

## **BOMB THREATS, CLANDESTINE LABORATORIES, DESTRUCTIVE DEVICES, EXPLOSIONS, AND FIREWORKS**

This order establishes policies and outlines procedures for officers to follow when confronted with bomb threats, clandestine laboratories, destructive devices, explosions or fireworks.

### **I. DEFINITIONS**

**CERTIFIED BOMB TECHNICIAN.** A sworn member of the Explosive Ordnance Disposal (EOD) Unit who has been trained and certified by the Federal Department of Justice as an expert in the subject of destructive devices.

**DESTRUCTIVE DEVICE.** A destructive device is any device defined in California Penal Code Section 16460 which includes any bomb, explosive, military ordnance, incendiary device, CO<sub>2</sub> device, ammunition over 0.60 caliber, or any tracer ammunition.

**BARREL BOMB.** Any illegally manufactured destructive device containing a homemade explosive mixture, typically encased in a cardboard tube sealed at each end and detonated by lighting an attached fuse. Barrel bombs are produced in a variety of sizes and colors.

**FIREWORK.** As defined in California Health and Safety Code, Section 12511, a firework is any device containing chemical elements and chemical compounds capable of burning independently of oxygen and producing audible, visual, mechanical or thermal effects.

**FIRECRACKER.** As defined in the California Code of Regulations, Chapter 6, Article 2, Section 980(f)(1), a firecracker is a device containing explosive pyrotechnic composition in an amount not to exceed 50 milligrams (.772 grains) in total pyrotechnic weight, in a fused container whose primary function is to produce an audible effect. All firecrackers are classified as dangerous fireworks per California Health and Safety Code, Section 12505(1)(b). Any pyrotechnic devices similar in construction to a firecracker which exceed the specified weight shall be designated explosives in accordance with California Health and Safety Code, Section 12000.

**EXEMPT FIREWORKS.** As defined in California Health and Safety Code, Section 12508, exempt fireworks means any special item containing pyrotechnic compositions which the State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, agricultural use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction.

**PUBLIC DISPLAY OF FIREWORKS.** As per San Francisco Police Code, Section 1290, no persons, firm, company, corporation or association shall fire or discharge any fireworks of any kind or description within the limits of the City and County of San Francisco. Provided, however, that public displays of fireworks may be given with the joint written consent of the Fire Marshal and the Chief of Police.

## **II. POLICY**

### **A. RESPONSIBILITIES OF THE EXPLOSIVE ORDNANCE DISPOSAL (EOD) UNIT**

1. **RESPONSE.** The EOD Unit shall respond to the scene of a suspected, undetonated, destructive device; any explosion; the discovery of any clandestine laboratory; the discovery of any barrel bomb regardless of size or amount; or the seizure of any consumer fireworks in excess of five pounds.
2. **RENDERING SAFE.** The rendering safe of all suspected destructive devices is the sole responsibility of designated, certified bomb technicians.
3. **SEARCH.** EOD personnel will provide assistance as requested at the scene; however, members of patrol are responsible for conducting the initial search of the location.

**B. EOD COMMAND AUTHORITY.** The EOD Unit shall be under the authority of the officer-in-charge at the scene, except during the rendering safe procedure, when handling a suspected device, or when gathering physical evidence. During these times, the EOD Unit shall be under the direct command of its on-scene certified bomb technicians.

### **C. HANDLING AND STORAGE**

1. **HANDLING.** Only certified bomb technicians or sworn members designated by the officer-in-charge of the EOD Unit shall touch, tamper with, transport or store any suspected destructive device, explosives, military ordnance, any barrel bomb regardless of size or amount, or consumer fireworks in excess of five pounds. However, if the explosive is in the form of a limited amount of consumer fireworks, officers shall refer to Section III. D. FIREWORKS.
2. **DISCRETION.** Certified bomb technicians shall evaluate, render safe, transport, dispose and store all suspected destructive devices, explosives, military ordnance, any barrel bomb regardless of size or amount, or consumer fireworks in excess of five pounds. Certified bomb technicians will have full discretion in determining what procedure is appropriate for the situation and deciding what methods to use.
3. **EVIDENCE.** Certified bomb technicians shall collect and preserve all suspected destructive device evidence, explosives, military ordnance, or any barrel bomb

regardless of size or amount. If the evidence is in the form of any consumer type fireworks, officers shall refer to Section III. D. FIREWORKS. Certified bomb technicians shall render safe all incendiary devices, and the Arson Task Force shall collect and preserve all incendiary devices. Certified on-scene bomb technicians shall contact the Arson Task Force if any device is constructed using flammable fuels.

District station personnel shall book all evidence, except for explosive, flammable or unstable materials. District station personnel shall book all additional property as property for identification and forward it to the Property Control Section.

4. STORAGE. No explosive material, either solid, liquid or powder (smokeless powder, black powder, etc.) shall be transported to, or stored in, any police facility not designated as a destructive device storage facility by the Chief of Police, unless the explosive material is in the form of any type of consumer fireworks estimated to weigh less than five pounds. (See Section III. D. FIREWORKS).

### **III. PROCEDURES**

#### **A. BOMB THREATS**

**PATROL OFFICERS' DUTIES.** When arriving at the scene of a bomb threat, officers shall follow these procedures:

1. INVESTIGATION/REPORT. District station officers shall initiate an investigation and write an incident report.
2. SEARCH. Officers shall search, or ensure a search is made, for a destructive device. When possible, officers shall utilize explosive detection canines to assist with the search. If specialized search procedures or technical advice is needed, officers should contact the EOD Unit.
3. EVACUATION. Unless a device is located, officers shall not order an evacuation of the affected area. However, officers may inform the person in charge of the property of the option to evacuate. If the person in charge of the property decides to order an evacuation, officers should assist with the evacuation.
4. NOTIFICATIONS. When the threat involves a dignitary or a sensitive target, officers shall notify the Department Operations Center (DOC) and the Special Investigations Division (SID) as soon as is reasonable.

#### **B. DESTRUCTIVE DEVICES/CLANDESTINE LABORATORIES**

1. PATROL OFFICERS' DUTIES. If a suspected destructive device or a clandestine laboratory is discovered, officers shall immediately notify Dispatch and request that a supervisor and the EOD Unit respond to the scene. Officers should use a

landline telephone to make this notification. Officers shall not use cellular devices or any radios (PIC or low band) within the line of sight of the suspected destructive device or within the confined space of the clandestine laboratory. Patrol officers shall not take photographs of any destructive device prior to EOD Unit personnel consultation and/or authorization.

If the destructive device(s) is/are in the form of barrel bomb(s), officers shall isolate the barrel bomb(s) as soon as is reasonable. Officers shall take reasonable measures to minimize exposure to the barrel bomb(s), taking into consideration the possible destruction the barrel bomb(s) could cause, the number of people involved and the possible hazards involved if an evacuation is warranted. Officers shall refrain from unnecessarily exposing themselves to any destructive device. (See Section III. E. BARREL BOMBS).

## 2. OFFICER-IN-CHARGE DUTIES

a. **COMMAND POST/EVACUATION.** If necessary, the officer-in-charge shall establish a command post, evacuate the affected area, and maintain security. The authority to evacuate is California Penal Code Section 409.5. Before ordering the evacuation, the officer-in-charge should determine the "affected area" in consultation with the responsible person whose property is affected. The officer-in-charge shall consider the possible destruction the destructive device, clandestine laboratory or barrel bomb(s) could cause, the number of people involved and the possible hazards involved in the evacuation. The officer-in-charge shall ensure that SID is notified via DOC as soon as is reasonable.

b. **PERIMETER/SHELTER IN PLACE.** The officer-in-charge shall make every attempt possible to achieve a minimum perimeter of 300 feet in every direction of the suspected destructive device or clandestine laboratory. When applicable, the officer-in-charge shall make every attempt possible to implement shelter in place notifications within the 300 foot perimeter of the destructive device or clandestine laboratory.

If the destructive device(s) are in the form of barrel bombs, the officer-in-charge shall take reasonable measures to minimize exposure to the barrel bomb(s), taking into consideration the possible destruction the barrel bomb(s) could cause, the number of people involved and the possible hazards involved if an evacuation is warranted. The officer-in-charge shall refrain from unnecessarily exposing him/herself to any destructive device. (See Section III. E. BARREL BOMBS).

c. **ESCORT/TRAFFIC CONTROL.** When requested by the EOD Unit, the officer-in-charge shall provide the necessary officers for escort or traffic control while EOD Unit personnel transport suspected destructive devices, explosives, military ordnance, barrel bombs regardless of size or amount, or consumer fireworks in excess of five pounds to any location.

3. UNASSIGNED UNITS. All police units not specifically assigned to the scene shall stay out of the immediate area.

#### C. EXPLOSIONS

All explosions shall be considered criminal acts, and officers shall secure the crime scene, until confirmed otherwise.

1. MEDICAL ASSISTANCE/EVACUATION. If an explosion occurs, officers shall obtain medical assistance for the injured, evacuate buildings as necessary, and control crowds.
2. COMMAND POST/NOTIFICATION. Officers shall establish a command post and notify Dispatch (see DGO 8.01, Critical Incident Evaluation and Notification). The officer-in-charge shall request the EOD Unit respond to the scene. The officer-in-charge shall also ensure that SID and the Arson Task Force are notified via DOC as soon as is reasonable.
3. INCIDENT REPORT. District station officers shall initiate an investigation and write an incident report.

#### D. FIREWORKS

When coming into contact with consumer fireworks, officers shall comply with the following handling and storage procedures:

1. If the total weight of the fireworks, including packaging, is under an estimated five pounds, officers may transport the fireworks to the district station for booking. At the district station, officers shall isolate the fireworks and contact the EOD Unit via the DOC for removal, storage and/or destruction.
2. If the total weight of the fireworks, including packaging, is over an estimated five pounds, officers shall contact the EOD Unit via the DOC. The EOD Unit shall respond to the scene for removal, storage and/or destruction of the fireworks.
3. The reporting officer at the scene is responsible for completing all evidence bags and evidence tags. EOD Unit personnel shall not remove any fireworks until the reporting officer at the scene has properly recorded the items as evidence and/or identified them for destruction.

#### E. BARREL BOMBS

When coming into contact with any barrel bomb, regardless of size or amount, officers shall comply with the following handling and storage procedures:

1. Immediately isolate the barrel bomb(s) from any further contact.
2. Immediately request EOD Unit personnel respond to the scene to take possession of the barrel bomb(s).
3. The reporting officer at the scene is responsible for completing all evidence bags and evidence tags. EOD Unit personnel shall not remove any barrel bomb(s) from the scene until the reporting officer has properly recorded them as evidence and/or identified them for destruction.

References

DGO 8.01 Critical Incident Evaluation and Notification  
*Event Management Manual*, SFPD