

COUNCIL POLICY

| SUBJECT | POLICY NUMBER | EFFECTIVE DATE | PAGE |
|---------------|---------------|----------------|--------|
| REWARD POLICY | 400-1 | 4-17-00 | 1 OF 3 |

PURPOSE

The purpose of this Policy is to set forth a procedure for establishing police reward offers. Such reward offers are used by the Police Department to encourage citizens to come forward with information that could lead to the arrest and conviction of offenders who have committed crimes within the jurisdiction of the City of Costa Mesa.

BACKGROUND

Authority. Government Code §§ 53069.5 and 53069.7 authorize the City Council to:

1. Offer and pay a reward to any person who furnishes information leading to the arrest and conviction of any person(s) killing or assaulting with a deadly weapon or inflicting serious bodily harm upon a peace officer of the City of Costa Mesa while such officer is acting in the line of duty.
2. Offer and pay a reward for information leading to the determination of the identity of, and the apprehension of, any person whose willful misconduct results in injury or death to any person or who willfully damages or destroys any property.

POLICY

1. Publicly Funded Reward Offers. The posting of a reward with public funds ordinarily shall require approval by the City Council. In exigent circumstances, the Police Chief or the Acting Chief of Police, in his absence, is hereby authorized to post a reward of up to \$10,000, payable out of the general fund. When posting a reward, the City Council or Police Chief shall specify the total amount of money being offered, the conditions for payment, the term of the offer, and the facts of the criminal offense for which the reward offer is being made.
2. Privately Funded Reward Offers. Private individuals or entities may offer to pay a reward to anyone who furnishes information leading to the arrest and conviction of a person who has committed a felony or misdemeanor crime within the City of Costa Mesa.
 - a. Prior to the posting of such an offer, the private party and/or entity must submit a written offer to the Police Chief or his/her designee that contains the following information:

- i. The name, address and telephone number of the person or entity that is offering to pay the reward. This information shall remain confidential upon request;
 - ii. The amount of the reward offered;
 - iii. The term of the offer in calendar days, with the time period to expire at 5:00 p.m. on the last day specified in the offer;
 - iv. A summary of the facts of the crime for which the reward offer is being made, including the name of the victim(s), if applicable. A copy of the police report or criminal complaint filed thereon will suffice in lieu of a summary of the facts; and
 - v. Authorization for the Police Chief to pay the reward once the conditions of the reward offer are satisfied.
- b. At the time of submission of the written reward offer, the donor shall also present a check or money order made out to the City of Costa Mesa in the full amount of the reward offer. The reward funds shall be deposited in a separate trust account maintained by the City Finance Department. The donor shall be entitled to receive the interest accrued on this account, less any expenses incurred by the City to maintain the account.
 - c. The Police Chief shall have the authority to post and publicize the privately funded reward offer immediately upon receiving (1) the written offer as specified above, and (2) evidence that the monies have been deposited with the City. In exigent circumstances, the Police Chief may waive the requirement that the reward monies be on deposit with the City if the Police Chief is satisfied that they will be deposited forthwith.
 - d. The Police Chief shall have the discretion to decline to accept a privately funded reward offer if he/she believes that the reward would not be in the public interest.
 - e. Under no circumstances will the City of Costa Mesa pay or be obligated to pay public funds to a person claiming entitlement to a reward offered by a private person or entity.

3. Payment of Rewards.

- a. Person(s) intending to claim a reward shall tender the necessary information to the Police Chief or his/her designee. The Police Chief shall make the final determination as to who is entitled to receive the reward. If multiple parties claim a reward, the reward may be divided in a proportion set by the Police Chief based upon the relative importance of the information provided.
- b. The Police Chief or his/her designee shall request a warrant for the funds

from the Finance Department. The Chief shall obtain a written receipt from the person receiving the reward, which will be maintained by the Finance Department for at least five (5) years.

c. For privately offered rewards not earned within the term of the reward, the Chief shall arrange for the return of the funds to the offeror and obtain a receipt therefore, which shall be maintained for five (5) years.

4. A copy of this Policy may be made available to any person requesting information on the procedure for establishing police rewards. The Police Chief or his/her designee may establish forms and other necessary rule or regulations to administer this policy.