Unit personnel have been assigned to manage demonstrations initiated by a wide variety of political and special interest groups.

Unit Goals

- 1.) Maintain a high level of proactive plain clothes enforcement and uniform visibility emphasizing the following:
 - Arrest of felons, misdemeanants, and infraction violators.

- Protection of persons and property.
- Dedication to improving actual and perceived quality of life issues throughout the City of San Jose.

II.) Metro Responsibilities, Objectives and Duties

1.) Officer responsibility

- a.) Officers assigned to METRO will primarily patrol various urban areas within the city as well as, any other areas deemed appropriate by the Unit Commander (i.e. areas in which spikes of violence are occurring, special events, etc.)
- b.) Aggressively enforce all narcotic laws by way of procuring and executing search warrants, enforcing arrest warrants, probation/parole searches, and consent searches.
- c.) Maintain and respond to METRO 971-DRUG hotline calls so that responsible community members may report illegal narcotics activity.
- d.) Aggressively enforce all crimes associated with adult / youth violence related to criminal street gang activity resulting in physical arrest and successful prosecution.
- e.) As part of the Special Operations Division, assist with policing the recurring special events, protests, and festivals that the Special Operations Division is tasked with staffing.
- f.) Augment the MERGE Unit on tactical missions by providing additional staffing through the Collateral Response Team (CRT) program.
- g.) At times, other BFO units or Bureau of Investigation units may request assistance from METRO on arrests, search warrant entries, probation or parole searches, violent offender apprehension, 290 registrant service/investigations, stationary or moving surveillances. Assistance will be given, keeping in mind the objectives of the unit. If you have a question, FOLLOW THE CHAIN OF COMMAND.

The Unit Commander will be notified when assistance is requested by units outside of BFO.

- h.) Actively respond to protest situations that are likely to result in violence and/or significant property damage.
- i.) METRO officers are responsible for staffing special events and dignitary protection.
- j.) Participation in active on-going manhunt investigations.
- k.) Special operations tend to occur without prior planning. These may require the flexing of normally scheduled hours and days off. Metro officers will adhere to the MOA agreement regarding overtime at the time the overtime is worked/accrued.
 - 1. (Refer to “Article 13: Hours of Work and Overtime” for current MOA rules and regulation.)

1. Duties

- a) METRO is a BFO unit having the capability of working either uniform or non-uniformed assignments. Officers will maintain all of the following uniforms: Class A uniform, two-piece black BDU's [REDACTED], appropriate firearm holsters and duty equipment for plain clothes enforcement.
- b) METRO officer's will be aware of and comply with ***Duty Manual Sections S1118, S1138, S1144, S1147, S1148 and any other sections*** regarding plainclothes enforcement. Plainclothes must be appropriate for the assignment.
- c) [REDACTED]
- d) METRO officers will maintain all required tactical equipment for training and crowd control situations.

- e) Unit equipment not specifically assigned to an officer will be assigned out each shift. If equipment is not working, advise your sergeant.
- f) All METRO officers, i.e., officers, sergeants and lieutenant, are encouraged to maintain a department issued cellular phone to improve availability both on and off duty.
- g) METRO officers will make themselves aware of all notices, memos, METRO information reports, and reports on the various boards in the office. In addition, officers will review the daily Watch Bulletin.

2. METRO Team Leader Responsibilities

- a) METRO supervisors have the option of selecting a Team Leader. However, it is not mandatory that each team have a Team Leader. METRO Team Leader responsibilities include the following:
 - Team Leaders may assist the METRO supervisor with making assignments and establishing tactics in team operations [REDACTED]
 - In the absence of a supervisor, Team Leaders may prioritize team activity. Team leaders will update their Metro Supervisor of the day upon the planned daily team activity.

3. METRO Enforcement Sergeant Responsibilities

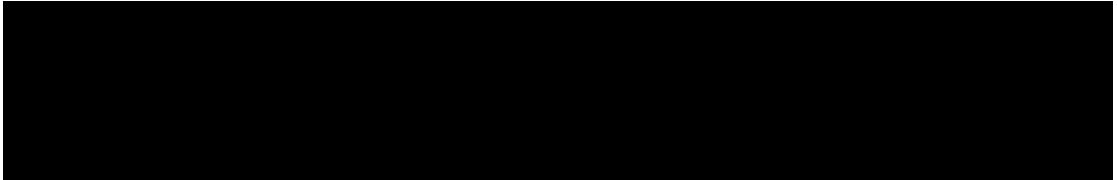
- a) METRO Sergeants are responsible for ensuring that the METRO Unit's objectives are met through the direct supervision of METRO team members. On a day-to-day basis, those responsibilities will include, but are not limited to the following:
 - Conducting daily briefings.
 - Approve and supervise METRO operations such as parole and probation searches, search warrants, arrest warrants and fugitive apprehensions.
 - Ensure that a METRO Unit presence is maintained in known gang areas when directed.

- Supervise METRO personnel during special events.
- In the absence of the METRO Unit commander, sergeants will be responsible for attending Special Operations staff meetings and/or any other meetings related to unit objectives.
- Review and approve METRO police reports.
- Review and approve the METRO daily entries and operation plans.
- Ensure that METRO officers receive adequate training.

4. METRO Administrative Sergeant Responsibilities

a) The METRO Unit Administrative Sergeant will be selected by the METRO Unit commander and will perform the following duties:

- Act as the overall equipment manager for the METRO Unit.
- Act as the overall training coordinator for the METRO Unit.
- Act as the METRO Unit vehicle fleet manager.



- Provide relief in the absence of another METRO sergeant.
- Writing grant requests and procuring grant money.
- Perform various other administrative duties as needed.

5. Metro Officer Qualifications

a.) All full duty Metro officers will be required to maintain a level of fitness that ensures their ability to perform all the necessary tasks of the Unit. Officers will be required to complete a physical agility course on a quarterly basis.

b.) All full duty Metro officers and sergeants will complete the physical agility course located at the Police stables in five (5) minutes or less.

- The officer will start at the southwest corner of the course. The officer will navigate all of the obstacles (with the exception of the

ropes) during the first lap. The first lap will be followed by another complete lap without obstacles. The officer will complete a third lap navigating the obstacles for a second time (with the exception of the ropes) and end the course at the northeast corner of the course.

- If an officer is unable to complete the course in the required time, he/she will be given four (4) weeks to remediate and attempt to complete the course again.
- If an officer fails to complete the course after remediation, they may be required to leave the Unit at the discretion of the Unit Commander.
- Officers on modified duty or disability status will not be required to complete the course.
- When an officer returns to full duty from modified or disability status, he/she will be given a reasonable amount of time to recuperate. The officer will then be required to complete the course during the next quarterly qualification.

6. Emergency / Disaster Response

- a) In the event of a major emergency that results in a breakdown in communications – via cellular phone or radio – on-duty METRO members will immediately respond [REDACTED] Upon their arrival [REDACTED] members will standby for the following:
 - Direction to assist the community or Patrol at the location(s) and in the capacity they are most needed
 - This direction may come from the METRO Unit commander, the highest-ranking METRO sergeant, or any on-duty captain or division commander
 - It is expected that members who are off-duty during a catastrophic event will tend to the immediate needs of their family and neighbors; however, once these needs are tended to, and their families are safe and neighborhoods secured, METRO Unit

members should respond [REDACTED] to await assignment.

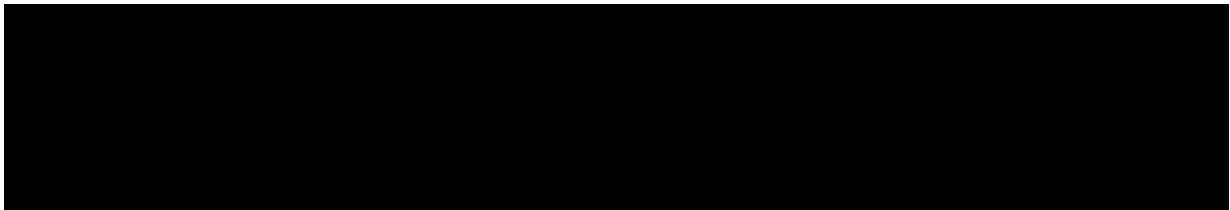
III.) Administrative Procedures

1.) *METRO Daily Summary*

- a) A daily summary will be completed at the end of each shift. All arrests, drug hotlines calls, searches, meetings and evidence must be completely and accurately documented. The daily summary will be sent via city email to a list of recipients. Additionally, the METRO Unit statistical database will be updated every day to reflect the work that was conducted that day by each team. The database is divided by team. The METRO Unit commander utilizes the statistics contained in the database for quarterly program management reports.

2.) *Narcotics Information Reports (NIR / 971-Drug tip-line hotline)*

- a) NIR's are a vital source of information from the community for the METRO Unit. Tips may be received through the drug hotline or office line within the office.
- b) At the end of each team's work week, the assigned officer will check the answering machines and will complete NIR's for each message. NIR's called in after briefing will be checked and prepared by the officers who have the hotline duty for the day. They will then be reviewed at briefing the following day.

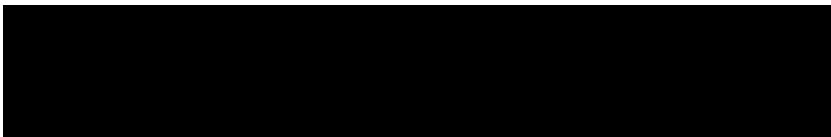


- d) The Sergeant will determine which NIR's will be kept for investigation by METRO officers and which will be assigned to patrol or other units.

- e) Team Sergeants will maintain the white copy of NIR's relating to their assigned division. They will also maintain a log indicating the NIR within their assigned division that have been assigned to officers/units outside of their team.
- f) Officers are not precluded from investigating NIR's from any area in the city.

3.) Minimum Staffing

- a) In order to maintain a commitment to gang and narcotics enforcement, the following guidelines will be adhered to regarding minimum staffing daily:



- b) It should be noted that these minimum staffing levels are guidelines only and may be raised or lowered by the METRO commander or sergeants depending on the circumstances.

4.) Collateral Response Team (CRT)

All METRO members are members of the Collateral Response Team. METRO CRT members provide personnel and resources whenever a tactical MERGE call-out is initiated. In addition, CRT members assist MERGE with the service of arrest warrants and search warrants on an as-needed basis. METRO officers are responsible for performing the following CRT duties:

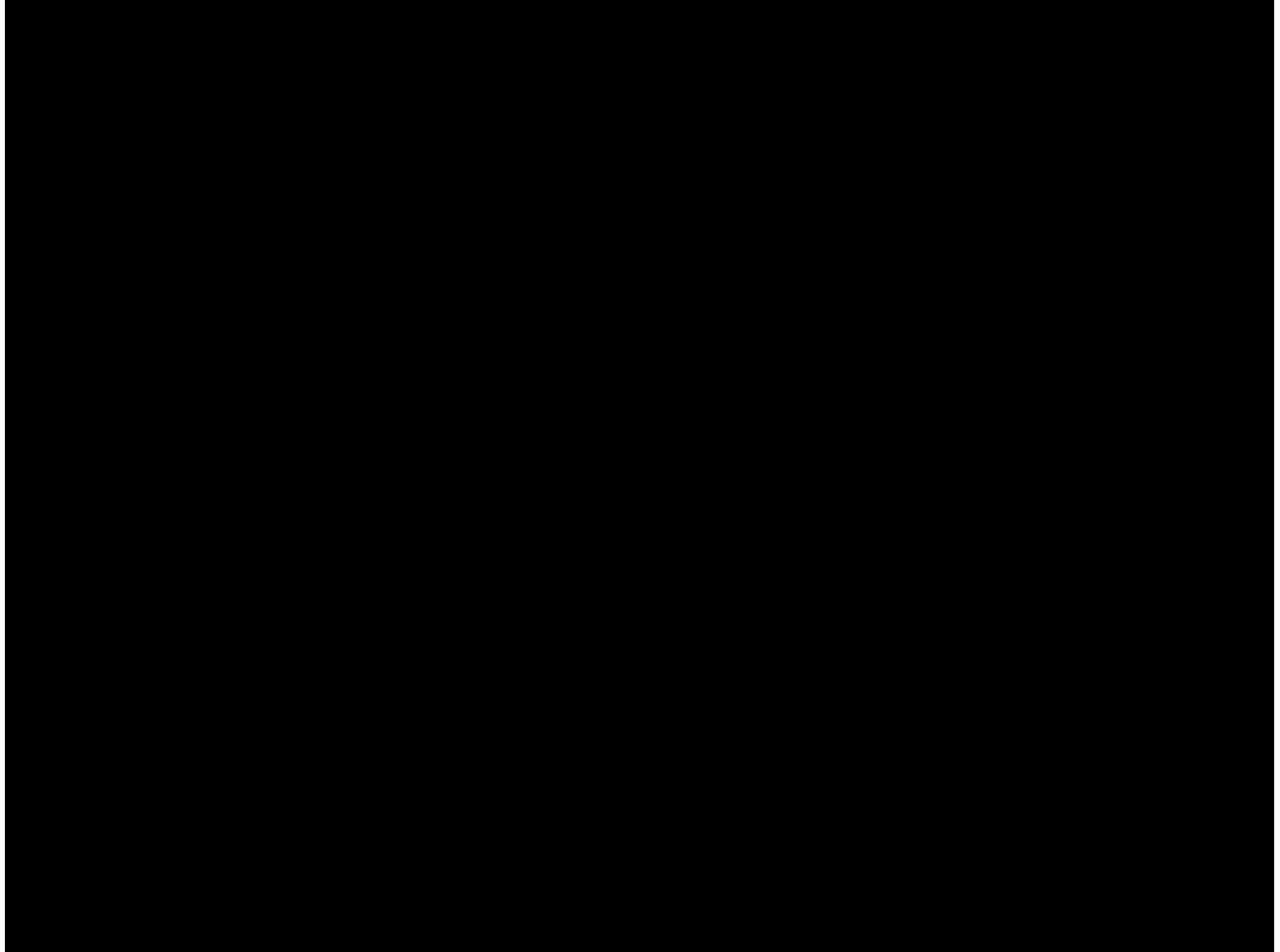
- a) All METRO officers will be qualified in the short-barreled AR-15 rifle.
- b) All METRO officers will be trained on utilization of the "Bearcat" rescue vehicle.

- c) All METRO officers will attend monthly CRT training as directed by the MERGE Unit.
- d) All METRO officers will complete the METRO CRT obstacle course as directed by the Unit Commander.
- e) At least four (4) METRO officers will remain available for call-back on their assigned day.
- f) Assigned callback days will be broken down as the following:
 - Team 1 Metro Officers will be responsible for callback duties from 00:00 (midnight) on Sunday thru 11:59 on Wednesday.
 - Team 2 Metro Officers will be responsible for callback duties from 12:00 (noon) on Wednesday thru 23:59 on Sunday.
- g) In the event of a MERGE call-out, the on-call METRO sergeant will contact the on-call officers and request their response.
- h) If there are on-call officers from the first on-call team who are unable to respond, the on-call sergeant will then contact the sergeant from the additional team and request personnel.
- i) Upon arrival at a MERGE call-out, METRO officers will first contact a METRO sergeant and request direction. If no METRO sergeant is present, METRO officers will report directly to the MERGE command post and request an assignment.
- j) At the conclusion of a call-out, METRO personnel will make themselves available for a tactical debrief.

5.) METRO Training Log

- a) A METRO training log will be maintained in the “Metro G: Drive”. Metro officers who attended the training session will also be documented.

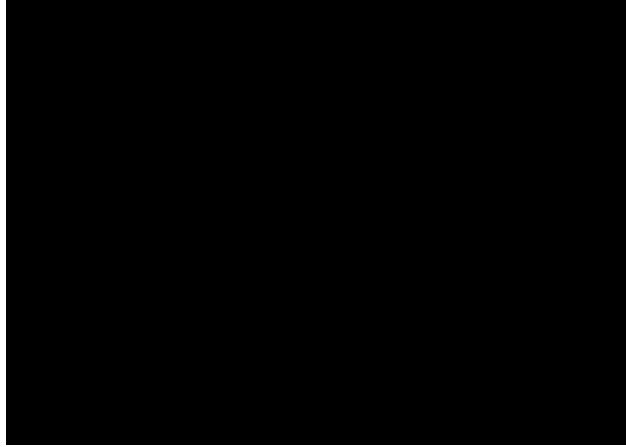
- b) After each training session, all involved officers will update their training log to include all pertinent information.



7.) Metro Ops Plans (Pre-Planned Operations)

- a) Pre-planned operations include (but are not limited to) arrest/search warrant execution, probation/probation searches, and fugitive apprehensions. A pre-planned operation provides officers the luxury of time. Prior to executing a pre-planned operation, officers are expected to gain as much investigative background information as possible. Prior to conducting any pre-planned operation, an operations plan will be created and approved by the on-duty Metro supervisor. The ops plan will be submitted to the Metro lieutenant and will be archived.

[Redacted]

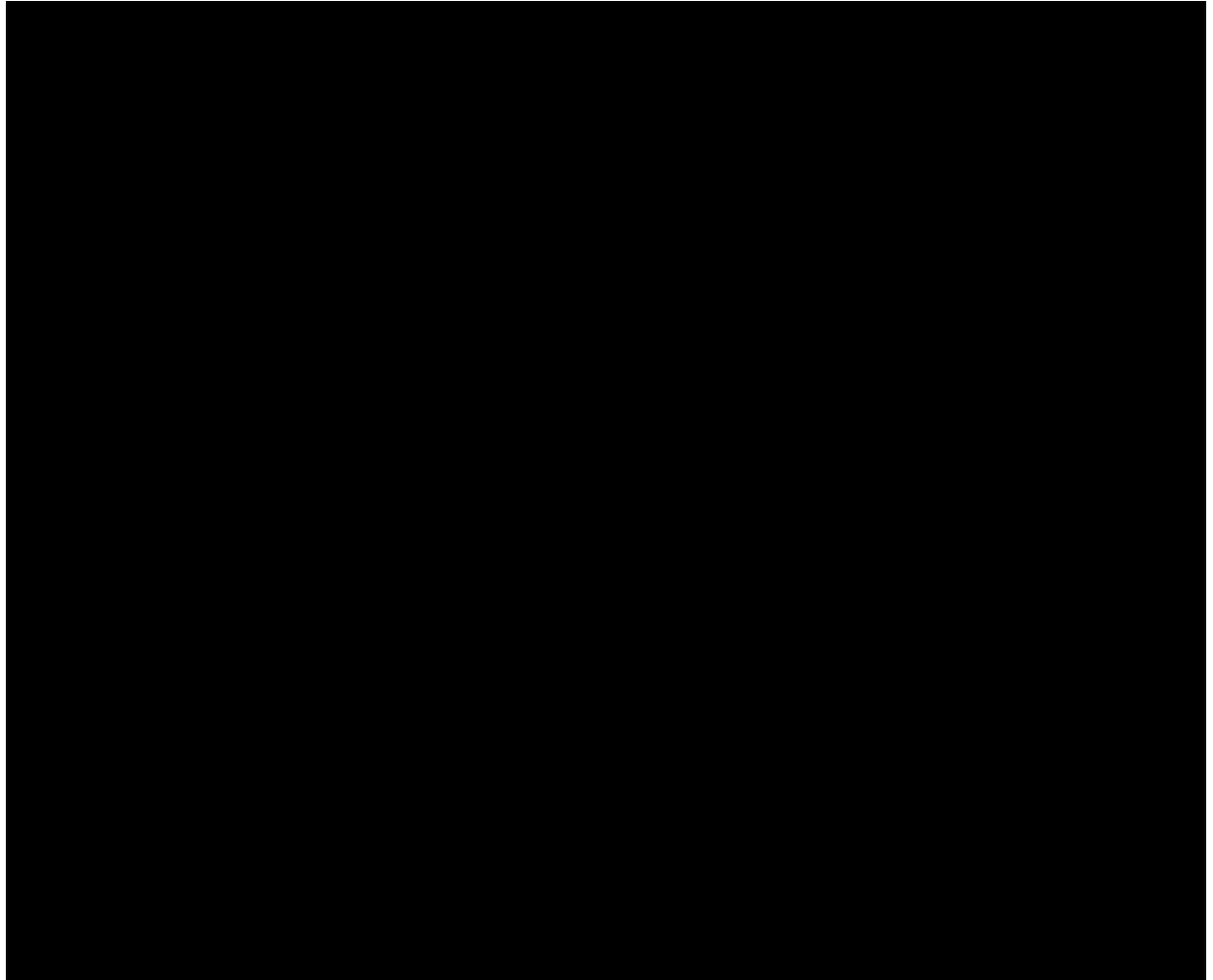


With respect to Search and Arrest warrants, Metro Unit members will also comply with DM Section L3812 and L2818 – Precautions prior to serving search and arrest warrants.

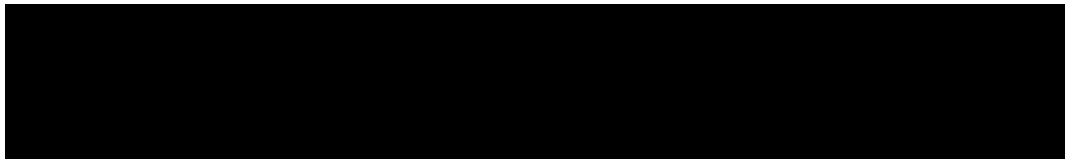
8.) Equipment

- a) All METRO officers are responsible for the condition and security of equipment assigned to them and owned by the unit.
- b) When not being used, equipment is to be kept locked in the appropriate cabinet.
- c) Officers will always fill out the checkout sheet before using any equipment.
- d) Equipment will not be loaned outside the unit without prior approval by a supervisor.
- e) If any equipment is lost, missing, or broken, it will be reported to a supervisor immediately and appropriate reports and/or notifications will be completed before the end of the shift.
- f) An equipment inventory will be done at the end of every yearly shift
- g.) 

- At least two officers on each team will be fully trained for operation and maintenance [REDACTED]. These officers will be responsible for this duty until other fully trained officers have relieved them.
- The assigned officers(s) will ensure that the auxiliary batteries are hooked up for charging after each time [REDACTED].
- Any malfunctions/breakages will be reported to a supervisor.



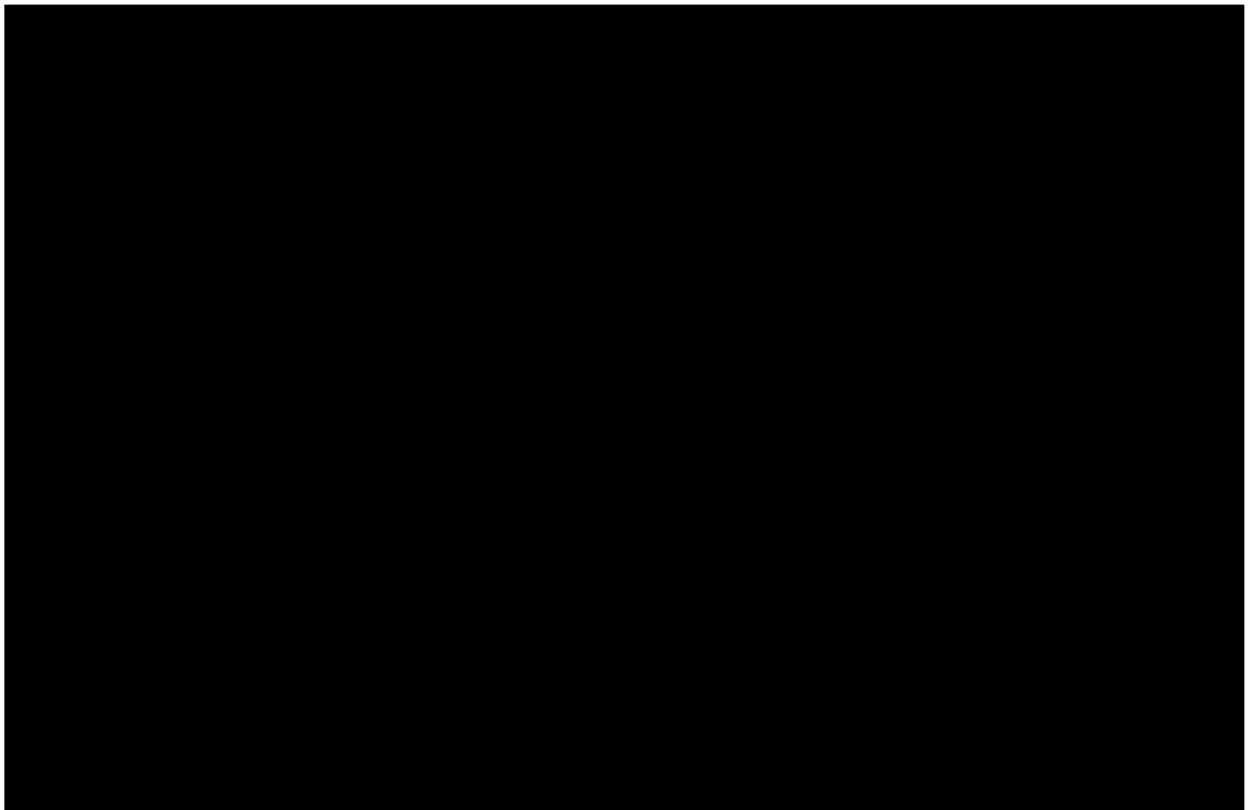
h.) METRO Enforcement Vehicles

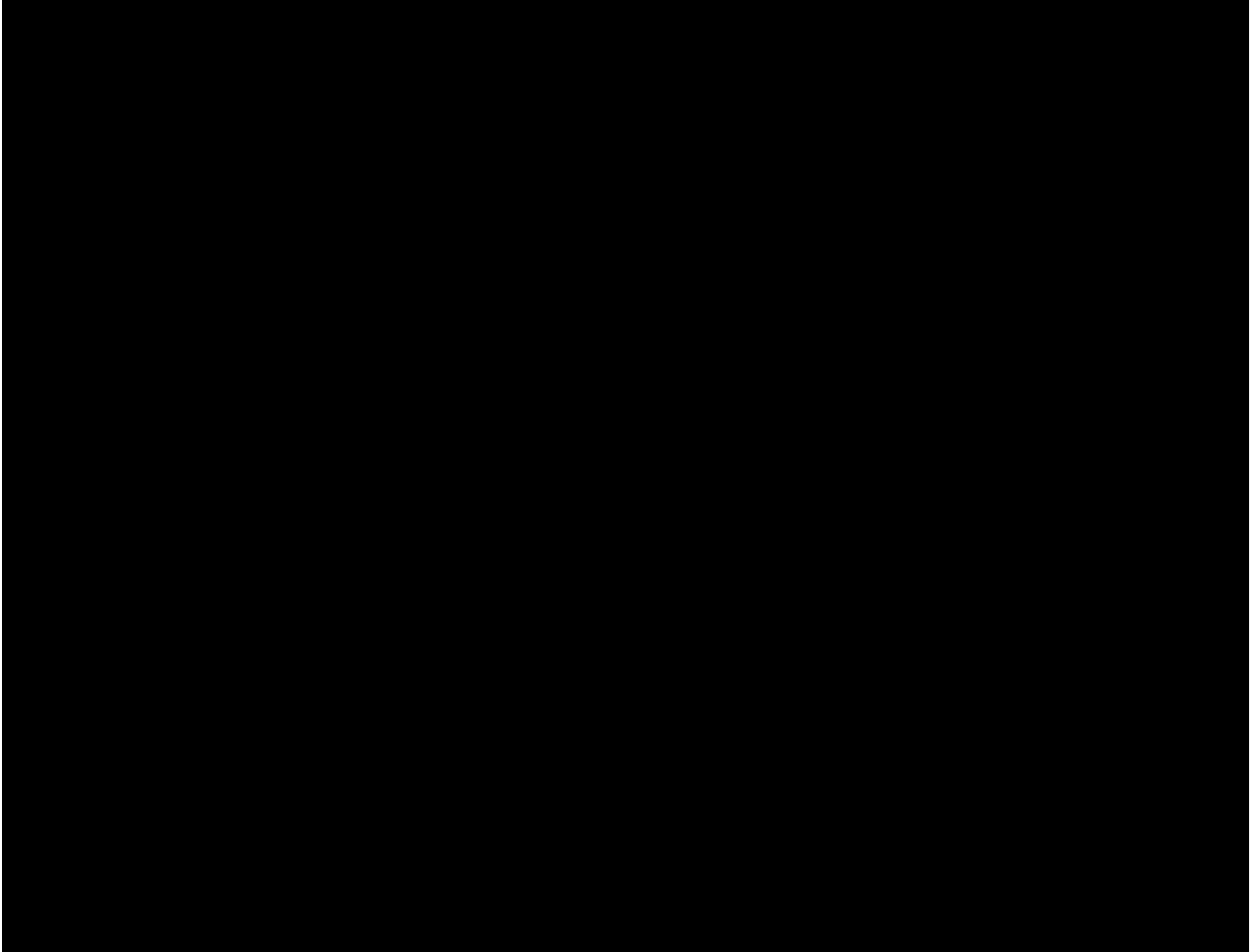


- Officers are responsible for maintaining their vehicle in proper working condition.

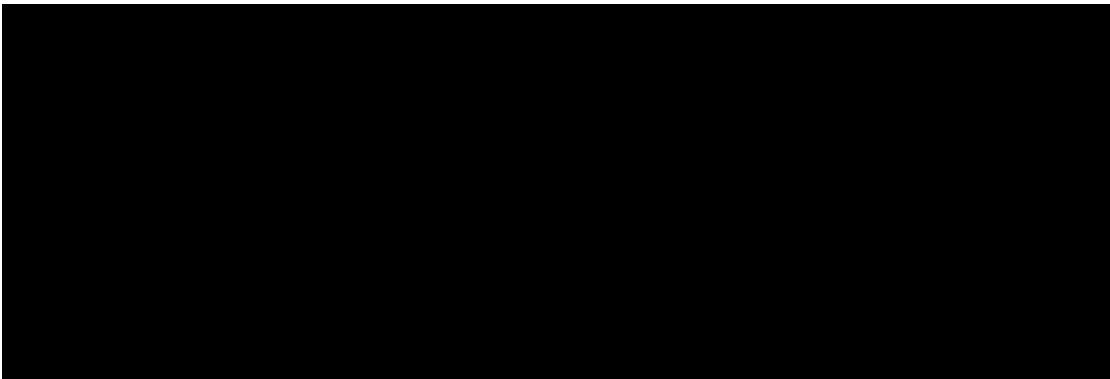
9.) Informant Management

- a) All officers shall adhere to Duty Manual L3600 for rules and use of informants.
- b) All informants must be thoroughly debriefed, and the appropriate paperwork filled out, [REDACTED]
[REDACTED]
[REDACTED]
- d) A supervisor must counter-sign and approve the use of any informant in any pro-active activity.





12.) Miscellaneous operational guidelines

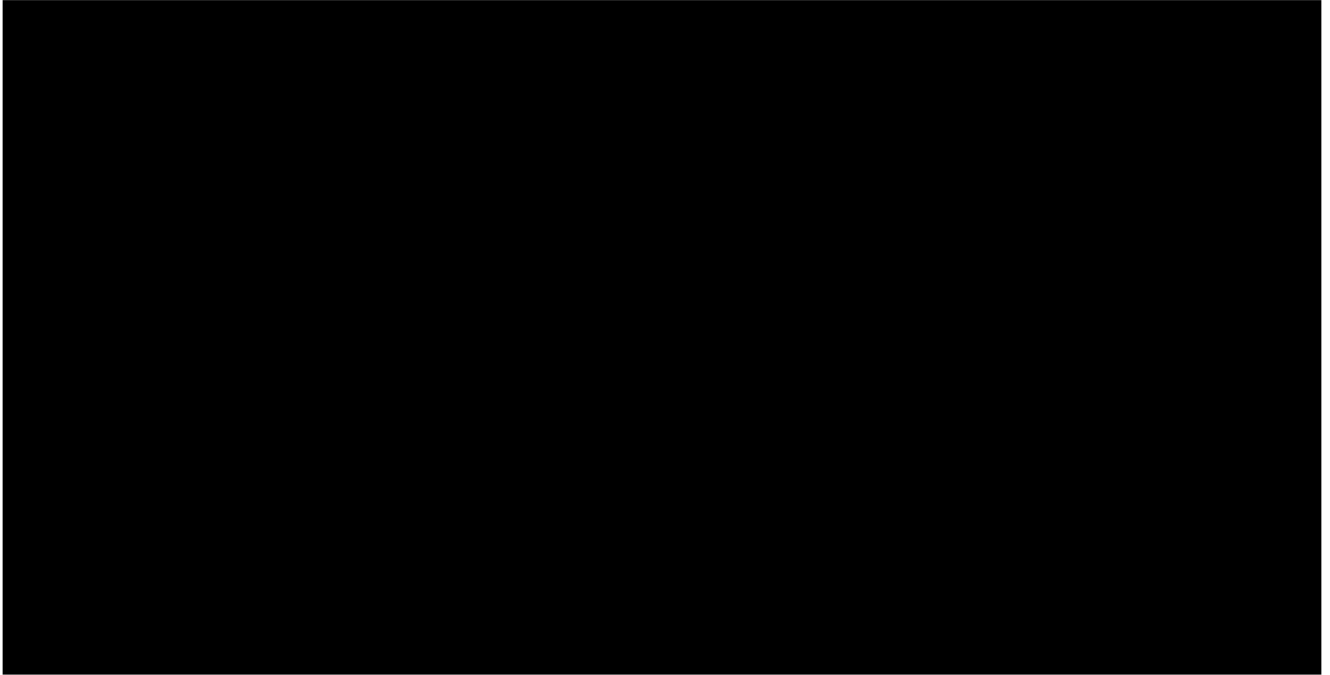




IV.) Metro Enforcement Guidelines

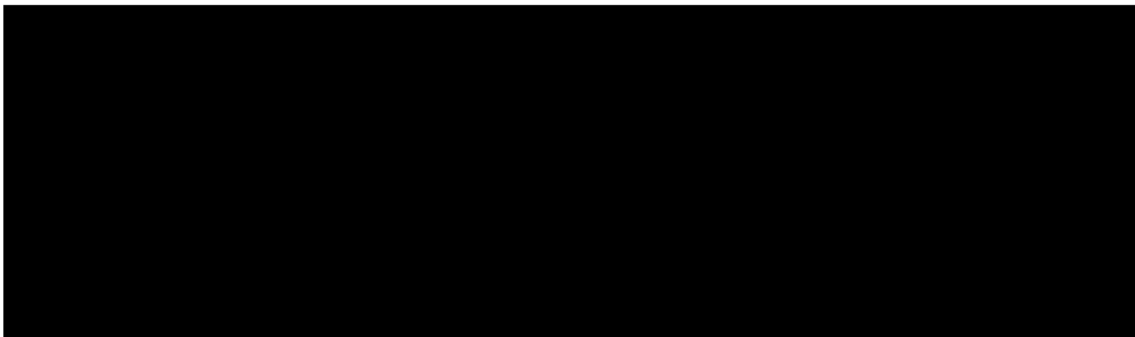
1.) METRO Entries

(Search Warrants / Arrest Warrants / Parole Searches / Probation Searches)



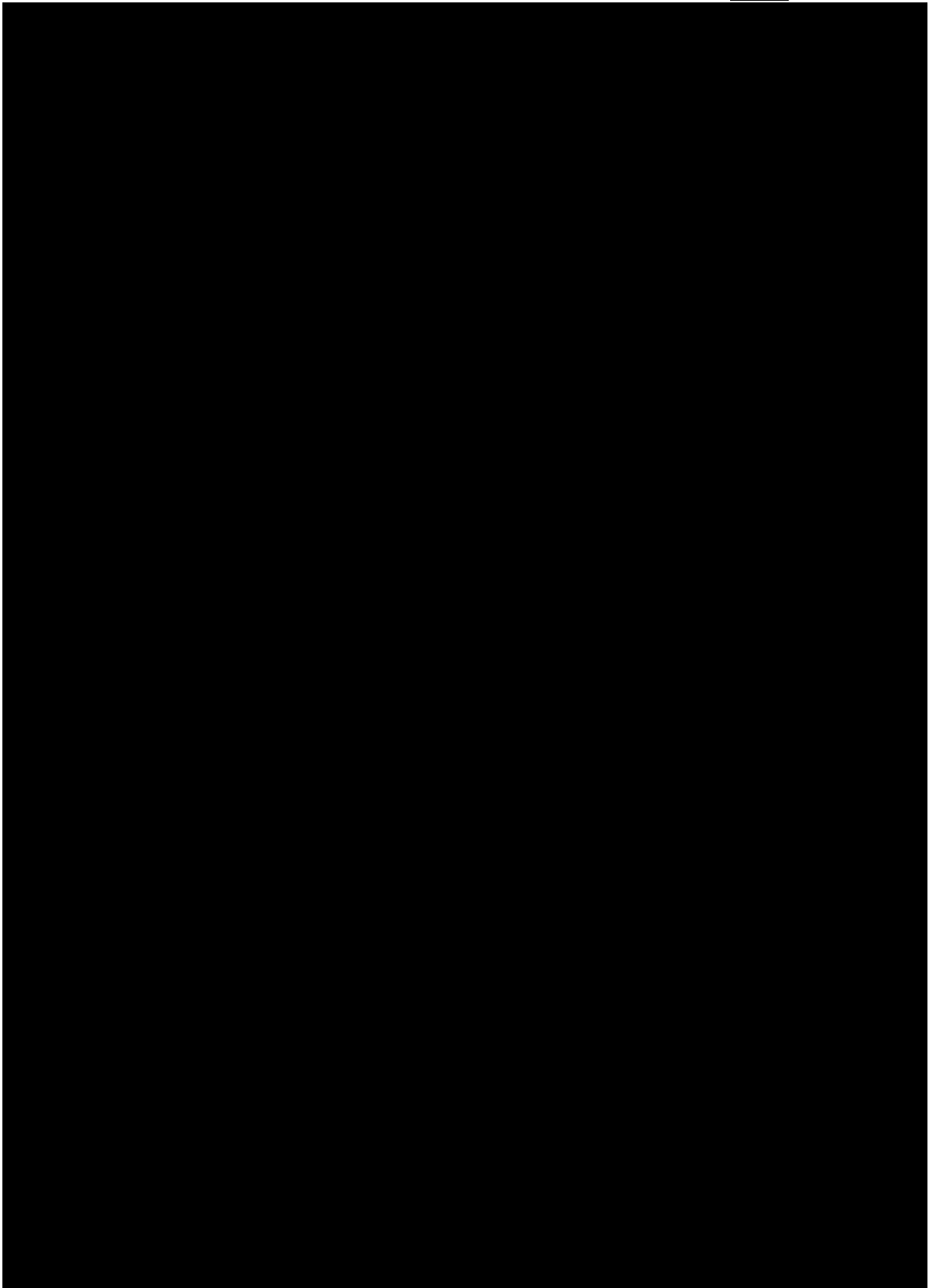
- Completion of the entire Operations Plan.
- Making a sufficient number of copies (for every involved officer)

[Redacted]



- After gathering the above listed information, the officers(s) will present the case to their supervisor for evaluation. The supervisor will make the appropriate changes if necessary and sign the

operational plan. The supervisor will then make a copy of the signed ops plan and provide a copy to the Unit Commander. [REDACTED]



[REDACTED]

- A sergeant will always be present [REDACTED].

[REDACTED]

- A de-briefing, for training purposes, will be helpful as soon as practical.

2.) [REDACTED] *SJPD Units/Outside Agencies*

a.) Outside requests for METRO assistance on entries should be made at least [REDACTED] in advance, [REDACTED]

b.) A supervisor, prior to the commitment of personnel will evaluate requests. [REDACTED]

c.) If an officer makes the request, it will be confirmed that the officer's supervisor from the unit, or outside agency, is aware of the request.

d.) An Ops Plan will be properly filled out prior to deployment. If deemed acceptable by a supervisor an alternate Ops Plan format may be used.

[REDACTED]

f.) Responsibilities of METRO officers and outside personnel will be clarified in advance for the following areas:

1. Report writing/documentation
2. Booking of suspect(s)
3. Booking of evidence

g.) Briefing [REDACTED] will be conducted according to unit guidelines.



- i.) Any problems that arise with outside personnel will be resolved through the on-scene METRO supervisor.

V.) Manhunt Operations / Fugitive Apprehension

The METRO Unit has achieved an exceptional level of success in the investigation and arrest of wanted suspects in the City of San Jose. The METRO Unit works in conjunction with the Bureau of Investigations or other requesting entities in the apprehension of wanted suspects. It should be noted that the terrain and circumstances surrounding each individual case will dictate the tactics used by METRO personnel. [REDACTED]

When conducting fugitive apprehensions METRO personnel will adhere to the following guidelines:

- [REDACTED]
2. Absent “fresh-pursuit,” METRO personnel will ensure that a warrant is signed, or a felony affidavit is on file prior to contacting the suspect(s)

VI.) Noise-Flash Device (NFD) Deployment Guidelines

1. DIVERSIONARY DEVICE DEPLOYMENT:

The use of diversionary devices such as noise-flash devices (NFD) will be considered a use of force, and their use is governed by the Fourth Amendment. All team members are responsible for ensuring that NFDs are used properly (Boyd v. Benton County, June 28, 2004 9th Circuit). “Deadly Force” is that force which “creates a substantial risk of death or serious bodily injury” (Smith v. City of Hemet, January 10, 2005 9th Circuit 394 F. 3d 689).

2. TRAINING:

All METRO and VCET personnel shall be properly trained on the carrying and deployment of diversionary devices. This training will include instruction from a certified instructor or product manufacturer and will include both classroom and practical deployment of a diversionary device in a training environment.

3. CONSIDERATIONS FOR DEPLOYMENT OF DIVERSIONARY DEVICES:

METRO and VCET personnel will consider the following factors when deciding whether to deploy a diversionary device:

- Does the crime being investigated involve the use or the threat to use violence likely to cause serious injury?
- Does the suspect have a criminal history involving violence and the use of weapons?
- Does the suspect have access to deadly weapons?
- Are there other factors that would lead a reasonable officer to believe that the suspect will be violent (Example: statement by the suspect to others that he will force a violent confrontation with police.)

Metro / VCET personnel may consider the use of diversionary devices when encountering suspects believed to be armed and / or dangerous, where it is believed that the distraction created by the deployment of a diversionary device will increase the safety to the officers involved in the operation.

Diversionary devices should not be used, absent exigent circumstances, when young children, elderly persons, or persons with serious medical conditions are believed to be present in the area where the diversionary device is deployed.

Diversionary devices will not be used, absent exigent circumstances, where dangerous chemicals, explosives, extreme fire danger, or other environmental hazards are believed to be present in the area where the diversionary device is deployed.

