CREEDMOOR POLICE DEPARTMENT

POLICY AND PROCEDURE MANUAL

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12/2015

December 1, 2015

MANUAL INTRODUCTION

A professional police organization is guided by the rule of law and operates in accordance with clearly established rules and regulations. The integrity of this Department as an organization rests with the actions of its members.

This manual is the property of the Creedmoor Police Department. The General Orders contained in this manual are supplementary to any superseding directives in the City of Creedmoor Personnel Policy.

This manual serves as a guide and framework to assist department members with decisions, to regulate employee behavior, and to prescribe the procedural parameters of the Department's work. Our community's perception of their Police Department rests upon the compliance and ethical deportment of our officers and staff. These policies and procedural protocols are intended to ensure that public trust is well placed.

This manual is not intended to cover every aspect of police work. Neither will it offer guidelines for every situation that may arise in the discharge of an employee's duties. The rules and regulations contained herein are adopted in the interest of discipline and efficient police service, and are not intended to create higher standards than imposed by law. The standards of professional behavior imposed on members of this organization are among the highest expectations to be found among law enforcement agencies.

All Department employees are required to become familiar with the contents of this manual. Employees will sign a written acknowledgement of receipt and keep the manual accessible for use at all times.

All directives are subject to being amended, rescinded, or revised at any time as the needs of the Department may require. All previously issued departmental rules, policies, and procedures inconsistent or in conflict with those effective December 1, 2015 are rescinded. Prior contents of departmental policy manuals should be removed in their entirety and replaced with this new set of directives. Any changes to information contained in this manual will be as a result of a directive from the Office of the Chief of Police. Updates will be acknowledged by the recording of each employee's signature.

NORTH CAROLINA CRIMINAL JUSTICE
EDUCATION AND TRAINING STANDARDS COMMISSION

LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

Adopted by the Creedmoor Police Department as the agency's official Code of Ethics, all personnel are required to strictly adhere to the standards of conduct prescribed herein.

THE POLICE MISSION STATEMENT

To be a police officer is a noble endeavor. It is a profession that encompasses a multitude of challenges, and requires a like number of talents to meet those demands.

The mission of the Police Department is profound because of its breadth, significance, and complexity. It is a diverse service that requires significant knowledge and skills and a unique authority. This service includes controlling crime, apprehending offenders, protecting constitutional rights, aiding citizens in hazardous situations, facilitating traffic, resolving conflict, and maintaining order.

The primary mission of the Police Department is to preserve the peace and order of the community through conflict management and enforcement of law. This mission requires officers, who are committed to the rule of law and have the unique authority to investigate, arrest, search, seize, use reasonable and necessary force, and charge persons with violations of the law.

Policing, however, goes beyond simply enforcing laws. The Police Department is seen as a provider of service to the community that grants the authority and reason to exist. Police officers are often called upon to do those things that others will not and cannot do. The Police Department is often the agency of last resort. There must be a moral philosophy and strong appreciation of the need for service in the police profession. Unwavering belief in such a philosophy will earn for officers the respect and support of the public that is essential to complete the mission.

A police officer's life is one of sacrifice and ideals, based upon the responsibilities entrusted to him by the community. An officer accepts the challenge to defend the innocent, protect the weak, and aid the distressed, and to do so without fear, favor or prejudice. Rigid adherence to those principles set out in the Law Enforcement Code of Ethics is mandatory for anyone accepting a position in the Creedmoor Police Department.

Civilian employees of the Police Department share honor and status with sworn officers. Thus, it is required that civilian employees possess the same devotion to duty and to accept similar responsibilities. All members of the Department should be proud to hold a position that demands so much.

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CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.01

SUBJECT: Administration Functions, Direction and Responsibilities

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Administration; Chain of Command; Command Responsibilities; Command Structure; Inspections; Organizational Structure;

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to state the functions and define the organization of the Creedmoor Police Department. This order will also state the essential duties and responsibilities of all administrators and supervisors.

Policy: The Creedmoor Police Department's personnel and other resources must be utilized in a manner that will insure maximum effectiveness at minimal cost. It is essential that a relevant but flexible organization structure be adopted. There must be a constant continuing program of inspections and evaluations to ensure that these needs are met.

I. Departmental Functions:

The Police Department is created as an executive branch of the City government by City Ordinance. It is assigned the following functions:

A. The prevention and detection of criminal activity;

B. The apprehension of criminal offenders;

C. The protection of life and property;

D. The enforcement of laws and ordinances; and

E. Designing and implementing strategies that will improve the quality of life for the citizens of the community, and provide other services to the citizens of the City that are deemed to be proper functions of the Police Department.

II. Organizational Structure:

A. The Creedmoor Police Department is organized into three (3) primary components: the Office of the Chief, the Investigative Services Division, and the Patrol Services Division. A Division Commander, who reports directly to the Chief of Police, commands each of these components.

B. The Department's overall administration shall be managed through the Office of the Chief of Police.

C. The Office of the Chief is responsible for the supervision and control of investigations of alleged or suspected misconduct by departmental personnel. Internal Affairs and Supervisory Investigations of alleged or suspected misconduct are coordinated through the Office of the Chief. Command level officers, designated by the Chief of Police, conduct Internal Affairs investigations. The Office of the Chief maintains all Internal Affairs investigative files.

D. The Tele-communications/Records Division falls under the Patrol Division and is responsible for receiving, filing, and recalling copies of all reports prepared by members of the department; maintaining master index files, providing data and support documentation upon request; preparing activity reports, maintaining the department's computerized record keeping programs and pawn permits. Department reports are maintained in accordance with the City of Creedmoor's schedule for Records Retention. The Records Division also assists with crime analysis.

E. Inspections – All supervisory personnel are responsible for ensuring that members of the Police Department adhere to established policies and procedures. Each Division Commander is responsible for ensuring periodic inspections are conducted to establish and monitor compliance with departmental policies and procedures.

F. Training Coordinator - provides for recruit and in-service training programs that address the needs of the department, schedules re-certification and other classes that are required or requested.

G. Personnel Activities - recruitment of qualified applicants; employee relations within the department; liaison with Human Resources; career counseling; employee benefit counseling, and other activities outlined in Departmental Policy and Procedure.

H. Each Division Commander shall be responsible for but not limited to:

1. Grant preparation and management Planning and Research

2. Public Information

3. Crime Prevention and Suppression Programs

C. The Patrol Services Division is responsible for the prevention and suppression of crime and is comprised of the following components:

1. Patrol Squads/Shifts are commanded by a Sergeant. Patrol Squads/Shifts and assigned personnel shall be responsible for the following during a given tour of duty:

a. preservation of the public peace, protection of life and property, and prevention of crime.

b. the preliminary investigation of all crimes.

c. continuing criminal investigations in other specified crimes.

d. enforcement of laws and investigation of incidents relating to vehicular and pedestrian traffic, including motor vehicle collision investigation and traffic enforcement activities.

e. implementation and maintenance of community oriented problem solving strategies, designed to improve the quality of life for the citizens of Creedmoor.

f. developing and implementing a target-hardening approach to crime prevention, conducting public programs, residential and commercial security surveys, serving as liaison with other crime prevention oriented businesses (alarms, security and insurance) and follow-up inspections of crime locations.

D. The Investigative Services Division (ISD) shall be responsible for investigating crimes and recovering stolen property. The division’s activities are substantially "after the fact" responses to crimes, and consist primarily of identifying and arresting perpetrators of major crimes and preparing cases for presentation in court. The Investigative Services Division is composed of the following units:

1. Investigative operations are commanded by a Lieutenant and assigned personnel who shall be responsible for the following during a given tour of duty:

a. General Case Investigators

b. Juvenile Operations

c. Vice and Narcotics Unit

2. Identification: The ISD is charged with the responsibility to support field operations with the collection and preservation of physical evidence at a crime scene (sometimes in conjunction with the Forensic/Evidence Specialist) and to record that scene with thorough and complete documentation.

3. Property Control – Responsible for the storage, control and accountability of department property and the issuance and accountability of department equipment rests with the property control officer(s).

4. Evidence Management – this component acts to support field operations with the collection and preservation of physical evidence at crime scenes, by recording the scene with thorough and complete documentation. This component is also responsible for the preservation, control and accountability of non-department property, including confiscated property, found property and case evidence. A Forensics/Evidence Management Specialist is assigned for the purpose of performing functions in support of these components.

III. Command Structure:

A. Under the Career Development policy, the emphasis is placed on position, not rank. While rank structure may change, administrative titles will not. The administrative titles for officers in charge of each Division, Squad, Team or office will be as follows, regardless of the individual's rank:

1. Department - Chief

2. Division- Police Lieutenant (Commander)

3. Squad/Shift- Police Sergeant

B. In normal day-to-day operations the command protocol will follow the order of rank for personnel as described below:

1. Chief

2. Lieutenant

3. Sergeant

4. Police Officer

C. Designation of "Acting" commanders and command progression in the absence of the Chief of Police

1. During a temporary absence, the Chief of Police may designate a Division, Squad/Unit or shift commander to serve in an acting capacity. This "acting" responsibility may rotate among the individuals within the organization.

a. At every level within the organization, permanent and "acting" commanders are given the authority to make decisions necessary for the effective execution of their responsibilities.

b. All police officers are fully accountable for the use of delegated authority, as well as for the failure to use it.

2. In the event the Chief of Police is absent in exceptional circumstances, unless otherwise designated the command progression will be:

a. Division Commander on Call

b. Senior Division Commander (Lieutenant)

c. Supervisor and then next in seniority (Sergeant)

3. During the temporary absence of a commanding officer, when procedure or competent authority makes no other provision, his command will automatically precipitate upon the senior-ranking subordinate. Seniority is established first by rank, and secondly by length of service in such rank. Under this provision, and in cases of equal rank/length of service in rank, the officer with the greatest length of service in the department shall be in command.

IV. Unity of Command:

Each subordinate and each organizational component is under the direct control of one, and only one, immediate supervisor. The unity of command is maintained by close adherence to the principle of "Chain of Command".

V. General Duties and Responsibilities of All Commanding Officers and Supervisors

A. Supervise subordinates so as to improve their efficiency and quality of performance by:

1. Providing effective leadership, control and direction conducive to effective performance and high morale

2. Rendering on the job instruction and training in the proper performance of assigned duties

3. Inspection, evaluation and review of job performance and reports to insure adherence to current policies, procedures and orders

B. Assume responsibility for the proper conduct and discipline of subordinate officers

C. Inform his/her immediate supervisor of any significant or unusual condition existing in the department

D. Insure that subordinate officers obey and carry out current policies and procedures.

E. Stand accountable for the performance of subordinates under his/her immediate control.

VI. Relationship with Other Agencies:

A. To provide a vehicle for feedback, increased understanding by the prosecutor of the problems encountered, and to help assure information flow and coordination between the Creedmoor Police Department and correctional authorities, the Investigative Services Division Commander shall maintain liaison with the Prosecutors, Probation and Parole, and Juvenile Court Counselors.

B. The Creedmoor Police Department will assist and cooperate with federal, state and local law enforcement agencies to enhance the arrest of fugitives, to exchange information in criminal investigations, and to establish joint plans for dealing with such things as criminal conduct and traffic operation.

C. The Creedmoor Police Department will maintain liaison with Fire Department Officials, the City's Operations Department**,** Emergency Medical Services Officials and the Director of Emergency Management for the development and coordination of plans for the control of problems that may arise.

D. Departmental briefings by Directors, Supervisors or leaders of public and private social services agencies will be held periodically and as necessary to update

department personnel on the type of client they serve and what services are available to those clients.

E. Criteria for Referrals - It shall be the policy of this department to divert individuals from the criminal justice process where appropriate. Officers of the Creedmoor Police Department shall be familiar with other criminal justice agencies and social services agencies that serve our community. Officers shall, when it is in the best interest of the individual and the criminal justice system, refer him or her to the appropriate agency.

Creedmoor Police Department

GENERAL ORDER #: 1.02

SUBJECT: Department Mission Statement, Values and Operational Policy

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS: Mission and Values

DISTRIBUTION: All Personnel
Mission Statement; Values; Operational Policies

Purpose: To set forth in writing the Creedmoor Police Department's Mission Statement and to articulate in general terms the operational policies for the Creedmoor Police Department and its members.

Mission Statement: Through a partnership between police and community, we are committed to providing residents and visitors to the City of Creedmoor with a safe environment and exemplary police service. We are dedicated to providing a quality work atmosphere and developing our team through effective and timely training and progressive leadership. Through positive interaction with our neighbors, we will work to protect all people and property in our community.

Our Values:

Ethics and Integrity

We recognize that personal as well as organizational ethics are essential to the accomplishment of our mission.

Loyalty and Trust

We must be loyal to our Oath of Office, the Department as a whole and the community we serve.

People

Our community and fellow department members are deserving of our full efforts and attention. We must respect the human dignity of all people.

Professionalism

We strive for excellence in providing quality service while maintaining a work environment that develops our team through effective, timely training and progressive leadership.

Teamwork

Our success depends upon a cooperative effort within the Department and throughout the community.

Commentary: Policies are broad statements of the Department's principles and values that guide performance. They are not statements of what must be done in a particular situation; rather, a policy is a statement of guiding principles that should be followed in activities that are directed toward the attainment of Department's objectives.

Policies are based on police ethics, experience, the desires of the City's citizens and legal considerations. A policy is articulated so that the public and departmental employees can be informed of the principles that the Department and its members will adhere to in the performance of police functions.

I. DEFINITIONS:

A. **VALUE:** a quality of performance or accomplishment. Values are the basis for the determination of objectives and may be both ethical and functional. Values refer to the means (the *how*) by which objectives can be best accomplished.

B. **OBJECTIVE:** a desired end or result that one intends to attain in order to achieve or fulfill the Department's mission. Within each objective, there may be a number of ancillary objectives or subgoals, each of which, when attained, contributes to the accomplishment of the police mission.

C. **PRINCIPLE:** a conceptual guide for performance arrived at, through logical deduction, by evaluating experience with a view toward the attainment of objectives. A principle may be of assistance in the exercise of judgement in a duty-related activity and may be both ethical and functional.

D. **PROCEDURE:** a written directive that is a guideline for carrying out the Department's activities. A procedure differs from a policy in that it directs action in a particular situation to perform a specific task within the guidelines of policy. Both policies and procedures are objective oriented; however, policy establishes limits of action while procedure directs response within those limits and may allow some latitude and discretion in carrying out these activities.

E. **RULE:** a specific guideline or requirement that is established to prevent deviation from policy or procedure. Rules allow little or no deviation other than for specifically stated exceptions.

II. OBJECTIVES

A. **PRIMARY OBJECTIVE:** While a society that is free from crime, hazards, and disorder remains an unachievable ideal; nevertheless, consistent with the values of a free society, it is the primary objective of the Creedmoor Police Department to approach, as closely as possible, that ideal. In so doing, the Police Department's role is to enforce the law in a fair and impartial manner, recognizing the statutory and judicial limitations of police authority and the constitutional rights of all persons. It is not the role of the Department to legislate, to render legal judgements, or to punish.

B. **FUNCTIONAL OBJECTIVES**

1. **PREVENTION OF CRIME:** Crime prevention is most effective when there is a cooperative effort that involves both the citizens of Creedmoor and its police officers. The Department will do everything possible to maximize this cooperative effort. The Police Department and its members will interact with citizens to generate a mutual understanding of crime prevention problems and solutions.

2. **DETERRENCE OF CRIME:** While there are certain crimes that cannot be deterred, crimes committed against property and violent crimes committed in public places can be reduced through police presence. Street crime is curbed by the potential criminal's fear of immediate apprehension or by the increased likelihood of his detection. The deterrence of crime requires the investigation of behavior which reasonably appears to be criminally detected.

   In deploying patrol forces to deter crime and to inspire public confidence in its ability to ensure a peaceful environment, the Department and its members must create a balance between the desirable deterrent effect of visible patrol and any undesirable appearance of oppression. In the long run, however, it must be the citizens, not the Department, who determine the limitations on their freedom.

3. **APPREHENSION OF OFFENDERS:** The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of law violators, and it has as its objective voluntary compliance with the law as an alternative to punishment. Once a crime has been committed, the Department's duty is to identify and arrest the perpetrator, to obtain the evidence necessary for successful prosecution, and to cooperate in the prosecution of the case.

   It is frequently necessary that citizens be involved in obtaining warrants and other procedures necessary to ensure successful prosecution of offenders. Police Officers should be cognizant and considerate of the needs of citizens whose assistance is required. Police Officers shall make an effort to limit contacts and citizen involvement to reasonable hours that are convenient to the citizens so that they are not unduly burdened. Because certainty of swift and sure punishment serves as an effective deterrent to crime, the Department must strive diligently to solve all crimes and to bring the perpetrators to justice.

4. **RECOVERY AND RETURN OF PROPERTY:** The actual costs of crime are difficult to measure; there cannot be a dollar value assigned to broken bodies, ruined lives, and human misery that are its by-products. However, it is possible to observe the steadily mounting costs of lost and stolen property. This loss as well as other costs of crime must ultimately be borne by the victims. To minimize the losses due to crime, the Department makes every reasonable effort to recover lost or stolen property, to identify the owners, and to ensure the prompt return of lost or stolen property.

5. **MOVEMENT OF TRAFFIC:** To facilitate the safe and expeditious movement of vehicular and pedestrian traffic, the Department must enforce traffic laws, investigate traffic accidents, and direct the flow of traffic. To enforce compliance with traffic laws and to develop driver awareness of the causes of traffic accidents, the Department appropriately warns, cites, or arrests traffic law violators. Traffic accidents are investigated to protect the rights of involved parties, to care for the injured, to determine the causes of accidents so that methods of prevention may be developed and, when a traffic law violation is discovered, to gather necessary evidence so that the violator may be prosecuted. The Department maintains physical traffic control where necessary to direct vehicular and pedestrian traffic and to provide information to the public in assisting them to arrive safely and expeditiously to their destination.

6. **PUBLIC SERVICE:** Often, because there are no other public or private agencies available, the public relies upon the Department for assistance and advice in many routine and emergency situations. For this

reason, and because there is frequently a potential for crime, the Department regularly responds to incidents where it is not contemplated that an arrest will be made.

Saving lives and aiding the injured, locating lost persons, keeping the peace, and providing for many other miscellaneous needs are basic services provided by the Department. To satisfy these requests, the Department responds to calls for service and renders such aid or advice as is necessitated or indicated by the situation.

C. MAXIMUM USE OF RESOURCES

1. **DEPARTMENTAL PERSONNEL:** Police officers are frequently required to make decisions affecting human life and liberty in difficult situations where there is no opportunity to seek advice and little time for reflection. Law enforcement in a free and complex society requires an officer to have the stamina, intelligence, moral courage and emotional stability necessary to deal fairly and impartially with human beings in the many complicated and potentially explosive situations which are encountered. To obtain the caliber of personnel necessary to provide the public with professional law enforcement, it is essential that the Department participate in the recruitment and selection of potential officers. Thereafter, the Department must provide training for all officers and promote the most qualified.

2. **EQUAL OPPORTUNITY:** The Department will provide each employee and applicant for employment an equal opportunity on the basis of ability and fitness, and without discrimination because of race, color, sex, religion, or national origin. This guarantee will be applied to all aspects of employment, including recruitment, selection, placement, training, promotion, disciplinary action, etc.

   All employees of this Department, regardless of position or title, are expected to comply with this policy. In accordance with this policy, employment practices shall be reviewed and reasonable goals established for action consistent with the City of Creedmoor's personnel policies and applicable laws.

3. **UTILIZATION OF RESOURCES:** Law Enforcement is one of the most expensive and complex services provided by the City of Creedmoor. The quality and extent of service provided is necessarily limited by the available resources, which are dependent to a large extent upon the revenue sources of the City. To ensure that the highest level of service is obtained from the resources at its disposal, the Department must make use of the most efficient management and budgeting techniques available.

III. PERSONAL CONDUCT

A. **STANDARD OF CONDUCT:** The Law Enforcement Code of Ethics is adopted as the general standard of conduct expected of sworn officers of the Creedmoor Police Department.

B. **LAW ENFORCEMENT CODE OF ETHICS:**

"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all, maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession… law enforcement."

C. **EMPLOYEE GRIEVANCES:** Effective management and respect for individual dignity requires that employees have means available for the proper redress of grievances. Such provisions are contained in the City of Creedmoor's personnel policies. The right of an employee to file a grievance and its administrative review promotes efficiency and results in improved morale. These benefits are defeated if employees are reluctant to file a grievance. Departmental employees are encouraged to present complaints or grievances to their immediate supervisors and to higher levels of supervision. When following the Department's grievance policy employees shall have freedom from discrimination, coercion, restraint or reprisal.

D. **COMMENDATIONS:** The Creedmoor Police Department expects a very high level of professional conduct from all employees; however, members of the Department frequently perform their duties in a manner exceeding the highest standards of the Department. The official commendation of such performance and the arrangement of appropriate publicity are to be provided by the Department to give full public recognition to those who have brought honor to themselves and to the Department.

E. **DISCIPLINE:** It is vital that the Department maintains public confidence in the Department's ability to investigate and properly adjudicate complaints against its members. Additionally, the Department has the responsibility to discipline those members whose conduct discredits the Department or impairs its effective operation. The rights of the employee as well as those of the public must be preserved. Any investigation or hearing arising from a complaint must be conducted in a fair and unbiased manner with the truth as its primary objective. The Department accepts complaints against its members and fully investigates all complaints to the appropriate disposition.

F. **POLICE DUTIES: TAKING POLICE ACTION**

1. **RESPONSIBILITIES OF ON-DUTY POLICE OFFICERS:** On-duty police officers within their jurisdiction, after considering the situation, are to take all steps reasonably necessary and consistent with their assignment to effect the enforcement of criminal laws of the City, State, and Nation, and to protect lives and property. On-duty officers outside their jurisdiction are to give first consideration to causing the appropriate action to be effected by the responsible law enforcement agency. Such officer should then act only after consideration of the situation, of their possible liability, and the possible liability of the City.

2. **RESPONSIBILITIES OF OFF-DUTY POLICE OFFICERS:** Under North Carolina Law, off-duty police officers within their jurisdiction have peace officer authority as to any public offense committed in their presence or where there is probable cause to believe a crime has been committed in their presence. Should a situation arise in which immediate danger of loss of life or great bodily harm is anticipated, an off-duty police officer would be expected to act, but only after consideration of the situation, any threat to personal safety, and of liability. In any other situations, such as traffic violations, misdemeanors, or felonies not falling into the above, the off-duty police officer will act as any other citizen, that of a witness and report same to the responsible law enforcement agency for action by on-duty police officers. Off-duty police officers outside their jurisdiction are to give first consideration to causing the appropriate action to be effected by the responsible law enforcement agency. Such police officers should then act only after consideration of the situation and their personal liability. NOTE: this Division does not restrict any police

officer working off-duty (moonlighting) from taking any enforcement action necessary within his working area consistent with departmental policies and procedures.

IV. COMMUNITY RELATIONS

Community relations are based upon the principle that in a democratic society the police are an integral and indivisible element of the public they serve. Community Relations are manifested by positive interaction between the people and the police and represents their unity and common purpose. A system of law and its enforcement is not superimposed upon an unwilling public in a free society; the law is created by the people themselves to control the behavior of those who would seek to interfere with the community welfare and existence.

While the primary responsibility for the enforcement of the law rests with the people, the complexities of modern society and the inability of the people to cope personally with crime has required that they create the police service to assist in maintaining social order. The police represent only a portion of the total resources expended by the public to this end; however, this effort, frequently being restrictive of individual freedom, brings the police into contact with members of the public under circumstances which have far-reaching impact upon the lives of the affected individuals.

A citizen's encounter with the police can be a very frightening and an emotionally painful experience. Under these circumstances, the risk of a misunderstanding is very great. The minimization of this risk is a challenge intrinsic to each public contact by the Department.

The Department must strive for the establishment of a climate in which an officer may perform his duties with the acceptance, understanding, and approval of the public. Additionally, the willing and practiced participation of the people in enforcing the law is essential for the preservation of freedom.

A. **INDIVIDUAL DIGNITY:** Recognition of individual dignity is essential in a free system of law. Just as all persons are subject to the law, all persons have a right to dignified treatment under the law, and the protection of this right is a duty to which the Creedmoor Police Department is bound. A police officer must treat every person with as much respect as that person will allow, and must be constantly mindful that the people with whom they are dealing are individuals with human emotions and needs.

B. **ROLE OF INDIVIDUAL POLICE OFFICER:** Community relations are manifested in their most common form in the numerous daily encounters between individual police officers and citizens. It is at this level that reality is given to the unity of the people and the police and where the greatest burden for strengthening community relations is laid.

In dealing with people, each officer must attempt to make their contact one that inspires respect for themselves as individuals and law enforcement professionals, and one that generates the cooperation and approval of the public. While entitled to their personal beliefs, police officers cannot allow their individual feelings or prejudices to enter into public contacts. However, since a police officer's prejudices may be subconsciously manifested, it is incumbent upon each officer to strive for the elimination of attitudes that might impair their impartiality and effectiveness.

C. **EQUALITY OF ENFORCEMENT:** Citizens of the City of Creedmoor, regardless of ethnic or social backgrounds, are entitled to the protection which is afforded by fair and impartial law enforcement. As a person moves throughout the City, they must be able to expect a similar police response to abhorrent behavior wherever it occurs. Where the law is not evenly enforced, there follows a reduction in respect for the law and a resistance to its enforcement. To ensure equal treatment in similar circumstances, a police officer must be alert to situations where he may be called upon to display additional patience and understanding in dealing with what might otherwise appear to be a lack of response.

D. **RESPONSIVENESS TO THE COMMUNITY:** The department must be responsive to the needs and problems of the community. While the law governs the Department's task, the policies formulated to guide enforcement of the law must include consideration of the public will. This responsiveness must be manifested at all levels of the Department by a willingness to listen and by a genuine concern for the problems of individuals or groups. The total needs of the community must become an integral part of the programs designed to carry out the mission of the Department.

E. **OPENNESS OF OPERATION:** The Departments objectives and policies must be made known and accepted. Law enforcement operations in a free society must not be shrouded in secrecy. It is necessary that there is public disclosure of policies and openness in matters of public interest. Consistent with protection of the legal rights of involved individuals and with consideration of the necessity for maintaining the confidentiality of Departmental records and of other primary Departmental responsibilities, the Department will disseminate accurate and factual accounts of occurrences of public interest.

F. **INTERPERSONAL COMMUNICATION:** To promote understanding and cooperation there must be interpersonal communication between members of the community and police officers at all levels of the Department. Each employee must be aware of the law enforcement needs of the community and their particularly assigned area of responsibility. Guided by policy, a police officer must tailor his/her performance to attain the objectives of the Department and to resolve the specific crime problems within their area of responsibility.

G. **TRAINING IN HUMAN AND COMMUNITY RELATIONS:** The selection process for police officers is designed to identify the most qualified police officer candidates and to eliminate from selection those who are unfit. Those selected, however, are representative of the community at large and, as such, are subject to having the same prejudices and biases found in much of society. Exposure to crime and its aftermath can tend to harden and render insensitive an officer whose sympathetic understanding is needed to properly perform police duties. The Department must provide initial and continuing training in human and community relations, and ethics to help police officers avoid this hardening of attitude and impart to each officer an understanding of their total role in the community. Ethics training will be conducted biennially.

H. **JUVENILES:** The Creedmoor Police Department is committed to the development and implementation of programs designed to prevent and control juvenile delinquency. All agency components and personnel share the responsibility for participating in or supporting the Department's juvenile prevention operations function. The Department encourages review and comment by other elements of the juvenile justice system in the development of policies and procedures relating to juveniles and juvenile crime prevention.

V. COMMUNITY AFFAIRS

A. NEWS MEDIA RELATIONS

1. **ROLE OF THE NEWS MEDIA:** A well-informed public is essential to the existence of a democratic nation. To effectively exercise this franchise, a citizen must be aware of current events and the state of government. A free press serves the public by supplying needed information, by stimulating thought, and by providing a medium for expression. Crime, the results of crime, and the efforts to combat it are all matters of continuing public concern. The Department is regularly involved in events at which members of the news media are present and performing the task of gathering information

2. **ROLE OF THE DEPARTMENT:** The Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner that does not hamper police operations. However, certain information must be withheld from the news media in order to protect the constitutional rights of those accused of committing crimes, to avoid interfering with an ongoing Departmental investigation, or because it is legally privileged.

3. **SCOPE AND CONTENT OF THE RELEASE OF INFORMATION:** The scope and content of each release of information to the news media must be determined according to the facts of each situation and according

applicable North Carolina state law. Generally, a description of the circumstances which is not legally privileged and which will not prejudice the rights of suspects or interfere with an ongoing investigation will be subject to public release. Such determination may be made by the Chief of police, his designee, or other Departmental Commanders and supervisors.

4. **REQUESTS FOR INFORMATION:** The public has an abiding interest in law enforcement and in the activities of the Department. The news media and members of the public frequently direct inquiries to the Department and its members seeking information on a variety of subjects. While the aim of the Department is to fulfill such requests, it is not always possible or appropriate to do so. Whether to release information or to grant interviews will be determined according to the facts of each case or incident.

5. **COOPERATION FOR FEATURE ARTICLES OR PROGRAMS:** Requests for Department cooperation in the preparation of articles for newspapers, magazines, and other publications will be individually assessed and considered and, if approved by the Chief of Police, permission for interviewing of Departmental personnel and the photographing of police facilities will be limited to the scope of the Police Chief's approval. Police officers participating in the preparation of such articles should ascertain the scope of the Police Chief's approval and should be cautious not to exceed such limits. In any event, police officers should exercise care and discretion so as not to make statements or convey information that, if later quoted, may cause a misunderstanding or misinterpretation or compromise the effectiveness of police services.

6. **RESPONSIBILITY OF POLICE OFFICER TO SUPPLY INFORMATION:** Frequently, due to public expectations and because of their accessibility, an officer is called upon to supply information both related and unrelated to the law enforcement function. An officer should appropriately answer questions asked of them or refer the person to the proper individual or agency for such answers. When a request is made for information about a police matter, an officer should decide if they are in possession of sufficient facts and are qualified to respond, and whether the person making the request is a proper person to receive the requested information.

   Generally, an officer should be open in his dealings with the public and, unless there is a valid reason to the contrary, they should supply requested information. They should, however, be cautious to avoid interjecting or representing as fact that which is their personal opinion, and refrain from providing information regarding elements of most criminal investigations.

7. **PUBLIC INFORMATION PROGRAMS AND EDUCATION:** The Department conducts various public information and crime prevention programs to educate the public and to eliminate specific crime problems. In addition, the Department cooperates in developing new programs in those areas where the relationship between any group or the public as a whole and the Department may be improved. In so doing, the probability of crimes being committed may be reduced and the effectiveness of the Department enhanced.

8. **TOURS OF POLICE FACILITIES:** Many people rarely have an opportunity or occasion to enter and view a police station or to witness activities that support line operations. To acquaint the public with the law enforcement task, the Department will, upon request, conduct tours of police facilities. The scope of such tours will be dependent upon security requirements and personnel availability.

B. LABOR RELATIONS

1. **DEPARTMENT ROLE IN LABOR DISPUTES:** In labor disputes, it is not the function of the Police Department to deal with the issues involved; rather, it is the role of the Department to protect the rights of the public and the disputants by maintaining order and enforcing the law.

2. **IMPARTIALITY IN LABOR DISPUTES:** Strikes, mass or circular picketing are not, in themselves, violations of the law. It is the illegal acts that sometimes arise from such activities that are the concern of the police. The effectiveness of the Department in labor disputes is maintained by remaining at all times impartial regarding the parties and issues involved and by taking appropriate action whenever violations are reported or observed.

3. **ENFORCEMENT OF LAWS:** The Department seeks to minimize violations connected with labor disputes by providing guidelines for the conduct of the parties and the boundaries of the area to be used. These guidelines are discussed with management and labor officials, at which time it is emphasized that the use of public sidewalks and roadways, the free access to public places, and the rights of persons to enter and leave private premises are to be preserved. In cases where there is a denial of those rights, the Department will take prompt and impartial police action. Violations of court orders and injunctions do not ordinarily constitute criminal offenses for which the Department will take enforcement actions.

4. **LIAISON WITH LABOR AND MANAGEMENT:** The Department maintains special liaison with management and labor officials to obtain information and to explain the Department's policies and

procedures in relation to labor disputes. By seeking the cooperation of the parties involved, the Department can reduce tensions and encourage self-discipline, enabling the parties to police their own conduct.

5. **POLICE DEPLOYMENT AT LABOR DISPUTES:** A decision on whether to deploy police officers at any strike scene will be made only after all of the circumstances surrounding the strike have been considered.

C. **LIAISON WITH CRIMINAL JUSTICE SYSTEM**

1. **COOPERATION WITH OTHER LAW ENFORCEMENT AGENCIES:** The Department maintains a close working relationship with other law enforcement agencies, and makes available to them information concerning techniques and procedures developed or used by the Department.

2. **CRITICISM OF CRIMINAL JUSTICE SYSTEM:** The Department shares responsibility with the judiciary, or other law enforcement and prosecution agencies in the criminal justice system. All elements of the system work towards common objectives and each element of the system is functionally complementary. The cooperative and harmonious working relationships that are essential to the attainment of those common objectives are impaired by unnecessary criticism of others engaged in the administration of criminal justice. For that reason, police officers should be aware of the effect of any comments they make which might be interpreted as being critical of other law enforcement or prosecution agencies or individual members of the judiciary. However, it is not intended that there be any infringement of an officer's right to express personal views regarding the criminal justice system in general or any trends which seem destructive of its effectiveness.

VI. LAW ENFORCEMENT OPERATIONS

A. **NATURE OF THE TASK:** Law enforcement operations consist of many diverse activities that are directed toward the attainment of Departmental objectives. Activities such as patrolling, conducting field interviews, and issuing traffic citations are not objectives in themselves; rather, they are methods of achieving the real objectives of preventing and deterring crime, arresting criminal offenders, and preventing traffic accidents.

Decisions in law enforcement frequently must be made instantaneously, and the lives of officers and others may depend upon the quality of those decisions. An officer is confronted in stressful situations with both criminal and non-criminal behaviors, and they must be capable of making a reasonable response in both cases. An officer must base his conduct and actions in each instance upon the

facts of the situation, as they reasonably appear, relying upon their experience, training and judgment to guide them toward morally and lawfully justified decisions and actions.

B. **POLICE ACTION BASED ON LEGAL JUSTIFICATION:** What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and different facts may justify an investigation, a detention, a search, an arrest, or no action at all. The requirement that legal justification be present imposes a limitation on an officer's action. In every case, an officer must act reasonably within the limits of his authority as defined by statute and judicial interpretation, thereby ensuring that the rights of both the individual and the public are protected.

C. **DISCRETION:** The decision of what appropriate action should be taken in police situations will be guided by individual discretion in those cases where departmental directives may not be explicit.

D. **CALLS FOR SERVICE**

1. **PROFESSIONAL STANDARD OF SERVICE:** The Department cannot be aware of each circumstance in the City where police action or assistance may be required. The Department is dependent upon members of the community for such information. The people, in turn, expect the Department to respond to requests for services within a reasonable time and to satisfactorily perform the necessary service. As a practical matter, the extent of the service may necessarily be limited, but, regardless of its extent, a professional quality of service must be rendered in all cases.

2. **CALL-HANDLING PRIORITY:** It is not always possible for the Department to respond to every call for service. Therefore, the Department must organize available resources to provide the highest level of efficient services possible. Priority of call assignment and response depends on many factors, and it is normally the responsibility of communications personnel to make such assignments; however, an officer in the field may be required to decide whether to continue on an assigned call or handle a citizen's complaint or an observed event and cause their call to be reassigned. Such determination should be based upon the comparative urgency and the risk to life and property of the assigned call and the intervening incident. When it is impossible for an officer to handle a citizen's complaint or an observed event, he should, if the circumstances permit, give directions for obtaining such assistance.

E. **PRELIMINARY INVESTIGATION**

1. **SCOPE OF PRELIMINARY INVESTIGATION:** The scope of preliminary investigation by a uniformed officer may be very restricted or

it may constitute the entire investigation of the crime. In a particular crime, departmental directives may limit the scope of the preliminary investigation, and in all cases it is limited by an officer's workload assignment. Consistent with their own responsibilities, officers should continue a preliminary investigation to the point where the delay in investigation caused by the report being processed will not materially jeopardize the investigation.

2. **FOLLOW-UP INVESTIGATION BY UNIFORMED OFFICERS:** Uniformed officers may pursue follow-up investigation upon supervisory approval when there is a reasonable chance of apprehending the suspect, when there is a need for obtaining additional information for the preliminary investigation report, or when there are other compelling circumstances.

3. **CIVIL DISPUTES:** Officers are frequently called to the scene of civil disputes where no crime has been committed. The presence of officers at such scenes is primarily to preserve the peace and to prevent a crime from occurring; it is not to give legal advice. Officers should avoid becoming unnecessarily involved in civil disputes and may advise the parties to seek the advice of legal counsel, or other appropriate resources.

4. **FIELD SUPERVISION:** Since emergency situations occur without warning and their duration is often brief, officers must frequently make critical decisions without the benefit of on-the-scene direction. In most police operations, however, supervision is available and necessary to provide guidance and training. Supervision gives coherence to the police task and directs the energies of the Department into an organized effort. Proper supervision is essential to maintain a professional level of competence in law enforcement operations.

5. **SUPERVISION IN FIELD OPERATIONS:** The Department is an organization with an assignment of responsibility and accountability throughout the rank and command structure. To the degree that a supervisor is responsible and accountable for the performance of a subordinate, a supervisor is granted commensurate authority in order to properly discharge their supervisory responsibility. A field supervisor is the first level of supervision, and his primary responsibility is to guide, train, direct, and motivate those over whom he has control. A field supervisor's primary function is supervision with enforcement functions being secondary.

F. **FOLLOW-UP INVESTIGATION**

1. **INVESTIGATION OF REPORTED CRIME:** Follow-up investigation consists of efforts to interview victims and witnesses; locate,

identify and preserve physical evidence; recover stolen property; identify, locate interview and arrest suspects; present the case to the prosecutor; and cooperate in the prosecution of the defendant. Such investigations are conducted to produce evidence relating to guilt or innocence of any suspect and to recover property.

2. **ALLOCATION OF RESOURCES:** As it is not feasible to expend equal time and energy in the investigation of all reported crimes, priority of investigation and allocation of resources must be based upon the relative seriousness of each reported case. However, reported crimes will be investigated to the fullest extent possible without regard to the status of the victims or the areas of the City in which the crimes occur.

G. INFORMANTS

1. **USE OF INFORMANTS:** Often, information from confidential sources is the investigative lead which solves a case and without which there may not be a prosecution. The Department often receives information regarding criminal activities and suspects from persons in all walks of life.

   Many people who give information have been victims or witnesses of crimes, or they may have a strong desire to help the police. Selfish interests motivate others. Regardless of informants' motivation, informant use is a basic weapon in the fight against crime. They are a judicially recognized source of information. An informant's motivation should be carefully evaluated in determining the extent upon which the information will be relied.

2. **INDIVIDUAL INVESTIGATOR'S RESPONSIBILITIES:** Officers should keep their supervisors informed of their relations and activities involving informants. A commanding officer may request that the identity of informants be disclosed to them. An officer is not required to disclose an informant's identity in situations that would either endanger the informer or destroy the informant's capacity to continue in that role.

4. **CONDUCT OF UNDERCOVER OFFICERS:** In order to obtain information and evidence regarding criminal activities, it may be necessary that the Department utilize undercover officers. Such officers shall not become "Agents Provocateur" or engage in entrapment. Officers shall not commit any act, or omit to perform any duty imposed by law, that constitutes a crime.

5. **REWARD POLICY:** The Creedmoor Police Department will not accept for deposit any reward money, nor will it handle any reward money offered by any firm, individual or corporation, including such money from the City of Creedmoor.

H. **DEPARTMENT RESPONSE TO IMPENDING RIOT:** When the City is confronted with a situation that may escalate into a riot, the Department must establish control of the situation by responding quickly and committing sufficient resources to control the situation and restore order. Law violators must be arrested and their prosecution sought. Finally, the Department must remain in the affected area with adequate personnel and equipment for a sufficient period of time after order is restored to convince all concerned that additional outbreaks will not be tolerated.

I. **NECESSITY THAT OFFICERS BE ARMED:** As long as members of the public are victims of violent crimes and officers in the performance of their duties are confronted with deadly force, it will remain necessary for police officers to be properly armed for the protection of society and themselves.

J. **USE OF DEADLY FORCE:** An officer is equipped with a firearm and may use it when reasonably necessary to affect an arrest or defend themselves and others as outlined in N.C.G.S. 15A-401.

K. **OFFICERS SURRENDERING WEAPON:** An officer may find himself at the mercy of an armed suspect who has the advantage, but experience has shown that the danger to officers is not reduced by giving up their weapons upon demand. Surrendering the weapon might mean giving away an officer's only chance for survival; therefore, an officer should use every tactical tool at their disposal to avoid surrendering their weapon.

L. **DEPLOYMENT IN ANTICIPATION OF A CRIME:** The purpose for deploying officers at the scene of an anticipated crime is to arrest the perpetrator of the attempted or consummated crime. However, since that objective is subordinate to the protection of life, officers should not subject themselves or other innocent persons to unreasonable risks.

M. **TRAFFIC ENFORCEMENT**

1. **TRAFFIC ENFORCEMENT OBJECTIVE:** The traffic enforcement objective of the Department is to reduce traffic accidents that result in death, injury or property damage, and to facilitate the safe movement of motor vehicle and pedestrian traffic, through the public's voluntary compliance with traffic regulations. The Department seeks to achieve this objective through a combination of education, enforcement, and engineering.

   The Department seeks to educate the public regarding traffic regulations through programs aimed at exposing specific problems, by publishing traffic accident and injury statistics, and by giving notice and warning of changes in regulations prior to taking enforcement actions. The

Department will take enforcement action upon the detection of an illegal and potentially hazardous act without regard for such factors as attitude, intent, or frivolous excuse of any person. Enforcement action may consist of a warning, citation, or physical arrest.

2. **VIOLATOR CONTACT:** The enforcement of traffic laws is one of the many "routine" tasks performed by police officers, but for a person who has violated the law it is frequently an emotionally traumatic experience to be stopped by a police officer. In many cases, this is the only contact that a person has with our Department. Officers should be aware of these conditions, strive to make each contact professional and educational, and leave the person stopped with the impression that the officer has performed a necessary task in a courteous and friendly manner.

3. **NON-RESIDENT VIOLATORS:** Since the Uniform Vehicle Code is now being followed by a majority of the states, including North Carolina, non-residents are rarely subjected to unfamiliar traffic signs or inconsistent regulation. Therefore, unless the traffic regulation violated is one unique to the City, no immunity should be afforded any person because he/she is a non-resident.

4. **ENFORCEMENT OF PARKING REGULATIONS:** Street parking is restricted in various areas of the City to ensure fair access to parking and to expedite the flow of vehicular traffic. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of the City.

N. DEPLOYMENT OF TRAFFIC ENFORCEMENT

1. **SELECTIVE ENFORCEMENT:** The Department conducts statistical and visual surveys to determine the location, time and day of the week when instances of traffic law violations lead to collisions. Based on information obtained, the Department may deploy its personnel to those specific areas to observe violations and to take enforcement actions. In addition, when the Department receives complaints of a specific traffic or crime problem in a particular area, it may specifically assign personnel to investigate and take appropriate and necessary enforcement actions.

2. **VISIBLE PATROL:** The tendency of motor vehicle operators' to knowingly violate traffic laws is deterred by open and visible patrol; therefore, the number of motor vehicle collisions is correspondingly decreased. However, when there is an unusual or continuing enforcement problem at a particular location, officers may park in an inconspicuous or concealed location and observe traffic for specific violations.

O. MOTOR VEHICLE COLLISION INVESTIGATION:

The investigation of motor vehicle collisions is necessary in order to, determine traffic law violations, obtain engineering data, to protect the rights of the individuals involved, and to assist in traffic education. The Department is also mandated by state law, General Statute 20-166.1, to investigate specified motor vehicle collisions occurring within the corporate limits of the City.

P. VICE AND NARCOTIC ENFORCEMENT

1. VICE ENFORCEMENT: The people, through their elected representatives, have decided that criminal sanctions should be imposed against certain behavior that has been traditionally labeled as "vice." The Department is charged with the enforcement of all criminal statutes including those labeled as vice offenses. Where vice conditions are allowed to continue, they are soon exploited by organized crime and the money thus obtained is often used to finance other criminal ventures or attempts to corrupt public officials. To prevent the spread of vice conditions, the Department will take enforcement action against all commercialized vice activities whether complaints have been received or are apparent and in the public places of the City.

2. **NARCOTIC ENFORCEMENT:** It is the objective of the Department to enforce all local, state, and federal statutes which prohibit the possession, use, or trafficking in narcotics, non-prescription dangerous drugs, and other restricted or prohibited substances. Through a combination of aggressive enforcement and public education, the Department seeks to prevent and deter the use, possession and trafficking of all such illegal substances in the City. To prevent the spreading use of narcotics and other dangerous substances, the Department engages in public education programs to inform people about the effects and hazards of substance abuse. Additionally, the Department provides the public with factual information with which to make decisions regarding the use of drugs and to assist members of the public in recognizing symptoms and indications of drug use in others. An understanding and appreciation of the full effect and extent of drug abuse is essential for success in overcoming its threat. By working with and through the community, the Department seeks to engage the people in a cooperative attack on this critical problem.

VII. ADMINISTRATION

Department administration involves the efficient and economic management of a complex organization that performs its functions through the acts of its employees. Department functions involve the interaction of people, not only within its ranks, but in all personal contacts between its employees and members of the public. Department

administration is, therefore, occupied to a large extent with improving the ability of its employees to properly perform police functions and strengthen the relationship which exists between all employees and the public they serve. Thus, recognition of the human factor is an administrative challenge in the Department's effort to provide a consistent and professional police response to the community's law enforcement needs.

Department personnel are required to make decisions involving the public and other employees in response to both administrative and operational problems. The decision process involves more than loyalty; it requires an insight into the Department's mission, purpose and duty under the law and to the people, and the manner and means by which the task is to be performed. The decision must be a balance of involved interests, considering what is best for the public, the Department, and any individuals involved. The decision must involve, as its objective, effective action directed toward the accomplishment of the Department's mission and purpose. The requirement that such insight be exercised is implicit in all decision making, and it is the thread that binds the complex and difficult law enforcement task into a coordinated and effective force.

A. **PLANNING RESPONSIBILITY:** It is vital that there be planning in the police service. From the Chief of Police - who must devise long-range plans involving the entire resources of the Department - to the beat officer, who must discuss an operational plan with their backup officer while en-route to or on the scene of a call - there must exist an imperative reason for planning which is so great that it merges with the action itself. The requirement that an employee plan his actions is commensurate with the degree of his responsibility and accountability for the results of his actions.

In the performance of their duties, officers are confronted with an infinite variety of circumstances which require police action. In an attempt to utilize collective experience and research in assisting officers to deal with such diverse situations, the Department formulates procedures to direct action in certain generalized situations. As officers are routinely confronted with the unusual, it is impossible to provide standing procedures for officers to follow in every individual situation. Therefore, officers must additionally be provided with policy guidelines to assist them in the necessary exercise of discretion. Reinforced by training, the combination of policies and procedures acts to provide officers with a structurally sound framework, within which to function.

In addition to developing standing procedures, the Department must regularly devise single-use plans to accommodate specific needs. These plans may involve a Department-wide response to a major unusual occurrence or a tactical answer to an isolated police incident. Once executed, such plans should be evaluated for the development of standing procedures or for future reference in comparable situations.

B. **SCOPE OF PLANNING:** While each plan differs according to the need for which it is developed, each plan should define its need, objective, scope and

purpose, the method for its implementation, and a means of evaluating its effectiveness.

C. **USE OF TASK FORCE FOR PLANNING:** When a need develops for a single-use plan affecting more than one Division or unit of the Department, or when it is necessary to develop a major project within limited time, it may be appropriate to assemble a task force whose staff is provided on loan from various Divisions or Divisions. When a task force is assembled, it must be structured with clearly defined objectives, organization, responsibility and authority. It should be placed under the control of an existing organizational unit, whose commanding officer has responsibility and accountability for its performance.

D. **COMPLETED STAFF WORK:** The result of an effort to research a problem and develop a solution, leaving nothing for the final authority to do except approve or disapprove, is traditionally known as completed staff work. In such projects, it is important that instructions include identification of the problem, direction, the desired scope of the endeavor, and the time limit for completion. Direction should clearly indicate what is desired by way of the project. The project should include adequate research to accurately define the problem and to examine reasonable solutions. The assigned employee should include in their report a recommendation and a summary of the findings supporting their conclusion. In completed staff work, a final step, prior to obtaining concurrence, is to notify involved organizational components of the findings and recommendations of the project.

E. **POLICE DEPARTMENT DIRECTIVES:** In a large and complex organization such as the Police Department, it is essential that directives communicate desired information to concerned employees as accurately as possible. Directives should be well researched, properly drafted, and subjected to staff review for concurrence. A commanding officer or supervisor may issue a directive as long as it affects his command only and does not conflict with Department directives. Ordinarily, when more than one Division will be affected by issuance of a directive, the Chief of Police will have sole issuing authority.

F. **ADMINISTRATION OF DISCIPLINE:** One of the primary tasks of a commanding officer is the administration of discipline. Discipline can be positive or negative; it may involve encouragement, inspiration, training or imposition of negative sanctions. It has as its immediate purpose the channeling of individual effort into effective and productive action.

The exercise of positive discipline requires foresight and planning rather than merely reaction. It involves an evaluation of the human factor which, when combined with proper training, motivation and recognition of individual and group effort, results in self-discipline. Disciplinary means may range from a warning, where the immediate effect is on the individual, to termination, where the positive result derived is in the reassurance of other employees as to

unacceptable limits of misconduct. In each case care must be exercised to make the proper choice in obtaining a desired and just result.

G. **CHAIN OF COMMAND:** The Chief of Police must necessarily limit the number of people who report to him. To ensure unity of command, clearly defined lines of authority must be drawn so that there exists a structural relationship between each employee and the Police Chief. Each employee must be aware of his/her relative position in the organization, to whom he/she is immediately responsible, and those persons who are accountable to him/her. Employees should always strive to operate within the chain of command and keep their supervisors informed of their activities. The Police Chief is available by appointment to any member of the Department.

H. **SPAN OF CONTROL:** Each Department supervisor will be directly responsible for no more than ten employees in normal day to day operations. Exigent circumstances may increase this span of control, but those situations should be rare in occurrence and short term in duration.

I. **UNITY OF COMMAND:** Each Police Department employee will be accountable to only one immediate supervisor at any given time.

J. **FLEXIBILITY OR ORGANIZATION:** The ability of the Department to make organizational adjustments to meet changing needs is essential in obtaining the maximum benefit from the expenditure of assigned resources. However, to ensure stability, the basic Department structure should not be changed in the absence of a demonstrated need or to satisfy temporary requirements. There must be continuing staff inspections to ensure that the Department organizational needs are being met. In addition, each commanding officer has the responsibility to maintain the organizational viability of his command through constant evaluation.

K. **INSPECTION AND CONTROL:** Management inspection and control is necessary to ascertain if command policies, procedures, and rules are adequate and are being followed, whether Department resources are adequate and are being properly utilized, and to evaluate the overall performance and attitude of the Department. The Department has a formal staff inspection and control system, built into the Administrative Services Division's responsibilities, which reports directly to the Chief of Police. Additionally, it is the responsibility of each commanding officer to continually conduct inspections within his command to ensure the proper performance of assigned personnel and the most efficient use of assigned equipment, material, and facilities. Merely finding fault is not inspecting. Therefore, a commanding officer's responsibility does not end with the discovery of a deficiency or inadequacy; it includes taking positive measures to correct the problem.

L. PERSONNEL

1. **RECRUITMENT:** To obtain the highest caliber of candidates possible, it is essential that the Department and the City's Human Resource Department jointly participate in the recruitment process. However, each of us in our daily contact with the public is the Department's best recruiter. By our personal demeanor and daily contact with the public we can favorably impress and attract the type of individual the police service needs. Because of our experience and knowledge, we are able to advise persons who show an interest in law enforcement careers and to encourage applications by those who appear qualified.

2. **DUTY ASSIGNMENTS:** Allocation of personnel to specific assignments is made with the aim of establishing optimum effectiveness within the Department while recognizing the need, ability, and preference of individual employees. For example, sworn positions in the criminal investigation function are the same as those used in the patrol function for rank titles and salary schedules. It is therefore possible to transfer personnel from the patrol function to criminal investigations (and vice-versa) without regard for rank titles. To facilitate lateral personnel movement without affecting an individual's income, investigators are equal in advancement to their patrol counterparts. Annually, the Police Chief will initiate a review of sworn personnel duty assignments.

3. **ADVANCEMENT:** The vitality of the Department is maintained through the selection and promotion of the most qualified personnel to positions of increased responsibility. The Department must help in the selection process by accurately rating and evaluating employees and candidates for promotion and by advancing the most qualified.

4. **TRAINING:** The Department has an obligation to provide a professional standard of law enforcement service to the community. In fulfilling that responsibility, it is essential that Department personnel be properly trained. This is true not only at the entrance level where officers must receive basic training prior to their assumption of police responsibilities, but it is a continuous process throughout their careers. Training is provided to accommodate Department needs and to actualize the interest and concern which the department has for the self-improvement and personal development of its employees.

    a. **RECRUIT TRAINING:** The training provided recruit officers is a continuation of the selection process whereby efforts are made to screen out those who are lacking in police aptitude. In all recruit training, emphasis is placed on developing the reasoning ability and judgement of each officer.

b. **ON-THE-JOB-TRAINING:** An officer's training continues after entrance-level graduation through his assignment with training officers, roll-call training, and supervision. It is the responsibility of all officers to teach those with whom they work the skills and knowledge necessary to perform the job at hand. Supervisory and commanding officers of all ranks have the responsibility not only to train subordinates to perform assigned tasks, but also to familiarize all subordinates with their supervisor's job as well, so that employees are prepared to assume additional responsibilities should the need arise.

c. **IN-SERVICE TRAINING:** Refresher training is periodically provided to experienced officers to update their training and to evaluate the effectiveness of their prior recruit and in-service training.

d. **PROMOTIONAL TRAINING:** Once the selection process has resulted in promotion, the Department provides training to prepare newly appointed supervisors and commanding officers for added responsibilities. Dependant upon the level of supervision or management involved, an attempt is made to familiarize individuals with problems they may face and to assist them in developing suitable responses to those problems.

e. **SPECIALIZED TRAINING:** To prepare employees for new assignments, the Department provides specialized training in those areas where a need has developed. Such schools have as their goal the development of specialized skills and knowledge within the framework of a police generalist.

f. **SUPERVISORS AS TEACHERS:** The on-going training of each employee is the responsibility of their supervisors. Supervisors are expected to be familiar with the mechanics of the learning process and to routinely apply them in their supervisory tasks.

g. **PARTICIPATION OF COMMAND STAFF OFFICERS IN FORMAL TRAINING:** To ensure that policy is disseminated as accurately as possible, and to allow the Department and its employees to benefit from the experience and knowledge of commanding and staff officers on a policy-making level, it is desirable that Command Staff officers participate in the formal training process to the greatest extent possible.

5. **DETACHED DUTY FOR ADVANCED EDUCATION AND TRAINING:**

The Department occasionally engages in programs whereby selected officers are granted leave with full salary to participate in advanced education or training programs. The selection process for such courses is designed to choose the most qualified while, at the same time, assuring that the Department receives the value of the individual's acquired knowledge. The Department selects those officers whose careers have sufficient length of time remaining, to benefit the Department.

M. **ENCOURAGEMENT TO FURTHER EDUCATION:** In fulfilling its commitment to provide professional police service, the Department encourages all employees to further their education to the highest level possible. Therefore, consistent with its basic responsibilities, the Department cooperates, as much as possible, with employees in arranging duty schedules and assignments to facilitate and encourage such individual effort.

N. **BUDGETING**

1. **CONTROL:** The budgetary process is required by City policy and state law. It is an essential planning tool which enables the Department to organize its financial resources in an objective, directed effort to derive the maximum return for the resources expended.

The Department budget represents an evaluation of relative needs within the Department based upon quantitative and qualitative data. It involves a decision regarding objective priorities with consideration given to the volume and type of work required and the costs involved. Once the fiscal year's budget document is approved, it represents a controlling device intended to assure that expenditures follow along the Department's plan of operation and are made in accordance with the purpose for which the appropriations were allocated.

2. **SUBORDINATE PARTICIPATION:** Budgeting is a continuous process that is the responsibility of each commanding officer. It involves the identification of performance objectives and the determination of organizational needs based upon a reasonable evaluation of future requirements.

Commanding officers communicate their organizational needs by means of budget requests. Such requests should be limited to those items that are necessary to continue the present standard of service, materially improve the standard of service, or reduce the cost of service. It is the responsibility of commanding officers to weigh their needs carefully and to present

budget estimates that incorporate reasonable and economically sound requests. If an item is requested on the basis that it will improve the standard of service, the justification should show conclusively that the objective will be reached and that the cost of the item will be returned in some concrete manner, such as the rendering of decidedly superior service to the public or by an actual saving of money over a period of time.

The commanding officer is responsible for giving his subordinates a general conception of the budgetary process and its relationship to the total Department's plan of operation. Through participatory management, the commanding officer should develop structured yet flexible work activities aimed at accomplishment of performance objectives rather than the perpetration of traditional services.

VIII. SUPPORT SERVICES

A. COMMUNICATIONS

1. **TELEPHONE COMMUNICATIONS WITH THE PUBLIC:** The telephone is the primary method by which the services of the Department are requested. All incoming telephone calls must be answered as promptly as possible to determine if a need for police service exists and, if so, to provide the required service.

2. **TELEPHONE COURTESY:** In answering telephone calls, employees should courteously greet the caller, identify themselves, and ask to be of assistance. Employees should make every reasonable effort to either supply requested information and assistance or to promptly refer the party to the proper Department unit or other public or private agency for assistance.

3. **INTRA-DEPARTMENTAL COMMUNICATIONS:** The Department maintains and constantly strives to improve its intra-Department communications network to provide for rapid and efficient police response and to facilitate management control. All Department communications including those by radio, telephone, computers and mail are reserved for official business and are not to be used for personal purposes.

B. **RECORDS:** Records are maintained by the Department in compliance with statutes and regulations, as a public service, as an investigative and administrative aid, and to provide statistical data. Department records are confidential. Criminal records and arrest information may be released, upon approval, only to those persons authorization for direct access by virtue of law.

C. **PROPERTY:** The Department will safeguard and properly dispose of all property that comes into its custody. The Department strives to maintain property in the same condition as received and to preserve the evidentiary integrity of property that has been received or seized for possible court presentation. Unless property is contraband or must be presented as evidence in court, every reasonable effort will be made to ensure its return to the rightful owner. Property that cannot be returned to its owner will be disposed of by public auction or, in the case of contraband, by destroying it.

D. **TRANSPORTATION:** In the highly mobile environment in which the Department operates, vehicular transportation is essential. Due to the nature and extensive use of transportation, it is an expensive item in the Department. The function of the transportation system is to provide the proper type of vehicle at the time and place that it is needed. Through a process of inspection, maintenance and repair, vehicles are kept in such condition as to be capable of safe performance and operation, consistent with their assigned use. While a vehicle is in the possession of the Department, its most efficient and effective use is achieved by a system of rotation, assignment and sale.

E. **FLEET SAFETY:** Not only because they are engaged in traffic enforcement, but because they are the most visible representatives of local government, Department employees have a duty to operate Department vehicles in a legal, safe, and courteous manner. This responsibility is especially great in view of the tactical situations and traffic conditions in which Department vehicles are operated. Vehicle safety involves the establishment of standards, vehicle testing and selection, regular inspections, preventative maintenance and defensive driving. Defensive driving is a matter of personal practice that involves proper motivation and the development of a mental attitude of safety towards driving. The Department reinforces safe driving through roll-call training, defensive driving and driver-training courses, supervision, and discipline.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.03

SUBJECT: Written Directives System

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Directives; Departmental Memoranda; Memorandum; Written Directives; Addendum

DISTRIBUTION: All Personnel

PURPOSE: To assign and identify responsibility for the development, review, issuance, control, distribution and maintenance of the Creedmoor Police Department's Written Directive System; to describe its format, and to provide guidance in its use.

POLICY: It is essential that written directives that affect operational procedures be distributed to police department employees in as timely a manner and as accurately as possible. Written directives should be well researched, properly drafted, and subjected to staff review for concurrence. A commander or supervisor may issue a written directive, as long as it affects his command only, and does not conflict with other existing departmental directives. Ordinarily, when more than one Division may be affected by issuance of a written directive, the Chief of Police will have sole issuing authority.

I. DEFINITIONS

A. Addendum: A directive issued by the Chief of Police which is temporary in nature that may change or modify any existing written directive. Any Addendum will be an attachment to the affected directive, and will be placed behind it in all published books or manuals. An Addendum may be issued as necessary by Division Commanders to affect changes to any Standard Operating Procedures within their Division, where applicable.

B. Command Staff: The Chief of Police and Division Commanders, who command the two major Divisions of the Creedmoor Police Department – the Patrol Division, and Investigative Division.

C. Division Commander: The Patrol Division, and Investigative Division are each commanded by a Lieutenant, bearing the title of Division Commander.

D. Chain of Command: The unbroken line of communication and authority extending up and down within the organizational hierarchy through each successive level of command to or from the Chief of Police.

E. Written Directives: Documents that serve to guide or affect the performance or conduct of employees. The term includes policies, procedures, rules, regulations, general orders, personnel orders, special orders, memoranda, and instructional material. These all may be referred to as Written Directives. Written Directives are revised by the Chief of Police for approval.

F. Electronic Mail: Messages sent and received electronically (as between terminals or computers linked together. (Also known as “E-mail”).

G. General Orders: The permanent policies and procedures which the Department establishes which may affect all or more than one of the Department’s organizational components.

H. Special Orders - A written order issued by the Director relating to personnel matters and/or immediate procedural changes.

1. Policy: A directive that broadly outlines agency principles to guide the department toward the attainment of its goals. Policy statements may be characterized by words such as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but provide a framework for development of procedures, rules and regulations. Policy will be indexed by the Table of Contents. A departmental policy may only be issued, modified, or rescinded by the Police Chief.

2. Procedures: Written, specific directives used to describe expected methods of operation. A procedure may be made mandatory in tone through the use of “will”, "shall" or "must" rather than "should" or "may". Procedures sometimes allow limited latitude and discretion in carrying out an activity.

I. Master File: The files containing the current, original copy of directives issued by the Police Chief from which distribution copies are made.

J. Memoranda: Written documents that may or may not convey a directive, generally used to clarify, inform or inquire.

K. Rule: A directive that governs specific behavior and which requires performance of certain duties, from which no deviations or exceptions are permitted and to which all employees must adhere. Rules are inflexible, and apply equally to all personnel. A rule may be characterized as containing the word "will," or "must," or "shall."

L. Squad/Unit: An organizational component of the agency, usually reporting to a Commander (Lieutenant) or Supervisor (Sergeant), comprised of at least one or more units. Squads and units are organizationally equivalent.

M. Squad/Unit Commander: The title given to the commander of a Squad/Unit. Squad/Unit Commanders generally hold the rank of Lieutenant.

N. Squad Supervisor: The title given to the supervisor of a squad/unit. Squad Supervisors generally hold the rank of Sergeant.

O. Special Order:

1. A directive affecting only specific individual(s) or organizational segment(s); or,
2. Statements of policy or procedure regarding a specific circumstance or event that is of a temporary duration and nature.

P. Unit: An organizational component of the agency, consisting of one or more persons. The organizational structure does not extend beyond the unit level.

II. ISSUING AUTHORITY

A. The Police Chief is the sole issuing, modifying and rescinding authority for the General Orders, policies, procedures, rules and regulations of the Police Department.

B. Any Division Commander may issue written directives pertaining to police activities or operational requirements of a temporary nature and duration in lieu of or in addition to General Orders, policies or procedures. Such directives shall not affect personnel outside the author's supervisory or command authority. Any such directive shall include a beginning and ending effective date.

C. Written directives may be modified or rescinded at or above the Division Commander's level.

D. Any employee may propose to amend a General Order, policy, procedure, rule or regulation. Such proposals shall be forwarded in draft revision format through the chain of command via an Action Memorandum to the Police Chief. If the Police

Chief concurs with the proposal, he will forward the draft to the Office of The City Manager.

E. Command Staff members shall review applicable draft revisions to provide suggestions and recommendations for improvement of the proposed revisions, to point out possible conflict(s) with current procedures or practices, and to ensure a thorough review of the draft. Command Staff members are encouraged to solicit the input on draft revisions from their personnel.

F. If the Chief of Police concurs with the recommendations for approval draft revisions, he will sign and issue the directives for distribution. If the Police Chief does not concur with any draft, it will be returned to the appropriate Division Commander for correction.

G. The appropriate Division Commander shall initiate a review and, as necessary, update all general orders on the annual anniversary of the effective date.

H. The Division Commander will maintain a status log of all drafts under review.

I. Gender specific terms may appear in department manuals for brevity and shall be construed to include, as appropriate, all genders.

III. DISTRIBUTION AND CONTROL

A. Distribution

1. All directives, policies, forms and orders of the Creedmoor Police Department will be distributed only by the authority of the Chief of Police.

2. General Orders will ordinarily be distributed to all department personnel. Distribution of certain General Orders may be limited to only those personnel affected, depending upon their content.

3. Departmental memoranda, depending upon their content, may be distributed to all personnel, specific individuals or units, or simply read at roll calls or posted on bulleting boards.

4. Employees shall not distribute copies of departmental directives to anyone outside the department without written authorization from the Chief of Police.

B. Control

1. The Office of the Chief and appropriate Division Commanders shall have responsibility for indexing departmental manuals by major topics and sub-

topics of the manuals. The index format will contain an alphabetical listing of the Subject and Number of all directives in the manual.

2. Each Division Commander is responsible for the development, modification, approval and review of all forms used by the Creedmoor Police Department. No employee may develop a form for general use by this department without the review and approval of the Chief of Police.

3. The Chief of Police will prepare cover memoranda to be attached to directives issued. The cover memoranda will direct purging of rescinded or amended directives, and the addition of new directives to the appropriate manual.

4. The Chief and Division Commanders will assign control numbers, print and distribute an appropriate number of written directives issued by the Office of the Police Chief to all organizational units and personnel. The Division Commanders will also be responsible for the revision and issuance of all forms used by departmental personnel.

5. The Tele-communications/Records Division shall maintain a current master file of all written directives issued by the Office of the Police Chief.

6. All personnel will receive a copy of the General Orders, polices and directives issued by the Chief of Police, unless otherwise directed by the Chief of Police.

C. Accountability

1. Departmental directives will be issued to all affected officers by their Division Commander or squad/unit supervisor.

2. Each employee is responsible for keeping his/her manual(s) up-to-date by purging and/or adding, as soon as possible after receipt, those revisions, deletions and/or additions to the proper divisions of their issued departmental manual(s).

3. Each employee shall acknowledge receipt of each permanently issued directive by signing a receipt in the presence of the employee's Division Commander or squad/unit commander or supervisor.

4. Once a Division Commander or squad/unit supervisor has issued any permanent directive to all personnel under his supervision and receipt has been acknowledged by all personnel under his supervision, he/she shall forward all completed receipts to the Office of the Chief. Receipts shall be maintained on file for a period of one year from the effective date in the

departmental personnel file and will be subject to inspection as part of any Staff Inspection.

D. Review, Revision and Purging

Written directives are subject to review and revision in order to provide members of the department continuous and current direction. Any member discovering material that is no longer current or valid is encouraged to report such information and make recommendations for changes or additions. The process for review, revision, purging and updating directives will be as follows:

1. General Orders, policies and other applicable directives that are not self-canceling will be reviewed within one year of issuance, unless circumstances dictate that an earlier review is necessary.

2. The department command staff will conduct such reviews, at the direction of the Chief of Police.

3. Whenever revisions or modifications to an existing directive are approved, appropriate pages will be issued to personnel via their Division Commander or squad/unit commander or supervisor for individual placement in the appropriate department manual(s). Pages no longer needed are to be discarded.

4. Upon review, an existing directive will be rescinded, amended or re-issued. When amended or re-issued, a revised effective date will be assigned to the directive. Major revisions will be noted in **bold** print.

IV. DEPARTMENTAL MEMORANDA

A. The departmental memoranda serve a variety of purposes.

1. **Administrative Memoranda** are written directives that may affect departmental procedure. Administrative Memoranda may be issued by the Office of the Police Chief and the Division Commanders only. All written directives issued by memoranda shall contain the identity of the issuing authority, and shall be consecutively numbered by the author for each order given by that authority in a calendar year.

a. All Administrative Memoranda shall be transmitted by printed photocopy and E-Mail to all affected personnel, to include:

1) Office of the Police Chief
2) City Attorney
3) Division Commanders

4) Any additional distribution as determined by the issuing authority.

b. A copy of all Administrative Memoranda shall be retained on file by the issuing authority.

2. **Action Memoranda** may be issued internally by any department employee, and should be used when the subject matter contains any operational concern(s) requiring action by, or the attention of, members in the writer's chain of command.

a. Action Memoranda that require the attention of a Division Commander will be routed via each member in the writer's chain of command. Each member of the chain will initial the memorandum and indicate their level of concurrence. Additional comments and recommendations may be added at any level in the chain of command where appropriate.

b. Action Memoranda shall not be retained at any intermediate level longer than required for processing before forwarding to the next level of supervision.

c. Action Memoranda may bypass a member in the chain of command if that member's absence exceeds one day. An information copy will be sent to that member.

d. In most instances, matters addressed via Action Memoranda can and should be handled within the unit or the Division to which the writer is assigned. If any supervisor in the chain of command handles the matter, it shall be so noted.

e. If no action has been taken by the time the memorandum reaches the Division Commander, he shall determine the appropriate person having responsibility and authority to handle the matter, and then forward the matter to that person.

f. If the Division Commander determines that the matter requires administrative action by the Police Chief, he will provide a summary and recommend a course of action.

g. If the writer has not received a response within 14 days, and a response would have been appropriate, the writer may request a response verbally or by a follow-up general memorandum.

3. A **General Memoranda** may be issued by any employee and is to be used when:

a. Addressing or providing information to specific individuals or organizational segments, such as from Division to Division, and;
b. Making clarification(s), or;
c. Requesting or providing information or general instructions from one component level to the next level or from a supervisor to an employee.

Distribution of general memoranda shall be the responsibility of the author, and shall be determined by its nature and content.

4. **Training Bulletins** are general memoranda that may be issued by any Division Commander and/or the department training coordinator, who shall be responsible for coordination, development, and distribution of training materials Training bulletins will be numbered sequentially with the sequence number followed by the year. All Division Commanders will review training bulletins for comments and/or suggestions prior to their issuance.

B. Issuance and Review of Memoranda

1. Any issued memoranda setting or affecting standard operating procedures will contain effective and expiration dates.

2. It shall be the responsibility of the author to review such memoranda upon the expiration date to establish whether the order/directive should be renewed or included in any General Order or Standard Operating Procedure.

3. Every procedure contained in any memorandum will be cancelled at the time of required review if not renewed. It shall be the responsibility of the issuing authority to renew and re-issue the memoranda and have it distributed at the time of review. All previous copies of memoranda dated prior to the review will be considered canceled.

V. GENERAL ORDER FORMAT

A. General Orders shall be printed and generally prepared using a standard form according to the following format:

1. Each general order shall be designated a title name, which will indicate the subject of the procedure, and a sequentially ordered number for the purpose of its placement in the operations manual. The title and number shall be indicated on the first page of each General Order, and in a “header” on the second and subsequent pages.

2. Each general order shall contain a revision or effective date on the first page. Second and subsequent pages shall contain these dates in a "footer" along with the words "Creedmoor Police Department" centered in the footer.

3. Any general policy statements issued by the Chief of Police concerning the subject matter of the General Order will be annotated within the format of the general order.

4. Whenever a General Order is issued to replace or rescind an existing General Order or other directive, all known directives or General Orders so affected shall be indicated in the newly issued General Order.

5. Procedures or rules applicable to any General Order will be delineated in outline form within the text of the General Order.

B. The Chief of Police with the assistance of the Division Commanders assign control numbers, print and distribute General and Special Orders upon issuance or revision. Copies of all revisions or deletions to General Orders will be distributed to the Police Chief, City Attorney and City Manager.

IV. SPECIAL ORDER FORMAT

A. Special Orders shall be issued by the Chief and reviewed and approved of the City Manager’s Office. The Special Order is to be prepared in memorandum format on Department Letterhead and signed by the Chief or his/her designee.

B. The first Special Order published each year shall be designated as No. 1 in the "SUBJECT:" Division of the memorandum and all succeeding Special Orders for that year shall be numbered consecutively.

(EXAMPLE)

TO: All Members

FROM: Chief

SUBJECT: Special Order No. 1-2015

C. Special Orders shall include, but not be limited to, the clarification or implementation of administrative or enforcement policies and procedures not covered in and/or correcting existing General Orders.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.04

SUBJECT: Planning, Research and Departmental Goals and Objectives

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Planning; Research; Goals and Objectives; Strategic Plan

DISTRIBUTION: All Personnel

Purpose: The purpose of this directive is to provide for the establishment of short and long term strategic and programmatic plans, assign responsibilities for the development and maintenance of the plans, and to establish a method for evaluating the effectiveness & results of plan activities.

Commentary: Complex demands for services and streamlined public resources require that the department carefully develops a long-term strategic plan, and research operational alternatives necessary to accomplish its established mission, goals and objectives. Long term goals and operational objectives are essential to the effective management of the Department and its resources.

The duties of the Creedmoor Police Department are established by City Code, as authorized by the General Statues of North Carolina. These broad statements must be further defined in a Strategic Plan, a system of programmatic plans which establishes short and long-term goals and objectives for the department, the attainment of which can be readily measured and identified. Short-term goals and objectives, once established, should be revised and updated annually. Input must be sought from all employees as a means of improving the relevancy and coverage of goals and objectives statements.

Programmatic Plans specify a course of desired short-term actions to be undertaken by several people over a relatively long, but not substantial, period of time. When successfully accomplished, programmatic plans bring about measurable progress towards fulfillment of the Department's fundamental functions and purpose.

A Strategic Plan is a multi-year master plan encompassing all departmental programs and functions, designed to accomplish large-scale improvement in the whole organization over a substantial period of time. Long-term plans become obsolete if by design they do not provide for frequent review, revision and updating. The department's needs, as well as the community's service needs, are likely to change over the period encompassed by a long-term plan. Long-term plans should contain projections of how the department proposes to respond to those changes and alternatives for each proposed response. An effective Strategic Plan is dependent upon accurate knowledge of current operating conditions and reasonable forecasts of these conditions in the future.

Policy: It is the policy of the Creedmoor Police Department to develop, formulate, annually review, update (if necessary) and distribute to all personnel written long and short-term goals and objectives for the department, and for each major organizational component within the agency, and measure progress made toward their attainment.

Definitions:

A. Planning is the process of designing a desired future or condition. Effective planning is based upon accurate and timely information about current conditions, and realistic predictions or projections of future trends and needs, gathered through research.

B. Research is a systematic gathering of knowledge and information.

C. Goals are stated in broad, almost immeasurable terms, and are based on the duties assigned to the department by City Code and Statute. Since the goals are largely set in place by an external political process, goals will tend to remain the same year after year. Goals are long term guides that provide solid direction, guidance and stability for planning and a framework for future performance.

D. Departmental objectives are specific, measurable, obtainable statements of actions to be accomplished. One or more departmental objectives, if satisfactorily attained during a year, should effectively contribute toward attainment of a departmental goal.

E. Action steps are specific, measurable, obtainable statements of actions to be accomplished in relation to objectives, and if attained during the year contributes to completing satisfactorily the established objective.

F. Evaluation criteria are the things which can be worked at, counted, measured, and accomplished, etc., which prove the degree to which the action step is accomplished during the period.

Procedure:

I. Responsibilities

A. Development and Maintenance of Strategic Plan

1. The Command Staff shall collectively be responsible for developing, implementing, publishing and maintaining a five-year Strategic Plan for the Creedmoor Police Department under the direction of the Chief of Police. The plan will include, at a minimum, the following:

a. Articulated long-term departmental goals and operational objectives for the period

b. Training & professional development needs

c. Anticipated workload and service-area population trends for the period

d. Anticipated personnel levels for the period

e. Anticipated capital improvements and other equipment needs

2. Research & Data Analysis

Command Staff shall be responsible for annually researching and analyzing data relevant to the development and maintenance of the Strategic Plan. Topic-specific responsibilities shall be performed as assigned by the Chief of Police. Research necessary to facilitate the development and maintenance of the plan may be accomplished through various means, such as observation, inspection, audits, experimentation, review of available research, and forecasting.

3. Access to Files & Data

The Patrol Services Commander or his/her designee, shall have the authority to request assistance from any Division, squad/unit or member for the purposes of compiling data needed for further analysis, and shall have access to all departmental files as deemed necessary for research purposes in the development of the Department's Strategic Plan. In addition, others responsible for planning and research, as designated by the Chief of Police, shall have direct access to all departmental files as deemed necessary for research to aid in data collection, analysis of data, and the preparation of programmatic recommendations, and shall have direct accessibility to the Chief of Police.

4. The strategic plan shall be published within three years of the effective date of this General Order and reviewed annually thereafter. Revisions to the plan may be made as determined to be necessary.

B. Annual Program Plans, Goals and Objectives

1. In 1st quarter of each year, Division Commanders, as well as any Squad/Unit commanders or supervisors designated by the Chief of Police, will submit suggested goals and objectives for the upcoming fiscal year. The proposed goals and objectives will be circulated for comment. All employees will be asked to provide input, suggestions for change, additions, etc. Commanders will share employee comments at staff meetings.

2. Prior to the close of the 2nd quarter of each year, the Department's goals and objectives for the year will be published. Commanders of Divisions and squad/unit commanders or supervisors will, in turn, prepare a list of action steps, soliciting employee input in the process. Action steps will be submitted to the Chief of Police by July 30th. Submissions will relate to specific department objectives and will include evaluation criteria.

3. In July, the Chief of Police will compile, publish and distribute the annual departmental goals, objectives and action steps for each component for the coming year.

4. On a periodic basis, commanders will evaluate action steps and their progress toward attainment of each objective. Review and revisions will occur as needed.

II. Planning Process:

A. Needs Assessment

The Police Department's basic organization purpose and values are produced from various sources, including the Citizens of Creedmoor, the City Board of Commissioners, statewide and national law enforcement professionals, advisory groups and planning agencies, and from the personal values and beliefs of the men and women who perform the work of the Department. In preparing Strategic and Programmatic Plans, Command Staff members should intermittently identify, through research, what actions or conditions are necessary or desirable to regulate the current and future operating conditions of the Department and its components and programs with its established mission and values.

B. Goals and operational objectives

Command Staff members shall adopt goals and operational objectives for the plan that will best bridge any gaps identified between desired and current operating conditions. Long-term goals and operational objectives should be attainable within a three to five-year time period, and should challenge the Department without making success impossible. Short term goals and objectives should be those that can be realistically attainable within a year's time.

C. Alternatives for Reaching Objectives

Command Staff members will explore all possible alternatives to identify the most effective, successful methods of meeting goals and objectives. Chosen methods should be results-oriented. "Best practices" may be found by determining what has worked before, what other Departments have done, and what the planners imagine will work. If, upon review, a new alternative is identified, the plan should be updated and the new alternative/activity implemented.

D. Cost-Benefit Assessment

When preparing and reviewing a plan, Command staff members should explore and analyze the costs involved in all alternatives, including consideration for such things as the number of people needed to carry out the plan's activities, salaries, and other related expenses, such as the costs of obtaining and operating needed equipment and the number of hours they are likely to spend performing the activity.

E. Implementation/Methodology

Chosen methods and planned activities for meeting goals and operational objectives should be based upon a high degree of probability that the efforts will be successful within the established time period, without adversely affecting other operations of the Department.

F. Evaluation

Each plan should identify methods to be used to evaluate and report its successes and to assess whether the actions taken contribute as much benefit as was predicted. Each evaluation will provide a framework for further planning and goal setting.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.05

SUBJECT: Mutual Aid Agreements with Other Law Enforcement Agencies

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

Rescinds: **APPROVED:**

K. E. King
Chief of Police

INDEX AS:
Mutual Aid Agreements; Task Forces

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to establish procedures relative to entering into mutual aid assistance agreements with other municipal and county law enforcement agencies, in accord with North Carolina law.

Any mutual aid assistance agreement involving the Creedmoor Police Department must include, at a minimum, the following details:

1. The legal status of agencies and agency personnel responding to mutual aid requests;

2. Procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;

3. Procedures for requesting mutual aid:

4. Identity of those persons authorized to request mutual aid:

5. Identity of persons to whom outside personnel are to report:

6. Procedures for maintaining radio communication with outside personnel and

7. Expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources.

I. Procedure

A. General Requests

1. Specific written requests and grants of aid are statutorily required in each instance where aid is given or received.

2. The department may only request assistance from, or provide assistance to, those law enforcement agencies that have mutual aid contract authority.

3. The Chief of Police, or his designee, shall review, authorize or deny requests for mutual-aid assistance.

4. The on-duty supervisor shall authorize emergency responses and grants of aid to requesting agencies prior to any response or delivery of any aid, but the On-Call Commander must confirm authorization of the emergency response as soon as contact can be affected. In no event shall this authority be delegated to personnel below the rank of Lieutenant.

5. Emergency requests and grants of aid should be confirmed in writing within twenty-four hours.

B. Task Forces

1. At the direction of the Chief of Police, or his designee, Investigative Task Forces may be established when there is a proven operational need. The purpose of a Task Force, as identified in its planning and implementation, should specify what Department resources should be provided to Task Force activities. Additional resources may be provided with Staff or Command-level approval.

2. The Chief of Police will establish accountability for the Department's participants in Task Force activities, and shall designate a member to evaluate the results of those activities. The designee shall periodically report the results of Task Force Activities and make recommendations to the Chief of Police on the need to continue/discontinue operations.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.06

SUBJECT: Personnel Allocation and Distribution

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Personnel Allocation & Distribution;
Workload Assessment

DISTRIBUTION: All Personnel

Policy: The Creedmoor Police Department will distribute personnel in a manner consistent with the resources available and the needs of the community.

I. Personnel Allocation

A. Position Management

The department maintains a position management/organizational chart that lists the total number and type of each position authorized by the City Board of Commissioners, the assignment designation of each authorized position in the organizational structure, and the position status information, whether filled or vacant, for each authorized position in the agency.

B. Workload Assessment

Command staff members will conduct documented workload assessments every three years. Results of these assessments will be evaluated for budgeting considerations and personnel staffing recommendations. Consideration will be given to the following:

1. Outstanding programs and projects

2. Job analysis

3. Personnel strength authorized by the City

4. Number of incidents/tasks handled by hour and day of the week

5. Average time required to handle incidents/tasks

6. Time lost through days off, holidays, and other leave compared to the total time for each assignment

C. Patrol Personnel Allocation

1. The allocation of personnel to the Patrol Division will be based on a workload assessment that includes the following:

   a. Number of incidents handled by patrol personnel during a specified period

   b. Average time required to handle an incident at the patrol section level

   c. Calculation of the average percentage of time that should be available to the patrol officer for handling incidents during scheduled shifts

   d. Time lost through days off, holidays, and all other leave compared to the total time required for each patrol assignment

2. Assignment Availability Factor

   The Patrol Division Commander will use available department records to calculate an annual assignment and availability factor for department personnel, by Patrol Section. The assignment and availability factor is a ratio representing the total person-days available (the number of personnel divided by 365 days) compared with the actual persons/day available for assignment (potential person-days minus time lost due to days off, leave, holidays, training, etc.)

3. Computer Aided Dispatch

   The department uses a records management system that may be used for decision-making regarding allocation and distribution of patrol personnel. The system provides a means for tracking dispatches and subsequent data on the basis of time spent per call, time of day, day of week, and reporting area.

II. Distribution of Personnel

A. Personnel allocated to each organizational component will be distributed in a manner consistent with workload demands and/or assessments. These distributions will take into account the time and location factors necessary to complete specific tasks and will encourage the equalization of individual workloads.

B. Patrol Personnel Distribution

Patrol personnel should be distributed in accordance with transitory time factors and the geographic distribution of incidents, to equalize individual workloads. Information such as hour of the day, day of the week, and reporting area may be compiled from monthly statistical reports generated by the Records Section

1. Reporting Areas

Reporting areas are based on a grid system using natural geographical lines, population density, numbers of calls for service, and incident reports. This grid may be used for the purpose of distributing patrol personnel. A computer-generated report may be compiled tabulating incidents by reporting areas.

2. In order to equalize the workload, the boundaries of each patrol sector are based on a grouping of reporting areas.

3. The number of patrol districts/beats on each patrol section is the same. These areas are set according to the City's geographic layout. One patrol unit is assigned to cover the workload in each area. During absences, patrol areas with common borders are consolidated and patrolled by one patrol unit, or may be staffed with additional patrol personnel as available.

III. Reassessment of Personnel Allocation and Distribution

A. As a part of annual budget development, each Division Commander will:

1. Reassess the allocation of personnel to their section, using information provided by the Telecommunications/Records Section

2. Reassess the distribution of personnel in accordance with current workload demands

3. Analyze time, location, demands for service, and shift hours to determine if revisions are necessary

4. Review all sworn and civilian positions to determine which, if any, sworn positions should be reclassified as civilian.

The Chief of Police will be forward this information and recommendations to the City of Creedmoor City Manager and Human Resources Department for consideration and adjustments in personnel strength, as necessary.

IV. Military Deployment

A. The Creedmoor Police Department recognizes and supports members of the armed forces reserve components. Activation of reservists and members of the National Guard present unique circumstances that are best addressed through active communication between the effected employee and the agency. For this reason the employee and supervisors shall follow the guidelines listed below.

1. When an employee learns of a military activation they should notify the Chief of Police as soon as practicable. The Chief of Police will then assist the employee in contacting the City of Creedmoor Human Resources Officer.

2. The employee's issued equipment will be turned in to their division commander upon completion of their last duty day with the agency. The equipment will be stored in the equipment room and will be re-issued upon the employees return.

3. The Chief of Police, employee, and the employee's division commander will meet five days prior to the employee's last duty day. That meeting will be for the purpose of ensuring that the employee has no questions and that a means of communication during deployment is established. This communication will normally take place through email and should occur every other month if the employee's duty assignment will allow.

4. The Chief of Police, employee, and the employee's division commander will meet when the employee returns to full duty. During that meeting arrangements will be made to re-issue equipment, obtain any missed/required training and address any concerns or questions the employee might have.

5. Upon the employees return from active duty he/she will ride with another officer or field training officer for a period of time. This time will be used to acquaint the returning employee with any changes that may have occurred during their absence. This period of reintegration will normally be brief and will end at the recommendation of the employee assigned to this task.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.07

SUBJECT: Police Reserves and Auxiliary

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Reserve Officers; Auxiliary Personnel;
Part-time Officers; Reserves;

DISTRIBUTION: All Personnel

Purpose: The purpose of this standard procedure is to establish a Police Reserve Officers program and a Police Auxiliary Program.

Policy: The policy of the Department shall be to recruit, select, and utilize members of the community to serve as Police Reserve Officers and Police Auxiliaries in order to augment full-time personnel.

Reserve officers perform many of the same duties consistent with applicable law as full time officers. To accomplish these tasks they require law enforcement powers comparable to those of full time sworn personnel. Reserve officers must have training and qualifications equivalent to that required of full time sworn personnel.

Auxiliaries are civilians affiliated with the Department in a part-time, non-sworn capacity, without compensation, because of an interest in contributing to the Department's role in the community. Auxiliaries are not commissioned as law enforcement officers.

Definitions: The term Police Reserve refers to a part-time, sworn law enforcement officer, who possesses the same law enforcement powers and performs generally the same duties as full-time officers (reserves may be volunteers and may serve without compensation).

The term Auxiliary refers to a citizen affiliated with the Department in a part-time, non-sworn capacity, because of an interest in contributing to the Department's role in the community. Auxiliary positions within the Creedmoor Police Department also include any civilian volunteers.

Rules:

1) Reserve Officers will be commissioned as sworn officers only after completion of the Basic Law Enforcement Training Course.

2) Applicants for the Police Reserve Program will be reviewed and selected based upon the same criteria and processes to which full-time officer candidates are held. Non-probationary officers of the Creedmoor Police Department who have completed the established Field Training Program will be exempt from this review when a transfer from full-time status to part-time reserve status is approved.

3) Reserve Officers will be required to complete all mandatory training required by the North Carolina Training & Standards Commission to include Basic Law Enforcement Training and selected additional training as directed by the Chief of Police.

4) Reserve Officers will be tested for firearms proficiency with the same frequency, and will be held to the same standards, as are full-time officers.

5) All Police Reserves are subject to and are to abide by all standards, policies, rules and regulations that apply to full-time police personnel.

6) Police Reserves must remain physically and psychologically able to perform all required duties. Police Reserves will be subject to the same physical fitness tests, random drug testing and psychological evaluations, if any, as for full-time personnel. Submission to these tests is a condition of continued service

7) Reserves are only authorized to carry concealed firearms when off-duty when approved by the Chief of Police. The Chief's approval must be in writing and should specify the specific weapon to be concealed. Reserves, when not on-duty or working under direction of the department, hold sworn police authority, but must also meet the requirements of NCGS 14-415.10, ET, seq., in regard to carrying a concealed weapon. Police Reserves will have arrest authority **ONLY** when engaged in official police duties specifically assigned or approved by the Department.

8) Police Reserves will normally be assigned to patrol or enforcement activities, and generally will be accompanied and supervised by a full-time officer. The Chief of Police may assign a Police Reserve to specialized duties based on a specific departmental need, in recognition of the reserve officer's special skills or abilities.

The Division Commander may approve a Police Reserve for solo patrol work, in recognition of the reserve officer's special skills or abilities.

9) Police Reserves are prohibited from off-duty police status employment, unless granted a specific exception by the Chief of Police.

10) Police Reserves will report to court as directed by subpoena or by verbal request from the District Attorney's office. Court attendance is a condition of continued service.

11) Auxiliaries may be assigned to perform functions in areas of non-enforcement duties.

Procedures:

I. Organization and Administration

A. Reserve

1. The Police Reserve is an integral component of the Patrol Division. Reserve Officers, in all matters pertaining to their activities as police personnel, are subject to the direction and orders of supervisors and commanders of the Department.

2. Reserve personnel will be subject to disciplinary action that could include oral counseling, written counseling, suspension, or removal from the Auxiliary for violations of department directives, state law, or City ordinances.

3. Organized training sessions are to be scheduled and appropriate records kept by the Patrol Division Commander.

4. When arriving for duty, Reserves are to report to the on-duty Patrol Squad Commander for assignment. The Squad Commander will be responsible for completing required documentation regarding the assignment, hours, etc. Such information is to be forwarded to the Patrol Division Commander.

5. Documentation including the officer's name, duty or training assignment, date and hours worked shall be forwarded to the Patrol Division Commander no later than the next duty day.

B. Auxiliary

1. Auxiliary personnel have no law enforcement authority or authority over other members of the Department.

2. Auxiliary personnel may wear a designated uniform that is clearly distinguished from that of uniform of sworn officers.

3. The involvement of auxiliary personnel in a police situation will be initiated by the officer-in-charge or by Command Staff personnel who deem such assistance beneficial.

4. Although not directly involved in the Departmental chain-of-command, Auxiliary personnel will report to the Patrol Division Commander for organizational purposes.

5. Auxiliary personnel will not be assigned to duties requiring sworn status.

6. Auxiliary personnel will be subject to disciplinary action that could include oral counseling, written counseling, suspension, or removal from the Auxiliary for violations of department directives, state law, or City ordinances.

II. Training

A. Reserve Officers are required, just as full-time officers to successfully complete the minimum hours of in-service training prescribed by the N.C. Criminal Justice Education Training and Standards Division.

B. Additional training for Reserve Officers will be established and administered by the Patrol Division Commander, and will follow all applicable procedures of the Departmental Field Training and Evaluation Program. Non-probationary officers of the Creedmoor Police Department who have completed the established Field Training Program will be exempt when transferring from full-time status to part-time reserve status. All other Reserve applicants will complete the departmental Field Training Program prior to being assigned to solo duties. Reserve officers will receive the same training required of full-time police officers.

C. Division Commanders and Squad Commanders, in conjunction with the Field Training Officer and the Patrol Division Commander, will be responsible for the coordination and documentation of such training, ensuring that all program requirements are met prior to the Reserve being released from the Field Training program.

D. In no instance is a Reserve to be assigned to an activity for which he or she has not been trained or does not have the capacity to satisfactorily control.

E. Auxiliary personnel will receive job task training prior to assignment to duties.

F. Auxiliary personnel may patrol with officers to learn the duties and responsibilities of police personnel.

III. Uniforms and Equipment:

A. Reserve Officers will wear uniforms the same as that of full-time officers performing like functions. Reserves may be issued special insignia, patches or badges.

B. Reserve Officers will be equipped as are full-time officers performing like functions. Equipment not personally issued to Reserves (e.g. radio, body cameras, etc.) will be made available to Reserves while performing police duties.

C. Police Reserves are expected to maintain all issued uniforms and equipment, including any personally provided service weapon, in a state of operational readiness, and to develop and maintain proficiency with all issued and approved, personally provided equipment.

D. No member of the Reserve will hold a rank or wear insignia indicative of rank corresponding with that of supervisory or command officers of the full-time staff.

E. Police Auxiliaries will not wear a uniform which in any way resembles that of full-time officers.

IV. Performance Evaluations for Reserves / Auxiliaries

Performance appraisals shall be completed on all Reserve Officers and Police Auxiliaries in accord with departmental policy on personnel evaluations.

V. Minimum Service Hour Requirement

In order to maintain employment status with the City of Creedmoor, reserve and auxiliary employees must work at least 24 hours each year in addition to any mandated training hours. For Reserve Officers, the 24-hour requirement includes working at least one special event (parade, street festival, etc.) per year.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.08

SUBJECT: On-Call Commander

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
On-Call Commander

DISTRIBUTION: All Personnel

Purpose: This General Order establishes the duties and responsibilities of the On-Call Commander.

Policy: The On-Call Commander is designated to assume command of the department in absence of the Chief of Police and other senior departmental executive officers, and to provide guidance to the on-duty Shift Supervisor. The On-Call Commander provides limited supervision on a daily basis after normal duty hours, and ensures that the Department's policies, procedures, rules and regulations are carried out.

Definitions: The On-Call Commander refers to the on-call Division Commander (Lieutenant) designated by the Chief of Police.

The term Shift Supervisor refers to the supervisor (Sergeant) assigned the responsibility of supervising a shift or squad of officers.

Procedure/Rule:

I. Organization:

A. The On-Call Commander is attached organizationally under the direct command of the Chief of Police, who shall designate officers on a rotating basis of the rank of Lieutenant.

B. The On-Call Commander functions after normal business hours, on weekends and holidays.

II. Duties and Responsibilities:

A. The On-Call Commander shall respond to the scene of major events and if appropriate, assume command. If the Chief of Police arrives on the scene, the On-Call Commander shall, if requested, relinquish command. The On-Call Commander, during his assigned tour of duty, is responsible for the direction and coordination of departmental personnel. The On-Call Commander will be responsible for the following during his tour of duty:

1. Responds to major events and, if appropriate, assumes command of the situation.

2. Ascertains that policies, procedures, rules, and regulations are properly carried out by all employees during his tour of duty.

3. Ensures that complaints made against police personnel are properly recorded and investigated.

4. Ensures that a thorough investigation is initiated whenever an officer discharges a firearm, either accidentally or in the performance of his duties.

5. Provides feedback to the Command Staff regarding operations of the department.

B. The Division Commander/Supervisor on-duty will be responsible for notifying the On-Call Commander of serious incidents including:

1. Deaths of a violent or suspicious, unexplained nature.

2. Rapes and serious sexual assaults, where the victim has been physically injured.

3. Critical injury assaults, where the suspect is not in custody.

4. Fatal traffic accidents.

5. Accidents and/or injuries involving Creedmoor Police Department personnel or equipment.

6. Hostage/Barricade situations.

7. An incident that precipitates the off-duty call out of a Detective or Forensics Specialist.

8. Any other incident identified in the remaining Divisions of this order.

C. The On-Call Commander shall be notified of the following incidents at a reasonable and appropriate time:

1. Incidents involving the discharge of a firearm by Creedmoor police officers, except for authorized range practice.

2. Robberies of commercial institutions.

3. Burglaries when the loss is in excess of $2,000.

4. Fires when serious injuries are sustained, extensive damage results, or substantial interference with normal traffic occurs.

D. After becoming knowledgeable of any of the following incidents, the On-Call Commander will be responsible for notifying the Chief of Police. The On-Call Commander will make notification as soon as possible.

1. A homicide or critical injury assault where death is imminent, and the suspect is unknown.

2. Any incident where an officer shoots an individual(s) or whenever an officer is shot or injured by any weapon, on or off duty.

3. Any incident involving serious injury to any employee of the Police Department.

4. Whenever any member of the Police Department is implicated in a criminal or serious traffic offense.

5. Hostage or barricade situations.

6. Incidents of elderly or mentally deficient persons who are incapable of making their own way and children under seven years of age who are missing over three hours (or less when foul play is suspected).

7. Aircraft accidents.

8. Any demonstration held on City property or directed at a City official.

9. Any incident involving individuals of interest, by virtue of their position in society, including persons with high government standing.

10. Any incident with racial overtones which has the potential of becoming a controversy for the Police Department or another agency of government.

11. Bomb threats and/or plants where actual or suspected devices have been found or detonated, or where threats have caused an evacuation from a building.

12. Events involving extensive property damage or serious injury occurring within City, County or State facilities or property.

13. Disorders involving large groups of people requiring police intervention, and/or when tear gas is used to disperse a large group.

14. Emergencies (verified) where evacuation occurs, or there is a potential for evacuation, including train derailments, tractor-trailer accidents, gas lines, etc.

15. Major fires in progress.

E. When any incident identified occurs outside of normal business hours, the On-Call Commander, or his designee, will be responsible for gathering the facts and writing a press release statement for review and approval by the Chief of Police. The news release will be distributed to staff members by e-mail.

Departmental employees will respond to media requests for information by reading the statement issued by the Chief of Police or On-Call Division Commander.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 1.09

SUBJECT: Fiscal Management of the Department's Budget Appropriations

EFFECTIVE DATE: 12/15/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Fiscal Management; Requisition Procedure; Budget Requests; Requests for Check; Purchase Order; Fund Transfer

DISTRIBUTION: All Personnel

Purpose: To establish an operational financial management system for the Police Department.

Policy: The Creedmoor Police Department will conduct all fiscal matters within the requirements of established State and Federal laws, City procedures and this directive. All purchases and requests affecting budget appropriations shall be subject to final approval of the Chief of Police.

Procedure:

I. Monitoring Responsibilities

A. Each Division Commander will carefully monitor all expenditure requests, and compare requests and expenditures to budgeted appropriations to ensure adequate funds are available. Requests will be forwarded to the City Finance Department.

B. The Chief of Police may delegate approval for certain specified expenditures to Division Commanders according to their function and responsibility.

II. Requisition Procedure

A. Any Division Commander may initiate a request for expenditure via the City of Creedmoor's budget keeping software.

B. The use of the record keeping software allows for several persons in the approval process to review the requestors submission. Each person in the process must approve the request before a purchase order is issued.

C. All requests shall be directed to the Finance Department for processing. Upon comparison of the requested expenditure to appropriated funds, the Finance Department shall use the request and any attached documentation for preparation of a requisition. All completed requisitions shall be directed to the police Chief for review and action.

D. Division Commanders shall route all requests for expenditures using forfeiture funds, state drug tax funds, grant funds, or any requests for purchases that do not otherwise conform to City purchasing procedures to the Police Chief for review. The Police Chief will direct the Finance Department to prepare a requisition for any such requests that are approved.

E. In those cases when emergencies exist requiring expedited purchases, the Division Commander, Detective, or Squad Commander, may use their City of Creedmoor credit card. Purchases made with the credit card should only be made after proper authorization from a Division Commander or the Chief of Police. The receipt for the item purchased must be forwarded to the Division Commander as soon as possible. Failure to retain a receipt for purchases may result in the purchasing party being responsible for the cost of the purchase.

F. In the event that any request or requisition is not approved, the request and/or requisition will be returned via the budget software to the person who initiated the request.

III. Request for Check

A. Any Division or Squad Commander may request a needed expenditure or purchase for which they require a check, through the use of a hard copy requisition. The initiating person shall make a copy for his records or ensure the electronic copy exists, and forward the request and any attachments, through the chain of command, to the Finance Department.

B. Each person in the approval process who approves the requested expenditure of funds shall initial or otherwise mark their approval/disapproval.

C. All requested purchases requiring a Request for Check shall be processed through the Finance Department. Upon comparison of a request to appropriated funds by the Finance Department, the City's Request for Check form shall be forwarded to the Chief of Police for his approval.

D. Division Commanders shall forward any requests for proposed expenditures or purchases using forfeiture funds, state drug tax funds, grant funds, or any other requests submitted that do not conform to City purchasing procedures, directly to the Police Chief for approval or action. A request for a check may be completed in such cases only at the direction of the Chief of Police.

E. In those cases when money is requested for travel, the requesting employee shall forward a request to the Finance Department via hardcopy or electronic means. Upon comparison of the request to appropriated funds by the Finance Department, a check will be issued.

F. Within 5 days of completion of any travel, the involved employee(s) must complete and submit an expense report and all required receipts to their Division Commander who in turn will forward the report to the Finance Department for approval.

G. Upon verification of the expenditures, the Finance Department shall verify the expenditure and ensure compliance with travel policies.

H. In the event that any expense report/request for reimbursement is not approved, it will be returned via the chain of command to the employee who initiated it.

IV. Purchase Orders

When items are received that were ordered via a requisition and Purchase Order, the person requesting the item(s) shall forward to the Finance Department all receipts and invoices that came with the order for appropriate processing.

V. Budget Requests

A. Annually, the City Manager and Finance Director notify City Department Heads of the start of the budget request process. This notification includes a schedule for submission of required documents to complete Department budget request packages.

B. Primary responsibility for completion of the Police Department Budget Request shall be that of the Chief of Police using those requests forwarded by Division Commanders for components under their command. The Police Chief will make final approval of the Police Department's budget proposal and is responsible for the management of the budget within the department.

C. The Chief of Police will be notified of and attend any budget planning meetings for City department heads. The Finance Director will present appropriate forms and manuals, and the deadlines for submission of budget requests.

D. The Chief of Police will review and submit appropriate forms and documentation in support of requests for additions in personnel allocations; overtime; operational accounts; training; travel; memberships; lease-purchase items, computer equipment, and non-capital equipment requests; repairs or other services from Public Works; and capital outlay items. The submitted budget proposal shall incorporate materials and requests for funds to support fulfillment of Department goals and objectives.

E. The Chief of Police will submit the Police Department Budget proposal in the approved manner with completed forms as required.

VI. Supplemental or Emergency Appropriation and Fund Transfers

A. Occasionally a need to purchase an item or service not planned for during the preparation of a new fiscal year budget will arise. This will require a need for requesting supplemental or emergency appropriation or fund transfers. In order for this to occur, the requesting Division Commander will contact the Chief of Police stating the request and need to appropriate funds.

The Chief of Police will then review the request. Upon approval, the Chief of Police may make the request to the City Finance Department for approval. Upon approval of the City Manager, the Finance Department will make the necessary transfers. Once funds have been transferred, the appropriate procedure will be followed. In the event that a request is denied, the Chief of Police will notify the requesting Division Commander.

VIII. Auditing and Responsibility for Cash Funds or Accounts

A. All cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash, must be documented on a balance sheet, ledger, or other system that identifies initial balance, credits (cash income received), debits (cash disbursed), and the balance on hand. Receipts or other documentation must be used for cash received, and disbursements may be authorized by the person in charge of those accounts. Confidential investigative funds are the responsibility of the Investigative Division Commander and other cash funds are the responsibility of the City's Finance Director.

B. All cash funds or accounts where agency personnel are permitted to receive, maintain, or disburse cash are to be audited quarterly.

1. Confidential Funds are to be audited by the Chief of Police.
2. Petty Cash funds are to be audited by the City's Finance Director.
3. All service fees are received by City Hall staff.

(Documented audits shall be forwarded promptly to the Chief of Police for information review and oversight.)

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.01

SUBJECT: Personnel Selection

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Personnel Selection

DISTRIBUTION: All Personnel

Purpose: To establish policy and procedures for the selection of personnel that will ensure provision of equitable opportunities for employment to all persons, and equitable conditions of employment to all employees, regardless of ethnic origin, gender, religion, age, or disability.

Policy: The Creedmoor Police Department will provide equal opportunities for employment for all persons on the basis of individual merit. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, color, religion, sex, national origin, political affiliation, non-disqualifying disability, or age.

I. Program Administration

A. The Chief of Police, in cooperation with the City's Human Resources Department, will administer the selection process for employing persons in sworn and non-sworn positions within the Department. Selection procedures and criteria will be subject to the review, advice, and consent of the Human Resources Director in conjunction with the North Carolina Criminal Justice Education and Training Standards Commission.

B. Before any commitment is made to an applicant either internal or external, the Department Head shall make recommendations to the Human Resources Officer including the position to be filled, the salary to be paid, and the reasons for selecting the candidate over other candidates.

C. The Human Resources Officer and Department Head shall recommend approval of appointments and the starting salary for all applicants to the City Manager. The City Manager shall approve appointments and the starting salary for all applicants.

D. Components & Procedures

Components and procedures of the selection process may include, but are not limited to the following:

1. Human Resources Department pre-screening
2. Minimum legal requirements for employment
3. Adult basic education testing (at discretion of the Chief of Police)
4. Physical fitness evaluation (Optional for sworn positions)
5. Oral interview panel
6. Background investigation
7. Polygraph or other instrument for the detection of deception (at discretion of the Chief of Police)
8. Conditional offer
9. Psychological testing (as required by NCAC and at discretion of the Chief of Police)
10. Drug screen and physical examination

II. Requirements

A. The selection process will use only those components that have been documented as having validity, utility, and minimum adverse impact. The Administrative Services Division will monitor the selection process to ensure that the following requirements are met:

1. Professional and legally accepted data collection techniques are used to identify job tasks;
2. Measurable candidate characteristics related to predicting job performance are identified;
3. Selection components with job-related measures are used; and

4. Conclusions and inferences regarding candidates are logical and persuasive.

B. Uniformity

The Department will exercise measures to minimize the possibility of adverse impact in the selection process.

1. Written tests, when used as part of the selection process, will be documented as having validity, utility, and minimum adverse impact.

2. All elements of the selection process that are administered or provided by private sector organizations or vendors will meet the requirements of validity, utility, and minimum adverse impact.

3. All elements of the selection process will be administered, scored, evaluated, and interpreted in a uniform manner.

C. Confidentiality

Materials used in the selection process will be maintained in a secure area when not being used. They will be retained in accordance with North Carolina Statewide retention schedules. Selection materials will be disposed of by shredding to prevent disclosure of information contained therein.

D. Evaluation

The Administrative Services Division Commander will ensure that the selection process is reviewed annually, and will provide the Chief of Police with a written report indicating the results of the evaluation and any recommendations for changes in the selection process.

E. Notification

1. Upon formal application, candidates will be informed in writing of all elements of the selection process. Candidates will also be given written notice of the expected duration of the selection process, and of the reapplication policy.

2. Candidates not selected for employment may re-apply. Such candidates may be re-tested or re-evaluated in elements of the process for which they received less than satisfactory scores.

3. Candidates not selected, but receiving satisfactory scores in all elements, will be placed in a candidate pool and reconsidered for appointment as vacancies arise.

4. The records of candidates not appointed will be maintained on file for a minimum of two years beyond determination. All federal, state, and documentation guidelines will be met.

5. Candidates deemed ineligible for appointment will be informed in writing within 30 days of such a decision. Candidates not appointed to a position on the basis of any single element will be informed in writing of the specific reason within 30 days.

III. Candidate Screening Procedures

A. Oral Interview Panel

1. Candidates will undergo an oral interview prior to being appointed to probationary status. When conducted through the use of a panel, those involved in the process will be representative of the make of the Department. All elements of the oral interview will be standardized. Uniform questions, a defined set of personal attributes, and a uniform rating scale will be used.

2. Oral interview results will be recorded on the proper form, with each member of the panel individually completing the form for each candidate. The panel also will prepare an appraisal form that reflects a group consensus.

3. All panel members shall receive interview overview training prior to sitting for interview.

B. Background Investigation

1. Background investigations will be conducted on candidates prior to their any conditional offer for employment. Background investigations will be conducted in accordance with North Carolina Criminal Justice Education and Training Standards Commission requirements and will include the verification of a candidate’s qualifying credentials, as well as:

a. A review of the candidate’s criminal history, if any

b. Verification of at least three of the candidate’s personal references

2. Personnel conducting background investigations will receive training in the collection and maintenance of required information.

3. A record of each selected candidate's background investigation is maintained on file according to the City of Creedmoor and state records retention schedules.

C. If polygraphs or other deception detection devices are utilized, testing may only be performed by persons certified to conduct such operations and candidates will receive a list of areas from which the questions will be drawn prior to examination. If deception detection devices are used, they will not be used as the single determining factor when employment is considered.

D. Medical Examination and Drug Screening

1. Prior to appointment and following a pre-employment offer, candidates for sworn law enforcement positions will be given a medical examination by a licensed physician certifying their general health. All Department applicants will undergo a drug screen using valid, useful, and nondiscriminatory procedures.

2. The results of these tests will be maintained on file in a secure area to ensure that proper procedures were followed and to provide date for continuing research and legal defense, if needed.

E. Psychological Testing

1. Psychological testing designed to evaluate emotional and psychological stability will be administered to candidates prior to their appointment to probationary status. Only valid, useful, and nondiscriminatory procedures will be used, and the Department will use only licensed professionals to administer psychological testing.

2. The results of psychological testing will be maintained on file in a secure area to ensure that proper procedures were followed and to provide data for continuing research and legal defense, if needed.

E. Introductory Probationary Periods

1. Candidates selected for employment will serve an introductory probationary period of six months for non-sworn positions and twelve months for sworn positions as City employees before being considered for regular employment status.

2. . Extensions to required periods of introductory probationary status may be granted in order to provide employees with additional or remedial training. Exceptions also may be approved for candidates assigned to

duties that prevent entry-level training from being completed prior to the end of required probationary periods.

3. Newly appointed employees of the Department will be evaluated throughout their introductory probationary period. Individuals receiving unfavorable performance evaluations during the introductory probationary period may contest the evaluation by appealing to the immediate supervisor of the rater. If the result of such appeal is unsatisfactory, the contesting employee may appeal the evaluation through the chain of command to the Chief of Police.

IV. Lateral Entry Candidates

A. Selection criteria for lateral entry will be identical to that for candidates without law enforcement experience. However, additional consideration will be given to candidates with experience, particularly for sworn positions. When equally qualified personnel are available both within and outside the Department for a particular position, selection decisions will favor Department employees.

B. Lateral entry is permitted for all positions within the Department. Selection criteria for lateral entry positions is the same as for any other applicant with the following additional considerations:

1. Nature and degree of experience as it relates to the position being sought; and

2. Amount and nature of job-related education and training.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.02

SUBJECT: Recruitment

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Recruiting Activities; Recruitment; Equal Employment Opportunity, Employment Applications

DISTRIBUTION: All Personnel

Purpose: To establish a Recruitment program for the Creedmoor Police Department and provide direction and guidelines for personnel involved in recruitment activities.

Policy: The Creedmoor Police Department will engage in recruiting activities on a continual basis, with the goal of attracting quality employees. The Department will ensure equal employment opportunity for all persons on the basis of individual merit.

Procedure:

I. Program Administration

A. While the City's human Resource Officer is primarily responsible for personnel recruiting, the Chief along with the assistance of Division Commanders will assist the recruitment of employees for sworn and non-sworn positions within the Police Department.

B. Potential candidates for sworn and non-sworn positions will be notified promptly when actual or forecasted vacancies exist.

II. Job Task Analysis

A. At least once every three years, the Department will conduct a systematic re-examination of the functions and objectives of each job position. This analysis will be based upon duty assignments and responsibilities as they relate to the skills, knowledge and abilities required to perform tasks established for those positions, within prescribed job classes.

B. This analysis will be conducted and accomplished through a joint effort between the Department and the Human Resources Director. However, the Chief of Police may request that a position be studied whenever changes to that position warrant an earlier analysis.

C. The objectives of conducting the job task analysis include, but are not limited to:

1. Determination of position classification in the City's Pay and Classification Plan.

2. Establishment of minimum qualification requirements for recruitment, examination, selection, appointment, and promotion.

3. Establishment or revision of training curricula.

4. Providing guidance to Department personnel and their supervisors concerning the duties and responsibilities of individual positions.

D. The job task analysis will include an examination of:

1. Frequency with which each identified task is performed.

2. Minimum level of proficiency recommended as necessary in the skills, knowledge and abilities that are identified as job-related.

III. Recruitment Familiarity Training

The City's Human Resource Officer with the assistance of the Chief will ensure that personnel assigned to recruitment activities are knowledgeable regarding:

A. Equal Employment Opportunity.

B. The Department's recruitment needs and commitments.

C. Career Opportunities, salaries, benefits, and training provided by the Department.

D. Federal and State Compliance Guidelines.

E. The demographics of the community and availability of educational and community organizations which may be appropriate for recruitment efforts.

F. Record keeping systems (Content Central) for candidate tracking

G. The Selection process and procedures used by the Department and the City.

H. The recruiting programs of competing law enforcement agencies.

I. Characteristics that are disqualifying factors for candidates.

J. Medical requirements for candidates.

IV. Equal Employment Opportunity

A. The Department will provide equitable opportunities for employment and conditions of employment to all employees regardless of race, ethnic origin, gender, religion, age, or disability.

B. All public information related to the Department's recruiting efforts will

1. Affirm the Department's commitment to equal employment opportunity; and

2. Depict women and minorities in law enforcement employment roles whenever the use of graphic art is possible.

V. Recruitment Plan

The Chief of Police along with the assistance of the Division Commanders will ensure that the Department maintains a Recruitment Plan that includes recruiting objectives.

VI. Liaisons

A. The Chief and Division Commanders will insure that liaison is maintained on recruiting matters with the Human Resources Department for the City of Creedmoor, and will ensure that the Department actively performs or participates in the implementation of recruiting strategies as fully as possible.

B. Maintenance of this liaison will include, but is not limited to:

1. Seeking advice, assistance, and referrals from community organizations and key leaders, or posting job announcements with community service organizations.

2. Conveying current or anticipated job postings via a network of contacts in the law enforcement / criminal justice community.
3. Sending personnel to educational institutions and community organizations to recruit throughout the region.

VII. Recruitment Evaluation

In January of each year, Division Commanders will submit to the Chief of Police an evaluation of the Department's recruitment activities during the previous fiscal year. The evaluation report will contain summary information, including the following:

A. Measurement of recruitment activities against previously stated quantitative objectives.

B. An analysis of the effectiveness of recruitment activities.

C. Recommendations for improvement.

VIII. Job Announcements

Job announcements will be released by the Human Resources Department through electronic, print, or other media.

A. Job announcements will contain the following information:

1. Description of the duties of the position;
2. Description of the responsibilities of the position;
3. Requisite skills and educational level required by the position;
4. Physical requirements for the position; and
5. Filing deadline (if applicable).

IX. Application Processing

Receipt of applications will be acknowledged in writing. Applicants will be periodically informed of the status of their application from initial receipt through final disposition.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.03

SUBJECT: Training

EFFECTIVE DATE: 12/01/2015 **REVISION #/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Training; Remedial Training;

DISTRIBUTION: All Personnel

Purpose: To develop and maintain a comprehensive training program by providing instruction at the agency level in those subjects pertinent to established methods, techniques and procedures.

Provide remedial training where applicable.

Schedule agency personnel to attend advance training sessions, lectures and seminars conducted at other institutions.

Policy: The Creedmoor Police Department will provide a comprehensive training program in order to meet the needs of the agency and its employees.

Procedure:

I. Program Organization

The Chief shall designate a Patrol Division Supervisor to manage the Department's training program. Specific goals of the program include the following:

A. To provide training to all Department employees regardless of race, color, religion, gender, national origin, age, or disability.

B. To provide Department employees with training designed to meet their needs in performing assigned tasks to fulfill the Department's goals and objectives.

C. To plan and develop courses related to the needs of the Department using a variety of training resources and to select qualified instructors.

D. To periodically review and evaluate the training available to personnel and to make recommendations for improvement.

II. Training Committee

The Training Committee will be comprised of Command Staff, and will meet at least quarterly to evaluate the training needs and career ladder requirements of the Department. Committee members will change as does the command staff or as the Chief deems appropriate. The committee will report to the Administrative Services Division Commander or his designee who will serve as the chairperson for the committee.

Action items for committee meetings will include:

A. Discussion, development, and evaluation of the Department's in-service training program; and

B. Discussion and evaluation of training available through the Community College System, the North Carolina Justice Academy, and other sources.

The Administrative Services Division Commander or designee will create and maintain a master training list of courses for use in conjunction with the Department's career ladder, and make recommendations for additions or deletions of classes based upon availability.

III. Administration of Training

The Administrative Services Division Commander or designee is responsible for the following activities related to departmental training:

A. Distributing notices listing available and required training to all personnel;

B. Maintaining training records including the date and type of training, number of hours, test scores (if applicable), and certificate received. Training records will be treated the same as personnel records, with only those persons authorized by law having access;

C. Ensuring that personnel assigned to job-related training receive appropriate reimbursement for fees, tuition, books, materials, and any special equipment or clothing required.

IV. Responsibilities of Employee Trainees

A. Enrollment in and attendance at a Department-approved training course is considered to be a duty assignment. Employees scheduled for training will be required to attend and follow applicable policies and procedures. The course instructor will document attendance. Training time lost due to approved or unapproved absences may be made up with the instructor's approval.

B. Employees who satisfactorily complete training will be recognized with a certificate or other documentation. Employees who fail to satisfactorily complete a training course will be required to provide an explanation and may be required to participate in remedial training and/or be subject to disciplinary action.

V. Instructor Selection

A. Instructors selected to provide training for the Department must meet the following minimum qualifications:

1. Two years of experience in general law enforcement *or* two years of experience in a specific area of knowledge or skill directly related to the topic of instruction; and

2. A working knowledge of teaching methods, practices, and the effective use of teaching aids.

B. Employees serving as instructors in Department training programs must first complete an Instructor Training course approved by the North Carolina Criminal Justice Education and Training Standards Commission. Excluded from this requirement are persons acting as assistant instructors under the direct supervision of a certified instructor.

C. The Administrative Services Division Commander or designee will coordinate the selection of instructors from outside the agency. Supervision of outside instructors will be the responsibility of the Administrative Services Division Commander or designee, and officials from the instructor's agency. Compensation for outside instructors will be determined on an individual basis as necessary.

VI. Development of Lesson Plans

A. Each training course conducted by the Department or its instructors must have an accompanying lesson plan. A copy of all lesson plans proposed for use in training must be submitted to the Administrative Services Division Commander for approval. Lesson plans from other agencies or training academies may be used. Approved lesson plans will be maintained in a permanent file.

B. The Administrative Services Division Commander or designee will review each lesson plan submitted for approval to ensure that it:

1. Is developed in accordance with the guidelines and format set forth in the approved Instructor Training course;

2. Contains a statement of performance and job-related objectives;

3. Discusses the content of the training to be presented and specifies the instructional techniques to be employed; and

4. Identifies the testing procedure, if any, used during the course.

VII. Testing

A. All tests or examinations administered during a training course must be competency-based. Tests must include a method for objectively evaluating each student to determine his/her level of knowledge and ability to use job-related skills.

B. Testing on all Department training courses of 40 hours or more will be performed unless it is deemed unnecessary by the Chief of Police. Testing may be performed on Department training programs of less than 40 hours at the instructor's discretion or as requested by command staff.

C. Unless specifically stated otherwise, the minimum passing score on any written examination will be 70%. Testing may be in the form of a written and/or oral examination, individual or group performance of specific skills or actions, or a practical application of skills in a controlled environment.

VIII. Department Training Facilities

The Police Department or Fire Department may be used for classes. Items to be available for use in training include a flip charts and/or whiteboard, TV/DVD, slide projector, other audio visual equipment and overhead projector. If additional space is required for training, the instructor may choose to use another location.

IX. Types of Training

A. Basic Law Enforcement Training

All sworn employees will satisfactorily complete a Basic Law Enforcement Training course prior to being sworn into office, before being allowed to carry a weapon, and prior to being empowered to make arrests. The training academy will provide an orientation handbook for basic trainees at the beginning of the training program. This handbook will include:

1. The organization of the academy;

2. Academy rules and regulations;

3. Academy rating, testing, and evaluation systems;

4. Physical fitness and proficiency skills requirements;

5. Daily training schedules.

B. The Basic Law Enforcement Training course will use a curriculum based on the most frequently assigned tasks of officers who complete basic training. The course will also use evaluation techniques designed to measure competence in the required skills, knowledge, and abilities.

C. The Patrol Division Commander or designee will monitor the progress of personnel attending Basic Law Enforcement Training. Specific responsibilities of this function will include visiting the academy periodically, consulting with the academy director to view test scores and to discuss any problems or concerns regarding the employee's progress, ensuring that trainees have access to all necessary equipment and supplies, and completing required evaluations.

D. Personnel attending Basic Law Enforcement Training will participate in an abbreviated orientation program offered by the City Human Resources Department and the Police Department. This orientation will cover benefits sign-up and will include information on agency policies, procedures, rules and regulations that are applicable while attending Basic Law Enforcement Training. After graduation from Basic Law Enforcement Training, employees will complete the remainder of the orientation program and will then participate in the Department's Field Training Program where in-depth instruction is provided on Department policies and procedures.

E. In-Service training

All sworn employees will complete an annual program of in-service training to include firearms qualification, review of use of force policies, and legal updates. In-service training may include any of the following additional topics:

1. Departmental policy, procedures, rules, and regulations, with emphasis on changes;

2. Statutory or case law affecting law enforcement operations;

3. Functions of agencies within the criminal justice system;

4. Exercise of discretion;

5. Interrogation and interviewing techniques;
6. Emergency medical services;

7. Performance appraisal system;

8. Hazardous materials incidents;

9. Report writing and records system procedures;

10. Agency policy on the use of force.

F. Specialized Training

1. Positions within the Department that require either pre-assignment or post-assignment specialized training include but are not limited to:

   a. Criminal Investigator- Basic Criminal Investigations, Basic Interview and Interrogation, Police Law Institute

   b. Vice/Drug Enforcement Unit officer- Police Law Institute, Basic Narcotics Investigation

   c. Juvenile Investigator- Police Law Institute, Basic Criminal Investigation

   d. Firearms Instructor (General Instructor Certification, Firearms Instructor Certification)

   e. School Resource Officer

   f. Canine handler- Canine Handler Basic School

   g. ASP Baton Instructor- General Instructor Certification, Specialized Instructor Certification

   h. Radar Operator (NC Criminal Justice Standards Certification) requires recertification.

i. DCI Operator (NC SBI Certification) requires recertification

2. The purpose of specialized training is to develop and/or enhance the skills, knowledge, and abilities particular to the specialization. Specialized training courses will be supplemented by supervised on-the-job training and by familiarization of the employee with the management, administration, supervision, personnel policies, and support services of the specialized function or component.

3. When feasible, specialized training will be initiated within 30 days of an employee's assumption of additional duties or assignment to a specialized position. Otherwise the employees will be assigned to a course at the earliest possible date.

G. Advanced Training

1. Advanced Training will be provided through institutions such as the FBI National Academy, North Carolina State University's Administrative Officer's Management Program (AOMP), the University of North Carolina's School of Government, and other available programs. Officers and employees who have demonstrated leadership abilities may be assigned to attend advanced training to improve their professional competence.

2. Selection criteria for advanced training include the present rank of the employee, length of service with the Department, performance record, and recommendations from supervisory or command personnel.

3. Employees who attend advanced training will remain assigned to the position held prior to such training. Attendance at advanced training does not confer upon the employee any greater expectation for promotion or reassignment.

4. Employees who attend advanced training should confer with the Training Coordinator to determine the amount of training credit received for advanced training courses of study.

H. City Mandated Training

1. Content Central quarterly training

2. Other training as mandated

I. Training for Non-sworn employees

1. The Administrative Services Division Commander or designee will ensure that all newly appointed civilian employees receive the following training during the orientation period:

    a. Department's role, purpose, goals, policies and procedures;

    b. Working conditions and regulations; and

    c. Responsibilities, benefits and rights of employees.

2. The training will be accomplished through a combination of orientation programs provided by the City's Human Resources Department and the Police Department.

3. In addition to orientation, certain civilian positions require technical training prior to an employee assuming the full duties of an assignment.

J. Training for Newly Promoted Personnel

The Department will ensure that newly promoted employees receive the following training in management and leadership skills in addition to on-the-job training:

1. Communications skills and tasks;

2. Interpersonal skills;

3. Planning;

4. Decision Making;

5. Effective delegation of work;

6. Effective management of personnel;

7. Problem prevention, identification, and solutions.

K. Performance Improvement/Remedial Training

1. Improvement/Remedial training is intended to correct serious deficiencies in job skills, knowledge, and abilities. The following steps will be followed to initiate remedial training:

    a. Once it becomes apparent or a supervisor determines that an employee is not meeting job standards and expectations, the supervisor will discuss the problem(s) with the employee. The

supervisor will indicate the most critical knowledge or skill areas in need of improvement.

b. The supervisor will provide the employee with written notice of the deficient performance and indicate agreed-upon steps to correct the deficiency.

c. The remedial training plan will be implemented as soon as possible pending availability of an appropriate course of study and a qualified instructor, when necessary.

d. If an employee's performance deficiencies could expose the Department to unnecessary liability, the employee may be reassigned to alternative duties or assignments until the improvement/remedial training has been successfully completed.

e. The employee's supervisor will review the employee's progress and evaluate the success of the remedial training.

2. Improvement/Remedial Training may be offered to employees in lieu of more serious disciplinary action. Failure to successfully complete remedial training may result in disciplinary action.

L. Training through Other Agencies and Institutions

1. Department employees may participate in training courses offered by other agencies and institutions, such as the community college system, the North Carolina Justice Academy, and other law enforcement training agencies. Application for training by other agencies and institutions is made by individual employees using the departmental Training Request form (CPD 16). The form will be submitted through the chain of command to the Administrative Services Division, with each supervisor indicating approval or denial by signature.

2. The Administrative Services Division Commander or designee will handle requests for training through other agencies and institutions, enroll personnel in department-approved training, and notify employees and their supervisors of the status of training requests.

3. The Department will ensure that training provided conforms to the requirements set forth by the North Carolina Criminal Justice Education and Training Standards Commission.

4. A command level department representative designated by the Chief of Police will maintain liaison with the Criminal Justice Education and Training Standards Commission. Through correspondence and/or

attendance at criminal justice advisory committee meetings and Commission hearings pertaining to training needs and requirements, this representative will be responsible for remaining current with training requirements established by the Commission.

5. The Department may elect or be requested to provide staff, instructors, facilities and/or other resources for a training course or academy.

6. The Department will provide employees attending a Department-approved training course with any required materials not furnished by the school. These materials may include, but will not be limited to, student notebooks, reference books, clothing, equipment, and/or vehicles.

M. Update Training

1. Update training is intended to keep employees informed regarding recent developments in a variety of subjects and to provide personnel with information and instruction that is not readily available through other means. Update training may be conducted during team briefings, and should be scheduled and conducted in order that all employees receive the training.

2. Update training may consist of the following:

a. Review of Department policies, procedures, and other directives

b. Review of training bulletins

c. Viewing of instructional audio-visual material

d. Review of major incidents

e. Any other area of instruction deemed appropriate by the instructor or command level staff.

3. Update training may be conducted by Section or Unit Commanders or their designees, or a department instructor. After each update session, the person delivering the training will submit documentation of the training to the Administrative Services Division Commander for inclusion in individual training files.

X. Training Calendar

The agency Training Coordinator will provide department employees with an agency training calendar as soon as topics and dates are decided upon.. The agency Training

Coordinator will routinely post printed copies of regional training being offered in areas accessible to all personnel.

Internet access is also available for current training calendars for area community colleges and the North Carolina Justice Academy.

XI. Training Requests

A. Sworn personnel should submit training requests in accordance with career development plan requirements and the needs of the Department. Priority for Department-approved training will be given to requests in the following order:

1. Core training requirements

2. Elective training requirements

3. Specialized training due to transfer, new position assignment or professional development and departmental benefit.

4. Other training.

B. Employees will submit training requests to their immediate supervisor for approval. For sworn employees, supervisors may deny training requests based upon an inspection of the employee's training file to determine career development requirements. Once a training request has been signed and approved by the sworn employee's Squad Supervisor or Squad Commander, it is implied that the employee is scheduled accordingly on the Commander's duty roster and schedule.

C. Sworn employees in need of specialized training due to a transfer or new position assignment will be sent to the first available training for their new duties. This training will not impact the employee's career development requirements but may add to his/her elective training accomplishments.

D. Deadlines for Training Requests

1. Requests for traditional courses offered through community colleges or the North Carolina Justice Academy should be submitted at least three weeks prior to the beginning of the next quarter or semester. Adherence to this deadline will allow the Department to reserve multiple spaces in requested classes instead of reserving one at a time as the requests are received.

2. Requests for specialized training should be submitted through the chain of command as early as possible, along with supplemental information such as brochures or course descriptions.

XII. Travel for Out-of-City Training

A. Use of Vehicles

1. All expenses related to the operation of Department or City-owned vehicles for official business will be paid for by the Department.

2. Employees are encouraged to use Department vehicles for transportation to out-of-City training. Liability in the case of a motor vehicle crash is clearly defined when a Department-owned vehicle is operated for Department business.

3. Employees may drive personally-owned vehicles to out-of-City training when a Department vehicle is not available. The employee's auto insurance will carry primary responsibility when a personally-owned vehicle is operated for Department business. The employee will be reimbursed for driving expenses based upon the current per-mile rate authorized by the City of Creedmoor.

4. While not recommended or encouraged by the Department, an employee may decline the use of an available department or City-owned vehicle for travel out-of-City and instead drive a personally-owned vehicle. In such cases the employee will be reimbursed only for gasoline for one round-trip of travel.

B. Meal Expenses

1. Refer to the City of Creedmoor's Travel PolicyThe Department provides meal money.

2. Employees staying overnight at the North Carolina Justice Academy will be compensated at the daily meal rate established by the on-campus cafeteria. Employees attending overnight training at any other location will be compensated at the Department's currently approved allowance rate.

C. Lodging Expenses

Refer to the City of Creedmoor's Travel Policy

D. Accounting Requirements

Employees are required to complete a travel voucher upon return from designated out-of-City trips. Employees will retain expenditure receipts. Travel vouchers must be promptly completed upon return from an out-of-City trip and forwarded

to the Finance Department for review along with all applicable receipts and documentation.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.04

SUBJECT: Career Development

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Career Development

DISTRIBUTION: All Sworn Personnel

Purpose: To establish and implement a training and advancement system for the development of career Police Officers, and to detail the requirements for advancement to each classification within the system. The career development plan should serve to provide the department with a pool from which to select suitable candidates for promotional opportunities as well as being a resource to ensure career satisfaction among departmental employees.

Policy: The Creedmoor Police Department will provide career advancement opportunities for sworn officers who demonstrate an acceptable level of competence in the skills and abilities necessary for increasingly advanced police assignments and those who have enhanced their personal knowledge of procedures and techniques necessary for effective police work. The department's career development plan recognizes that employees may have varying interests within law enforcement and the plan is therefore based on an individual's mastery of skills, ability to mentor others, displayed willingness and ability to progress within the rank structure, as well as minimum coursework. The creation of a career development plan for an individual employee will be a collaborative effort between subordinate and supervisor and will be designed to assist the employee in reaching their individual goals while ensuring that the department achieves its goals and objectives. The plan must then be approved by the appropriate Division Commander.

Employees will be encouraged to create a career development plan with their supervisor after being employed for at least one year. Plans will have schedules no shorter than two years and no longer than five years. In order to have a career development plan approved, an employee must have met or exceeded expectations on their most recent evaluation.

Career development plans shall be designed and approved based on the following progressive hierarchy over a series of plan implementations

- Level 1 – Mastery of operational tasks and techniques
- Level 2 – Development and proficient display of cross training, coworker training or mentoring, and proficiency and leadership.
- Level 3 - Advancement of administrative, supervisory, managerial, and organizational technique.

Employees may take advantage of various certifications that are offered through community colleges and the North Carolina Justice Academy. For instance, an officer who has an interest in traffic enforcement could develop a plan that includes the Traffic Enforcement Specialist Certification, an investigator could seek certification in the Criminal Investigator Certificate Program, or a Special Response Team Member could seek completion of the Law Enforcement Tactical Specialist Program.

Lieutenants may decide to incorporate the Law Enforcement Management Institute into their plan and a captain may seek enrollment in AOMP or the FBI National Academy.

Classifications: The Career Development Program for Police Officers shall include Police Officers and Detectives. The portion of the Career Development Plan relevant to Police Supervisors / Commanders will include Police Sergeant, Police Lieutenant, and Police Captain.

Procedure:

I. Method of Advancement:

A. The rank of Police Officer shall have established minimum requirements to be met by personnel before consideration for promotion. Personnel should be able to demonstrate an “on the job”, “real world” mastery of their current job classification prior to being considered for promotion. Upon fulfilling the requirements necessary for advancement to the next higher classification, each officer will be eligible for promotion consideration. Mandatory in-service training will not be considered when reviewing required coursework.

B. After consideration of the officer's qualifications, the Chief of Police may promote the officer to the next level in classification. Such promotion would entitle an officer to wear the appropriate insignia on the uniform and to receive the appropriate salary increase as set forth by the City Board of Commissioners.

C. Supervisory and Command ranks have certain established minimum requirements that must be met before personnel may be considered eligible for promotion. Upon fulfilling the requirements set forth, the officer seeking promotion to a supervisory or command position may be required to participate in an assessment center process. Candidates participating in this assessment will be ranked according to their performance. The Chief

of Police will make promotion selections based on a candidate's score, performance record, training accomplishments, and other criteria.

II. Implementation

A. When personnel take advantage of the opportunity to create a career development plan they will work in conjunction with their supervisor/supervisors to establish what their short and long term goals are, and what they need to accomplish in order to reach those goals. Training is an essential part of development as a law enforcement officer and training will be identified to assist in meeting the desires of the employee and the goals of the agency. More importantly; an individual's mastery of skills pertaining to their job and their ability to be an example and resource for others will be the primary determining factor in an officer's suitability for increased responsibility.

B. For training to be credited toward advancement, it must be properly documented and included in the training files maintained by the employee's personnel file with Human Resources. An employee's attendance at training is not in itself sufficient to prove suitability for advancement. The employee must show that they can use the training in practical application.

III. Minimum Requirements – General

A. Police Officer (Level 1)

1. The Police Officer position must meet the minimum qualifications and perform the typical responsibilities as contained in the job classification description.

2. Career Development Core Training Requirements

a. Officer survival I

b. Standardized Field Sobriety Training

c. Radar

d. Intoxilyzer/ECIR II

3. Each career development plan will include all core training plus additional training, experience, or coursework as necessary to match the employee's goals with the goals of the department.

B. Detective (Level 1)

1. The detective position must meet the minimum qualifications and perform the typical responsibilities as contained in the job classification description.

2. Career Development Core Training Requirements

   a. Basic crime scene investigation

   b. Basic interview and interrogation

   c. Police Law Institute

   d. Advanced evidence collection training

3. Each career development plan will include all core training plus additional training, experience, or coursework as necessary to match the employee's goals with the goals of the department.

IV. Career Advancement System - Police Supervisors/Commanders (Level 2)

The Career Development Plan provides career enhancement for sworn officers who demonstrate and acceptable level of competence and the skills and abilities necessary to perform advanced police assignments and first line and executive supervision.

Supervisory assignments require both a working knowledge of police duties and techniques for training, motivating, guiding, assisting, and evaluating others in the actual performance of their duties. This program provides an equitable system for promoting supervisory potential, and enables officers interested in moving into supervisory positions to demonstrate the qualities and abilities necessary for assumption of such responsibilities.

A. Police Sergeant (Level 2)

1. The sergeant position must meet the minimum qualifications and perform the typical responsibilities as contained in the job classification description.

2. Career Development Core Training Requirements.

   a. First line supervision training

   b. Field Training Officer Certification

   c. Police law institute

   d. Intermediate Law Enforcement Certification

3. Each career development plan will include all core training plus additional training, experience, or coursework as necessary to match the employee's goals with the goals of the department.

B. Police Lieutenant (Combination of Level 2 and 3)

1. The lieutenant position must meet the minimum qualifications and perform the typical responsibilities as contained in the job classification description.

2. Career Development Core Training Requirements

   a. Mid-Level Management Training

   b. Dealing with the Problem Employee

   c. Advanced Law Enforcement Certificate

   d. Crisis Management Training

   e. Associates Degree or at 75% of coursework completed towards and associate degree and actively enrolled in a college or university in pursuit of this degree.

   f. Specialized Management Training for area of Assignment

   g. Internal Affairs Investigation

3. Each career development plan will include all core training plus additional training, experience, or coursework as necessary to match the employee's goals with the goals of the department.

C. Command Level Positions (Level 3)

1. The captain position must meet the minimum qualifications and perform the typical responsibilities as contained in the job classification description.

2. Career Development Core Training Requirements

   a. Budgeting

   b. Personnel Law

   c. Narcotics Unit Supervision

d. Public Records Law

e. Civil Liability for Law Enforcement

f. Media Skills Training

g. BA/BS Degree or 60% of coursework completed towards and a bachelor's degree and actively enrolled at a college or university in pursuit of this degree.

3. Each career development plan will include all core training plus additional training, experience, or coursework as necessary to match the employee's goals with the goals of the department.

V. Supervisors shall receive training which will assist in the use of proper counseling techniques to be employed while conducting career development activities.

EDUCATIONAL REQUIREMENTS FOR ADVANCEMENT

Today's police officer is expected to exercise independent judgment, discretion, sociological, and psychological skills, in coping with society's ills. A college education provides officers with a broad base of experience and knowledge in dealing with these issues. Of vital importance to an officers success in dealing with increasing levels of responsibility is a college education. In order to meet the challenges of the future, college education shall be a requirement for advancement in the Creedmoor Police Department. Progressive advancement through the rank structure will require and use the knowledge obtained from a formal education. Each advancement in the rank structure requires increased managerial and administrative skills. In order to provide for an orderly progression, college education requirements have been phased-in according to the following schedule, and candidates must have met these requirements prior to appointment:

January 1, 2017- an Associate's Degree for the level of Lieutenant
January 1, 2017- a Bachelor's Degree for any level above Lieutenant

VI. Civilian employees may not be in positions affording them promotional opportunities. These employees and their supervisors are still encouraged to seek career development opportunities regardless of promotional potential. These activities will enhance their ability to perform their job functions and may help to improve the efficiency and effectiveness of their work product.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.05

SUBJECT: Personnel Evaluations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Evaluations
Personnel Performance

DISTRIBUTION: All Personnel

Purpose: To accomplish the following objectives:

- Allow fair and impartial personnel decisions.
- Maintain and improve performance.
- Identify training needs.
- Provide a medium for personnel counseling.
- Facilitate proper decisions regarding probationary employees.
- Provide an objective and fair means for recognition and measurement of individual performance in accordance with prescribed guidelines.

Policy: The Creedmoor Police Department will make fair and objective evaluations of each person's performance at least annually. The Field Training Officer and Shift Supervisor will evaluate entry level probationary employees (full time and part-time/reserve) at least quarterly. The Department will use these evaluations whenever decisions are to be made concerning retention of probationary employees, merit pay increases, special assignments and promotions. Use of Performance Evaluations in the context of disciplinary, corrective actions, or training shall be consistent with the City of Creedmoor policies governing the evaluation system.

Definitions:

Field Training Probationer - A sworn officer who is undergoing indoctrination training under the department field training program.

Field Training Program - A rating system established for field training officers to evaluate probationary officers undergoing indoctrination training, both numerically and objectively.

Regular Employee - An employee of this department who has successfully completed the following probationary periods:

Sworn Officers – Twelve Months (City probationary period)

Civilian Employees - Six Months

The term Probationary Officer - A sworn officer who has successfully completed the FTO program and has less than twelve months service with the department.

The term rater refers to the immediate supervisor of the rated employee.

Rating period refers to those intervals between performance evaluations for all department employees.

The term reviewer refers to the rater's immediate supervisor, who shall be responsible for ensuring that each evaluation report is complete, fair, objective and free of any bias.

The term unsatisfactory performance refers to work behaviors or competencies that do not meet the standards of the City and the department for the position held.

Procedure:

I. All departmental employees, with exception to those in field training, and probationary reserve officers will have their work performance evaluated in writing at least once annually by their immediate supervisor. New probationary employees will be evaluated quarterly. Evaluation reports will cover only the period being evaluated. Any prior periods of performance will be excluded. Supervisors should have an interim evaluation/counseling session with employees approximately six months into each annual evaluation cycle.

II. Raters will use the most current evaluation guide when conducting personnel evaluations and -regular employees must be under the general supervision of a rater for a period of at least 90 days.

A. Sworn personnel will be evaluated using standards identified in the personnel evaluation guidelines.

III. Each evaluation report of an employee's performance shall be read and explained to the employee by the rater. The employee shall affix his signature to the report and may enter comments in the section provided for that purpose. The employee's signature shall not constitute or imply agreement or disagreement with the report.

A. Each evaluation report will be reviewed and signed by the rater's supervisor prior to review with the employee.

B. The Division Commander and/or the Chief of Police will review contested evaluation reports. The employee and his supervisor will be informed of the review findings in writing upon completion of any review.

C. The original copy of the evaluation report will be sent to the Human Resources Department, and a copy to the employee, once it has been reviewed by the Chief of Police.

IV. Supervisors will counsel employees in each of the following instances.

A. At the beginning (and conclusion) of the rating period, to include:

1. Standards of the position occupied

2. Level of performance expected

3. Evaluation forms and rating criteria

4. Career counseling regarding advancement, specialization, training appropriate for the employee’s position.

B. Regular employees shall be advised in writing, at least 90 days prior to the end of the reporting period, whenever their performance is believe to be below “meets expectations”.

C. Coaching Sessions - Probationary employees shall be apprised of their unsatisfactory job performance as the occasions may arise.

V. In the event that an unsatisfactory report is rendered by a supervisor, the report must be justified in writing. Likewise, when an employee is rated as outstanding, the rater will furnish explanatory comments.

VI. Raters will be evaluated in the same manner as described herein and also on their ability to carry out the rater's role in the performance evaluation system with respect to their participation in counseling and guidance for rated employees, and the fairness and impartiality of ratings given.

VII. Program Review and Record Retention

A. The Chief of Police will review the performance evaluation system at least once annually to identify any inconsistencies such as the following:

1. Extreme ratings and the reasons for them

2. The number of contested ratings and the reasons

B. A copy of the performance evaluation report will be filed in the Department's employee's personnel file for the duration of the employee's employment.

VIII. Utilization of Evaluation Reports: Evaluation reports will be utilized for certain personnel actions. Among these actions are:

A. Reassignment

B. Advancement

C. Career Development

D. Promotion

E. Identification of training needs

F. Effectiveness in the assigned position

G. As otherwise authorized by City of Creedmoor Policy

IX. Evaluator Training

All supervisory personnel receive valid and uniform training in the preparation of performance appraisals. Performance appraisal training is included in the following career development courses:

1. Field Training Officer School

2. First Line Supervision

3. Administrative Officers Management Program

4. Management Development Program

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.06

SUBJECT: Promotion

EFFECTIVE DATE: 12/01/2015 **REVISION #/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Promotion; Assessment Center Process;

DISTRIBUTION: All Personnel

Purpose: To ensure the Department's selection process and policy for promotion satisfies the professional, legal and administrative requirements as it pertains to the validity, utility and minimum adverse impact in the selection process.

Responsibility: The Chief of Police maintains authority and responsibility for the promotion process within the department.

Eligibility: An employee's job-related experience, performance evaluations, training record, disciplinary record, and educational background will determine his eligibility for promotion. No employee who is otherwise eligible shall be excluded from a promotional opportunity when such exclusion is based solely upon race, gender, religion, or ethnic origin.

Procedure:

I. Announcements of pending promotion processes will be posted on the department bulletin boards and will include the following information:

A. Description of position vacancy

B. Date, time and locations of promotion processes

C. Deadline for application

D. Description of eligibility requirements

E. Description of selection process

II. For general promotional purposes, lateral entry from other agencies for supervisory positions will not be commonly practiced. If a lateral entry is considered, prior experience with other law enforcement agencies will be assessed and a lateral-entry candidate's eligibility for hire above the classification of entry level officer will be evaluated by the Chief of Police on a case-by-case basis.

Once initial entry requirements have been met (including probationary period) by internal candidates, prior experience with other law enforcement agencies may be used toward meeting the requirements for a higher level position.

An exception to the initial entry requirements may be considered for key personnel as determined by the Police Chief in conjunction with the City Manager.

III. Applicants for promotion to the rank of Sergeant/Detective or higher will submit their applications to the City of Creedmoor Human Resources Office. The Human Resources Director and Chief of Police will assess the written training record (and other necessary data files) of each potential candidate. Those persons who meet the minimum requirements will be eligible to enter the promotional process.

IV. The immediate supervisor of each candidate for promotion shall submit written indication of his approval or disapproval of a potential promotion decision.

A. This approval/disapproval will be made directly to the Chief of Police.

1. The supervisor's written indication of his approval or disapproval will outline justification for his recommendation concerning the candidate's readiness.

2. All candidates for promotion must have received a rating of "Meets Expectations" on all measured tasks, or higher, on their last annual performance evaluation.

3. Candidates must not have received a disciplinary action that resulted in loss of pay or loss of grade within the eighteen months preceding the application deadline.

V. At the beginning of a promotion process, a written record will be prepared for each candidate. This written record shall be uniform for all candidates and shall document the individual results of each stage of the process.

VI. An announcement of a promotion process for the position of Sergeant or above will describe the elements of the process, to include:

A. The administration of any applicable written tests and assessment processes;

B. An evaluation of the promotional potential of candidates;

C. Oral interviews to be conducted prior to appointment in the position;

VII. Written Examinations, if utilized

A. Each candidate for promotion will receive an updated reading list, a study guide, and/or any other reference materials that may be used as preparation material for any written test or exam questions. These materials shall be a supplement to this set of general orders which may also be incorporated into the written exams.

B. Exam questions will be restricted to the given and/or listed reference materials.

C. Each exam will be uniform for all candidates.

D. If a standardized test (such as those from the IPMA or IACP) is used, the Department will adhere to all aspects of the publisher's security agreement.

VIII. Oral Review Board

A. An oral interview board for all applicants for promotion to the ranks of Police Sergeant and higher ranks shall be included as part of the selection process. Each review board shall be comprised of multiple interviewers.

B. The oral interview shall consist of job-related questions, to be posed to all candidates uniformly.

C. The interviewers shall record the results of each interview in writing. These results, along with a recommendation of approval or disapproval, shall be forwarded to the Administrative Services Division Commander for presentation to the Chief of Police.

IX. Assessment Center Process, if utilized

A. The Assessment Center process is a method of evaluating a promotional candidate based on multiple inputs. The decision to implement an Assessment Center process will be made at the discretion of the Chief of Police.

B. In an Assessment Center process, multiple trained raters will utilize a number of specially designed activities to allow the raters to evaluate each candidate and measure his various dimensions, attributes, characteristics, qualities, skills, abilities, and knowledge relating to acceptable performance in the classification/position being sought. The criteria being measured (e.g. self-confidence, flexibility, leadership, oral communication, etc.) will be based upon the tasks to be performed at the position/classification. All candidates will be provided, in advance, a list of the various dimensions to be measured.

C. Raters may be chosen from within the department or from outside the department at the discretion of the Chief of Police.

D. The multiple dimension activities to be evaluated will include a job-related simulation (e.g. group exercises, interview simulations, in-basket exercises, etc.). The simulation used will be pre-tested prior to implementation into the promotional process to ensure reliability and objectivity.

E. Each rater will document his/her findings and results in writing during each stage of the process. The overall evaluation of candidate behaviors will be made at a later time following completion of the exercises. Also, final results will be based on pooled information from all of the raters. This reduces the impact of a single rater's bias for or against a candidate, and provides for better overall accuracy.

F. Candidates will be provided with the final results of the assessment center process. These results will include the dimensions measured, applicable ratings, and the recommendations from the raters. Upon request, candidates may receive a written report containing the results and the rationale behind the raters' judgments. After candidates have been afforded the opportunity to review their results, the records associated with the promotional process will be forwarded to the Human Resources office for safekeeping.

XI. Review and Appeal of Promotion Selections:

Employees who, upon completion of the promotion process, were not selected for promotion after having established eligibility have recourse in one or more of the following ways:

A. Request a review of the written reports that document their individual results in the various elements of the process

B. Contest the contents of the reports

C. Request a review of any written examinations, subject to any existing security arrangements

Note: If the test contents are being challenged, standardized tests (e.g. IMPA and IACP tests) have their own process for recourse concerning challenges.

D. Submit a request for retest and/or reevaluation.

E. Any employee desiring to exercise any of the aforementioned options must make his/her request in writing to the Administrative Services Division Commander. The employee will be kept informed as to the status of the request and any subsequent reviews.

XII. Employees selected for promotion shall serve a probationary period of six (6) months in their promoted grade.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.07

SUBJECT: Specialized Assignments

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Specialized Assignments
Selection for Assignments

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to define specialized duty assignments, and establish criteria for the selection of personnel for specialized assignments.

Specific problems or conditions, generally of a temporary or even occasional, yet persisting nature, arise from time to time, creating for the Department a need for the allocation of personnel to specialized assignments or units. Such problems and conditions may be of such a nature to require that the department deal with them with a focused approach. Some such problems or conditions can be relieved over a period of time that can be specified because of a known, temporary nature, while others might require a continuing suppression effort.

Policy: It shall be the policy of the Creedmoor Police Department to keep the number of specialized assignments to an absolute minimum, and to establish minimum eligibility requirements and selection procedures for the appointment of personnel to specialized assignments.

Definitions: Specialized Assignments/Units: An assignment (within a given position classification) or unit that can be characterized by a focused responsibility and specialized training, which is formed on a temporary basis as an organizational necessity to deal with a specific problem or condition.

Rotating Assignment: A duty assignment which is characterized by focused responsibility and specialized on-the-job training, which is formed on a temporary basis as an organizational necessity to deal with a specific problem or condition. Assignment of personnel rotates on a regular basis.

Procedure:

I. Specialized and Rotating Assignments

A. The Chief of Police will authorize each specialized or rotating assignment within the department based upon the identified operational needs of the department. Specialized or rotating assignments afford personnel an opportunity for individual growth, acquisition of skills, knowledge and abilities.

B. The Office of the Chief of Police will annually prepare a listing of each specialized assignment authorized for the succeeding year.

C. Division Commanders shall annually review and assess each specialized or rotating assignment under his/her control and responsibility to determine whether or not the assignment or position should continue. The review will include a statement of purpose for each assignment and an evaluation of the initial problem/condition that required implementation of the assignment to determine if the problem or condition still exists, as well as recommendations on whether or not to continue the assignment. The findings of this review will be forwarded to the Chief of Police for final assessment.

II. Vacancies and Eligibility Requirements

A. All positions for specialized assignments will be announced by the Chief of Police. The announcement will include all requirements or criteria for the vacancy.

B. Minimum eligibility Requirements

1. An applicant for specialized or rotating assignments **should have completed two (2) years of law enforcement service unless an exception is granted by the Chief of Police.**

2. An applicant's most recent performance evaluation must be "Meets Expectations".

3. Supervisory personnel in the applicant's chain of command must recommend him for consideration.

III. Selection

Division Commanders with responsibility for specialized or rotating assignments may, at their discretion, incorporate specific selection procedures for interested personnel. These may include the following:

1. Written exams

2. Oral Board Panels
3. Physical Agility Tests
4. Psychological Evaluations and
5. Other criterion as approved by the Chief

After reviewing all relevant material gathered during the application and testing (if any) phase(s), the responsible Division Commander will make recommendations to the Police Chief for selection of personnel to fill vacancies. The final decision for appointment will be made by the Police Chief, or his designee.

IV. Duration of Assignment

The needs of the Department and the discretion of the Police Chief will determine the length of time an employee may serve in specific specialized or rotating assignments.

V. The criteria for the selection of personnel for specialized assignments shall be identified when the position is advertised and issued by the Chief of Police.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.08

SUBJECT: Light Duty

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Light Duty

DISTRIBUTION: All Personnel

Purpose: To establish guidelines and conditions for the reassignment of police personnel who are temporarily unable to perform their regularly assigned duties because of **a service or non-service connected injury**, recuperation from surgery or other health reasons.

Policy: Sworn police duties require that members have the ability to meet certain physical demands. There may be occasions when a member, due to health reasons, is unable to return to or perform his regularly assigned duties. However, they may be capable of performing assignments that would not require the normal physical demands of a sworn officer.

It shall be the policy of the Creedmoor Police Department to consider allowing officers to perform less physically demanding tasks within the police department or for another city department when, for temporary health reasons, they may not be able to perform the duties of a sworn officer. Allowance shall be based on the overall benefit to the department or the City, and the availability of light duty assignments.

Definitions: The term light duty refers to a temporary reassignment of a sworn officer from regular police patrol or investigative duties to duties of a less physically demanding nature. These duties are generally administrative duties and do not require the officer to engage in enforcement actions.

Rules: A member shall immediately provide his immediate supervisor relevant documentation when a medical doctor (MD), or the member's dentist (D.D.O., D.D.M, D.D.S.) informs the member that he or she is unable to perform any essential job function.

Approval and assignment of the light duty work schedule will be at the discretion of the Chief of Police, following consultation with the Human Resources Officer.

The Chief of Police may terminate a temporary light duty assignment at any time.

Any member who is taking a prescription medication that warns of impairment of their physical or mental faculties may not be considered for light duty assignments.

Members approved for light duty are prohibited from operating a police vehicle, while on light duty status. The Chief of Police may grant special exceptions for unmarked cars, or cars clearly indicating that they are "out of service" for enforcement purposes.

Procedures:

I. Eligibility

Members may be eligible for a temporary light duty reassignment following an injury or illness if each of these conditions is met:

A. The member produces medical evidence that he is unable to perform his regularly assigned duties with the doctor's estimation of the time period that such a condition is expected to exist. The doctor must indicate any limitations on physical activity. Physical/medical examinations that are required by the department shall be provided at no cost for regular full time employees.

B. An assignment exists within the police department or City of Creedmoor that the member is capable of performing.

C. The effective and efficient operation of the department will not be adversely affected as a result of this reassignment.

D. Documentation of the need for Light Duty assignment must be certified by a licensed medical doctor.

E. The member's written request must include information concerning the anticipated duration of the limitations.

F. The Chief or Police, or his designee, must give final approval for the light duty request.

II. Management of Light Duty Assignments

A. The member is expected to return to work on a designated date not to exceed sixty (60) days, unless an extension of leave has been requested and approved by the Police Chief and other appropriate city personnel prior to the date of the member's expected return.

B. Appropriate personnel action forms will be completed by police department staff and submitted to the Human Resources Department.

C. Regular updates from a doctor on the member's condition may be required by the Police Chief or his designee during the reassignment period.

D. A doctor must review the employee's job description and complete a Return to Work Authorization form must be on file prior to any member being reassigned to his/her original position or any other regular position.

E. Members shall report to the Chief of Police or the appropriate Division Commander for light duty assignments. Light duty work assignments may include, but are not limited to the following:

1. Administrative Duties

    a. Front Desk/Reception Duties

    b. File and assist with records and reports in the Records Section

    c. Research and develop materials or lesson plans for future classes

    d. Posting of training hours/monthly reports

    e. Preparation of training reports

    f. Assisting in classroom instruction

    g. Cleaning and inspection of firearms

    h. Inventory of property

2. Investigative Duties

    a. Administrative processing of arrestees (w/ another officer present)

    b. Photography and other crime scene work

c. Filing of reports

d. Victim notification

e. Case follow-up (by phone or in the police department)

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.09

SUBJECT: Rules of Conduct

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Department Rules; Rules of Conduct

DISTRIBUTION: All Personnel

Purpose: To officially set forth articulated, general departmental rules regulating the conduct of the members of the Creedmoor Police Department, and to describe the Department's expectations of its members' conduct and behavior, both on and off duty.

Policy: It shall be the policy of the Creedmoor Police Department to require each officer to adhere to the Law Enforcement Officer's Code of Ethics, and to establish rules applicable to all Police Department members that are designed to promote efficiency, discipline, and good public relations. The rules herein are established in addition to the policies of the Police Department, the City of Creedmoor, and State and Federal Laws. Members of the Department confronted with situations that are not covered by these rules and/or other department polices must use discretion and make their decisions based upon training, experience, and the mission and values of the department.

Definitions: Member- any person employed by the Creedmoor Police Department.

Employee- any member of the Creedmoor Police Department, whether a sworn law enforcement officer or non-sworn employee.

Officer- any person appointed, selected as a police officer, police officer-candidate or with any level of sworn law enforcement authority for the City of Creedmoor.

The use of the terms he and his to refer to an employee of the Department shall indicate either a male or female employee.

I. Rules of conduct are as essential to a well-functioning, correctly disciplined organization as proper laws are to society. Police Officers and public employees are granted a public trust, which requires that they consistently demonstrate the highest degree of integrity. The Creedmoor Police Department must maintain high-level personal and official conduct if it is to command the respect and the confidence of the public it serves.

The Law Enforcement Code of Ethics establishes minimum standards of ethical conduct by law enforcement officers. The Department's Mission and Values Statement is also an important code of ethics and standards, upon which we must base our performance, conduct, rules and regulations.

A. Responsibility

Members of the Creedmoor Police Department are individually responsible for familiarity with, and knowledge of, the contents of this General Order.

II. General Rules

A. Department Directives

Members shall not commit any acts or omissions that constitute a violation of any of the rules, regulations, directives or orders of the Department, whether stated in this procedure or elsewhere. Violation of any rule or regulation contained herein, or violation of any other lawful order not addressed in this general order, may subject the employee to disciplinary action.

B. General Conduct

1. Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably upon the Department and upon the Law Enforcement profession. Conduct unbecoming an officer or employee shall include that which brings the Department into disrepute or reflects discredit upon the individual as a member of the department, or that which impairs the operation or efficiency of the Department or officer.

2. Members shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incidents involving moral turpitude which impairs their ability to perform as law enforcement officers, or causes them or the department to be brought into disrepute.

3. Officers shall not allow their personal convictions, prejudices or biases to interfere unreasonably with their official acts or decisions.

C. Conformance to Laws

1. Members shall, whether on or off duty, obey all laws of the United States and of any state or local jurisdiction in which the members are present, except in the performance of duty under proper authority.

2. Members shall notify the Chief of Police of all criminal offenses or infractions for which the officer is charged within twenty-four hours of any such charges. This requirement shall apply for minor offenses or infractions. The notification required shall be in writing, must specify the nature of the offense(s), the jurisdiction and court in which the case is handled, and the date the charge(s) will be heard in court.

3. Any member arrested for the commission of a criminal offense shall, without unnecessary delay, notify the Chief of Police. The notification required shall be accomplished by the most expedient means available to the member, and must be followed in writing. The notification must specify the nature of the offense(s), the jurisdiction and court in which the case is handled, and the date the charge(s) will be heard in court.

4. Any member who is served with civil process shall notify the Chief of Police within twenty-four hours of being served with legal process. The notification required shall be in writing, must specify the nature of the proceedings, the jurisdiction and court in which the case is handled, and the date the matter will be heard in court.

D. Duty Requirements

1. Members shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their duties. Officers shall be properly equipped and dressed, and cognizant of information required for the proper performance of duty, so that they may immediately assume their duties as assigned. Judicial subpoenas shall constitute an order to report for duty under this section.

2. Members shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty.

3. Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

4. Members shall remain awake while on duty. If unable to remain awake, members shall report to their supervisor, who shall determine the proper course of action.

5. Members shall not leave their assigned duty posts during a tour of duty except when authorized by proper authority.

6. Members shall submit all necessary and required reports on time and in accordance with established departmental procedures.

7. Reports submitted by members shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any inaccurate, false, or improper information.

8. Members shall maintain a level of performance and competence that will keep them abreast of current techniques, concepts, laws and requirements of the profession. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the mission, objectives and functions of the Department. Unsatisfactory performance may be demonstrated by but not limited to:

    a. a lack of knowledge of the application of laws required to be enforced, or

    b. an unwillingness or inability to perform assigned tasks; or

    c. the failure to take appropriate actions on the occasion of a crime, disorder or other condition deserving the police department's attention; or

    d. the failure to conform to work standards established for the employee's rank, grade or position; or

    e. being absent without authorized leave

    f. repetitive violations of known work rules

9. Members shall maintain the integrity of the law enforcement profession through disclosure of those who violate any of these rules of conduct, violate any law, or conduct themselves in a manner which tends to discredit the profession.

10. Officers shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals during their tours of duty, but only for such period of time, and at such time and place as established by departmental procedures.

11. Officers shall not engage in any strike. “Strike” shall include:

    a. the concerted failure to report for duty; or

    b. willful absence from one’s position; or

    c. unauthorized holidays; or

    d. sickness unsubstantiated by a physician’s statement; or

    e. the stoppage of work, or the abstinence in whole or in part, from the full, faithful and proper performance of the duties of employment; for the purpose of influencing, inducing or coercing a change in conditions, compensation, rights, privileges, obligation or employment.

E. Off-Duty Employment

1. Officers may engage in off-duty employment subject to the following limitations:

    a. such employment shall not interfere with the officer’s employment with the department, and

    b. officers shall submit a written request for approval of off-duty employment to the Chief of Police, whose approval must be granted prior to the officer engaging in such employment, and

    c. officers shall not engage in any employment or business involving taxi operations, rotation wrecker services, bail bond agencies, or investigative work for insurance agencies, collection agencies or attorneys.

    d. off-duty employment request must be submitted annually (Prior to January 1st of each year).

2. Approval may be denied where it appears that the outside employment might:

    a. render the officer unavailable during an emergency;

    b. physically or mentally exhaust the officer to the point that his performance may be affected

    c. require that any special consideration be given to scheduling of the officer’s regular duty hours; or

d. bring the department into disrepute; or

e. impair the operation or efficiency of the Department or the officer.

f. creates any actual or implied conflict of interest

F. Alcohol

1. Members shall not store or bring into any police department facility or vehicle any alcoholic beverages, except that which is being held as evidence.

2. Members shall not appear for duty or be on duty while under the influence of intoxicants to any degree, or with the odor of intoxicants on their breath, unless unavoidable and under proper authority.

3. Members shall not consume intoxicating beverages while in uniform or while on duty.

4. Members, while off duty, shall refrain from consuming alcohol to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders the members unfit to report for their next regular assignment or tour of duty.

G. Controlled Substances

Members shall not possess or use any controlled substances, narcotics, or hallucinogens except when prescribed by a physician or dentist for members' use for the treatment of an illness or a health condition. When controlled substances, narcotics or hallucinogens are so prescribed, members shall notify their supervisor. Members shall not appear for duty or be on duty while under the influence of controlled substances to any degree.

H. Tobacco

Officers, when in uniform, may use tobacco as long as

1. they do not have to leave their assignment or assigned duty post for the sole purpose of doing so, or

2. engaged in traffic direction and control.

3. they are not engaged in dialogue or conducting duties with any member of the public.

4. they are not in violation of any other City of Creedmoor policy regarding the use of tobacco.

I. Orders

1. Obedience to Orders

a. Officers shall promptly obey any lawful orders given by a superior officer. This shall include orders relayed from a superior officer by an officer of the same or lesser rank.

b. Insubordination under this section shall subject an officer to disciplinary action up to and including termination.

2. Conflicting or Illegal Orders

a. Officers who are given an otherwise lawful and proper order which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the superior officer issuing the questioned order of the existing conflict. If the superior officer issuing the questioned order does not modify or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer.

b. Officers shall not obey any order which they know or should know would require them to commit any acts or omissions which are illegal. If in doubt as to the legality of any order, officers shall respectfully request the issuing officer to clarify the order or to confer with higher authority.

J. Gifts, Gratuities, Bribes or Rewards

No officer, or other department employee, shall solicit or accept from any person, business, or organization any gift, including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment for the benefit of the employee or the Department, if it may reasonably be inferred that the person, business or organization

1. seeks to influence action of an official nature or seeks to affect the performance or omission of an official duty, or

2. has an interest which may be substantially affected directly or indirectly by the performance or omission of an official duty.

This regulation shall not prevent or preclude an officer or employee from accepting a meal or gift of reasonable value from any service club, church, sponsored organization, fraternal organization, etc. when such meal or gift is offered the officer or employee as a guest of the organization, or in reward for extra-duty activities that have been devoted to the interests of the citizens.

K. Use of Official Position or Identification

1. Officers shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their own safety or to the integrity of an ongoing investigation. Identification cards will at a minimum contain the name, employee number and photograph of the member.

2. Members shall not use their official position, identification, identification cards, or badges:

   a. for personal or financial gain

   b. for obtaining privileges not otherwise available to them except in the performance of duty, or

   c. to avoid or attempt to avoid consequences of illegal acts.

3. Members shall not lend their identification cards or badges to another person or permit another person to photograph or duplicate their identification cards or badges without approval of the Chief of Police.

4. When on duty or representing themselves in an official capacity as a Police Department member, members shall furnish their name and identification to any person requesting that information, except when the withholding of that information is necessary for the performance of police duties or is authorized by proper authority.

5. Officers shall not make false accusations of a criminal, traffic, or ordinance violation.

6. Officers who take official action while off duty or out of uniform must properly identify themselves as an officer and display his badge and/or identification.

L. Endorsements and Referrals

Use of Name, Photograph or Title

a. Members shall not authorize the use of their names, photographs, or official titles, identifying them as law enforcement officers or members of the Creedmoor Police Department, in connection with any commodity or commercial enterprise or civic, fraternal, or political organization without the approval of the Chief of Police.

b. Members shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc…). In the case of ambulance or towing services, when such service is necessary and the person needing the service is unable, or unwilling, to procure the service or request assistance, members shall proceed in accordance with established departmental procedures.

M. Courtesy and Demeanor

1. Officers shall recognize that their allegiance is first to the people, then to their profession and the City of Creedmoor Police Department, appreciating that every person in our society is entitled to professional, effective and efficient law enforcement services.

2. Members shall be courteous and respectful in their dealings with the public, fellow members, superiors and subordinates.

3. Members shall be tactful in the performance of their duties, shall control their tempers, and reasonably exercise the utmost patience and discretion, and shall not engage in argumentative discussions – even in the face of extreme provocation.

4. In the performance of their official duties, Members shall not use coarse, violent, profane or indecent language or gestures, and shall not express any prejudice concerning race, religion, political affiliation, national origin, lifestyle or similar personal characteristics.

5. Whenever persons ask for assistance or advice, or make complaints or reports either by telephone or in person, members will gather or obtain all pertinent information in an official and courteous manner, and shall take prudent and practical action in accordance with established department procedures.

6. Officers shall follow the principles or fairness, integrity and impartiality in connection with the performance of their duties.

N. Associations

1. Except as necessary in the performance of official duties, or where unavoidable because of personal relationships, members shall avoid regular or continuous associations or dealings with persons that

   a. are under criminal investigation or indictment, or

   b. have a reputation in the community or the Department for present involvement in felonious or otherwise criminal behavior.

2. Members shall not knowingly visit, enter or frequent a house of prostitution, gambling house or establishment wherein the laws of the United States, the state or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior officer.

3. Members shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting upon proper and specific orders from a superior officer.

O. Public Statements and Appearances

1) Members shall not publicly criticize or ridicule the Department, its policies, or other Members by speech, writing or other expression where such speech, writing or other expression

   a. is defamatory, obscene, or unlawful

   b. undermines the effectiveness of the Department

   c. interferes with the maintenance of discipline, or

   d. is made with reckless disregard for truthfulness.

2) Members shall not address public gatherings, appear on radio or television, prepare or contribute to any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information or any other matters of the department, or hold themselves out as representing the Department in such matters without proper authority. Officers may lecture on “police,” “law enforcement,” or other related subjects only with the prior approval of the Chief of Police.

P. Political Activity

1. Officers shall be permitted to:

a. Register and vote in any election

b. Express opinions as individuals on political issues and candidates, while off-duty.

c. Attend political conventions, rallies, fund-raising functions and similar political functions while off-duty.

d. Actively engage in any nonpartisan political functions, while off-duty

e. Sign political petitions as individuals, while off-duty

f. Make financial contributions to political organizations, while off-duty

g. Serve as election judges or clerks or in a similar position to perform nonpartisan duties as prescribed by state or local law, while off-duty.

h. Hold membership in a political party and participate in its functions to the extent consistent with the law and this Section

i. Otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair or interfere with the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

3. Officers are prohibited from:

a. Using their official capacity to influence, interfere with or effect the results of an election

b. Assuming active roles in the management, organization, or financial activities of partisan political clubs, campaigns or parties

c. Serving as officers of partisan political parties or clubs

d. Becoming candidates for public office, or campaigning for a partisan elective public office while on active duty

e. Soliciting votes (campaigning) in support of, or in opposition to, any partisan candidate while on active duty or in uniform.

f. Serving as delegate to a political party convention

g. Endorsing or opposing a partisan candidate for public office in a political advertisement, broadcast, or campaign literature while on active duty or in uniform.

h. Initiating or circulating a partisan nominating petition while on active duty.

i. Organizing, selling tickets to, or actively participating in a fund-raising function for a partisan political party or candidate while on active duty

j. Addressing political gatherings in support of, or in opposition to a partisan candidate while on active duty

k. Otherwise engaging in prohibited partisan activities on the federal, state, county or municipal level.

Q. Financial Obligations

1. Officers shall not undertake any financial obligation which they know or should know they will be unable to meet, and shall pay all just debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a volunteer bankruptcy position shall not, by itself, be cause for discipline.

2. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that good faith effort to settle all accounts is being undertaken.

3. Officers shall not become appreciably indebted to any coworker or co-sign a note for any superior officer, nor shall superior officers co-sign a note for any subordinate or other employee.

R. Residency & Telephone Requirements

1. Members must meet any residency requirements that may, from time to time, be established by the City of Creedmoor. Officers should be able to initiate their response to the Police Station/Headquarters within 30

minutes after notification of an emergency and must arrive within 45 minutes.

2. Officers shall have access to reliable telephone in their residences, and shall immediately report any changes of telephone numbers or addresses to their superior officers and to such other persons as may be appropriate.

S. Dissemination of Information

Members shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those persons for whom it is intended, in accordance with established departmental procedures. Members may remove or copy official records or reports from a police facility only in accordance with established departmental procedures. Members shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

T. Intervention

1. Officers shall not interfere with cases being investigated or handled by other officers of the Department or by any other governmental agency unless:

   a. Ordered to intervene by a superior officer, or

   b. The intervening officer (other than a superior officer) believes, beyond any reasonable doubt, that a manifest injustice would result from failure to take immediate action.

2. Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission form their superior officer unless the exigencies of the situation require immediate police action.

U. Property & Evidence

1. Members shall process all property or evidence which is discovered, gathered, surrendered to or received by them in connection with departmental responsibilities in accordance with established departmental procedures.

2. Officers shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established departmental procedures.

V. Departmental Property & Equipment

1. Members shall utilize departmental equipment only for its intended purpose in accordance with established departmental and city policies and procedures, and shall not abuse, damage or lose department equipment. All Department equipment issued to Members shall be maintained in proper order.

3. Members shall operate official vehicles in a careful and prudent manner, and shall obey all laws and all departmental orders, rules and directives pertaining to such operation. Officers shall report any suspension or revocation of any driving license or privilege to the Chief of Police immediately.

4. Officers shall carry firearms in accordance with the law and established departmental procedures.

W. Examinations, Photographs, Lineups, etc.

1. Upon the order of the Chief of Police, Members shall submit to polygraph, or CVSA or other truth verification examinations when they are specifically directed and narrowly related to a particular internal or administrative investigation being conducted by the department.

2. Whenever a complaint from a citizen is the basis for an internal investigation, the matter is non-criminal, and no corroborating information has been discovered, officers shall not be required to submit to truth verification examinations unless the citizen has also submitted to such examinations which are specifically directed and narrowly related to the complaint.

3. Upon the order of the Chief of Police or the Chief's designee, officers shall submit to any medical, ballistics, chemical or other tests, photographs, or lineups. All procedures carried out under this section shall be specifically related and narrowly related to a particular internal administrative investigation being conducted by this Department.

4. Upon the order of the Chief of Police or the Chief's designee, officers shall submit financial disclosure statements in accordance with departmental procedures in connection with a complaint for which this information is pertinent and material to the investigation.

5. The Garrity Rule will apply in internal administrative investigations when employees are compelled to provide statements.

X. Handling Persons in Custody

1. Officers shall not mistreat persons who are in their custody or control. Officers shall handle such persons in accordance with the law and established departmental procedures.

2. Officers shall not use more force in any situation than is reasonably necessary. Officers shall use force in accordance with the law and departmental procedures.

Y. Truthfulness

1. Members will not knowingly disseminate false or misleading information.

2. Members will truthfully answer all questions specifically directed to them from appropriate departmental or City of Creedmoor authorities regarding all matters relating to the scope of or potentially affecting their employment.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.10

SUBJECT: Disciplinary Process

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Disciplinary Action;
Pre-Disciplinary Action;
Disciplinary Hearing

DISTRIBUTION: All Personnel

Purpose: To provide guidelines and procedures for the administration of discipline within the Creedmoor Police Department.

Policy: It is the policy of the Creedmoor Police Department to maintain a disciplinary system that ensures due process for its employees, while assuring the community that prompt, corrective action will be taken when police personnel conduct themselves improperly.

Note: This policy is designed to supplement, not take the place of, the City of Creedmoor's personnel policies.

Definitions: Supervisor - A member of the Department who is assigned the responsibility of supervising subordinate personnel.

Corrective Counseling – An informal discussion between the employee and his/her immediate supervisors concerning the employee's job performance or conduct.

Oral Reprimand - A formal discussion between and employee and his/her immediate supervisor concerning the employee's job performance or conduct.

Written Reprimand - A formal written correction notice stating that the employee's work habits, performance, or conduct are not up to standard and that the employee must improve or more serious action will be taken.

Suspension Without Pay - The temporary removal of an employee from pay-status as a means of notifying the employee that his or her work habits, performance or conduct are significantly below standard.

Demotion - The movement of an employee from a position in a higher pay range to a position in a lower pay range.

Termination - The permanent removal of a police employee from the City's work force.

Procedure:

I. Administration

The maintenance of discipline is the responsibility of every supervisor within the Creedmoor Police Department. The objective of discipline is to induce desired behaviors and performance rather than to inflict punishment. Each supervisor is required to keep their subordinates informed of the behaviors and performance expected of members.

II. Disciplinary Procedures

When an employee fails to meet expected standards of performance, objectives or rules, it is the responsibility of the employee's supervisor to take or recommend one of the following types of disciplinary action:

- Corrective counseling
- Remedial Training
- Oral reprimand
- Written reprimand
- Recommendation for Suspension without pay
- Recommendation for Demotion
- Recommendation for Dismissal

The degree of discipline will depend upon the nature and severity of the employee's infraction(s), the past record of the employee, discipline administered in any previous situations, and the applicable rules, regulation, and procedures established by the department.

A. Corrective Counseling

1. Corrective counseling is designed to help an employee improve performance or conduct in the case of minor mistakes or rule infractions by clarifying the standards required, stressing the employee's strong points, and weaknesses, and those steps necessary for correction.

2. Any supervisor may administer corrective counseling without prior approval of a commander.

3. Corrective counseling should be noted by use of performance indicator (CPD #31), and maintained by the employee's unit commander/supervisor.

B. Remedial Training

1. Supervisory and Command personnel are encouraged to utilize training as a means of improving the productivity and effectiveness of their subordinates. When it is a determined that poor performance or the violation of a procedure might be improved upon through supplementary training, the supervisor of the employee involved will contact the Administrative Services Division Commander to review the situation, and determine the appropriate training resources.

2. Examples of performance that may require additional training are:

   a. Failure to conform to operational standards (as a result of unfamiliarity with a policy, procedure, rule or order);

   b. Inability to qualify with issued firearms;

   c. Unacceptable quality of report-writing;

   d. Inadequate reading and/or writing skills;

   e. Inadequate interpersonal skills;

   f. Poor driving skills or history of preventable traffic accidents.

3. In instances such as these, the Department and the individual are better served with additional training rather than the more traditional disciplinary methods.

C. Oral Reprimand

1. An oral reprimand is to be used where earlier counseling or training has not corrected a problem or where the employee has disregarded work rules or standards of conduct of a relatively serious nature.

2. Supervisors may administer oral reprimands without prior approval of Division commanders.

3. Oral reprimands should be noted by use of a performance indicator (CPD #31), and kept by the supervisor.

D. Written Reprimand

1. A written reprimand is to be used where earlier counseling, training, or oral reprimands have not corrected the problem or where the employee has disregarded work rules or standards of conduct of a serious nature.

2. Supervisors may administer written reprimands upon prior review and approval of the employee's Division Commander.

a. The supervisor is to prepare a written statement outlining the reasons for the disciplinary action. The statement must include a warning that, if corrective action and effort towards improvement are not undertaken by the disciplined member, more serious action will be taken.

b. The supervisor must review the statement with the Division Commander before issuing it to the employee.

c. The supervisor will discuss the reprimand with the employee at the time it is issued to be certain that he or she understands the reasons for the action and what needs to be done to improve and prevent further action.

E. Suspension Without Pay

Suspension without pay is a form of discipline to be used for severe infractions of rules or regulations, or for excessive violations after the employee has received a written reprimand and has made insufficient effort to improve performance. Only a Division Commander may recommend suspension to the Chief of Police.

NOTE: City policy allows for the temporary removal of an employee from pay status during the course of an investigation, hearing or trial of any criminal or civil matter involving the employee or when suspension would be in the best interest of the employee or the City.

1. Suspension Procedures

a. The member's supervisor shall prepare a written statement setting forth all of the facts which warrant suspension, including

1) a citation of the rules, regulations, general order violated

2) the duration of the suspension recommended

3) the steps the employees must take in order to improve, and

4) provided with a copy of the City's "Grievance Procedure & Adverse Action Appeal".

The statement must also include a warning that if satisfactory improvement is not noted within the provided time frame, more serious action will be taken.

b. The supervisor is to review the statement with his or her Division Commander and the Chief of Police**.** All cases of disciplinary suspension, demotion, or dismissal must be approved by the City Manager prior to giving final notice to the employee.

c. The Division Commander will discuss the suspension with the employee to be certain that he or she understands the reasons for the disciplinary action.

d. A police officer on suspension without pay is prohibited from operating a police vehicle and from performing police status employment.

2. Emergency Procedures

a. A Division Commander may suspend an employee for up to one day, but only if necessary to avoid undue disruption of work, to protect the safety of persons and/or property, or for other serious and justifiable reasons.

b. When conditions warrant immediate suspension, the supervisor shall notify the On-Call Commander as soon as practical, and prepare a written statement of the facts warranting immediate suspension. That statement shall be presented to the employee, the employee's Division Commander, and the Chief of Police the following morning. The On-Call Commander shall notify the employee that he is being suspended for the remainder of the working day, and that he or she shall meet with the employee's Division Commander and the Chief of Police at a specified time on the next working day. The Chief of Police, after conferring with the employee's Division Commander, shall decide if further disciplinary action is necessary and notify the City Manager or his or her designee.

F. Demotion

Demotion as discipline shall be used only after oral reprimands, counseling with the employee, and unsatisfactory performance appraisals have caused the supervisor to conclude that the employee's problem is caused by his or her failure to perform their assigned duties satisfactorily. Demotion may only be considered after all facts, circumstances, personal attitudes and conflicts are analyzed.

Only the Chief of Police, after consultation with and approval by the City Manager, may administer or order a demotion.

III. Due Process

Prior to the administration of disciplinary actions that could result in loss of pay, suspension, demotions, or dismissal, police department employees have a right to a pre-disciplinary conference. The Chief of Police conducts pre-disciplinary conferences for Police Department employees as outlined in the City of Creedmoor Personnel Policy.

A. Pre-Disciplinary Conferences.

1. A supervisor recommending disciplinary actions that may involve loss of pay, suspension, demotion, or dismissal shall complete a preliminary investigation and forward a memorandum with a summary of findings and recommendations through the chain of command to the Chief of Police.

2. Upon receipt of a pre-disciplinary report and recommendations, the Division Commander shall review the report and related information for thoroughness, completion and/or possible need for further investigation.

3. The Chief of Police, or his designee, shall ensure that proper notifications are given to those personnel subject to disciplinary action, that such notices are properly recorded or documented and that pre-disciplinary conferences are scheduled and conducted pursuant to General Orders and City Policy.

4. Division Commanders shall be responsible for insuring that subordinate personnel who are subject to disciplinary action involving loss of pay, suspension, demotion or suspension receive all applicable disciplinary documents.

5. A copy of the Pre-Disciplinary Notice shall be furnished to the person subject to the disciplinary action. Copies of supporting material as is reasonably available shall also be provided.

6. When it is established that disciplinary action involving loss of pay, suspension, demotion or dismissal is to be taken, a Pre-Disciplinary Notice, with copies of supporting material as is reasonably available shall be provided to the person subject to the disciplinary action. The Pre-

Disciplinary Notice shall contain a signature space for the subject of the disciplinary action to acknowledge receipt of a copy of the Pre-Disciplinary Notice.

7. Employees shall be given the opportunity to prepare for a pre-disciplinary hearing. The Pre-Disciplinary Conference shall be conducted no earlier than 24 hours from the date of notice to the employee.

8. The person subject to the disciplinary action shall be informed of the date, time and location of the pre-disciplinary conference at the time the pre-disciplinary notice is given or as soon as possible after the notice is given.

9. If circumstances are such that an immediate termination of the employee may be warranted, the employee may be suspended without pay for up to seven (7) business days pending review of the matter by the City Manager.

10. Pre-Disciplinary Notice shall not be given to the subject of the investigation until such time that it has been established that disciplinary action will likely be taken and a pre-disciplinary conference is to be scheduled.

B. Conduct of the Pre-Disciplinary Conference

1. The conference will be conducted at a location designated by the Chief of Police. Normally, Pre-disciplinary Conferences will be conducted in the office of the Chief of Police.

2. Employees shall be permitted to speak in their own defense and to introduce facts during pre-disciplinary conferences.

3. Upon conclusion of the pre-disciplinary conference, and within five business days, (but not sooner than the beginning of the next business day) the employee shall be notified of the disposition of the conference. If disciplinary action is to be taken, the, employee will be provided with a completed disciplinary report. The report shall indicate the nature of complaint, the specific departmental or City rule violated, and the disciplinary sanctions intended. A detailed synopsis is not required.

4. Records of investigations of matters resulting in disciplinary action indicating loss of pay, suspension, demotion or dismissal will be securely filed in the Internal Affairs component. Records of disciplinary actions shall be forwarded to the Human Resources Manager for inclusion in the employee's permanent personnel record at City Hall.

IV. Appeals Process

A. Every employee shall have the right of appeal whenever disciplinary action involving loss of pay, suspension, demotion or dismissal has been taken.

B. Employees who receive corrective counseling, oral reprimands, or written reprimands that they feel are not justified may use the City's grievance process as a formal method in which to appeal these types of disciplinary actions.

C. The grievance/appeal must be filed with 15 business days of receipt of the effective date of the disciplinary action, Police Department personnel may request appeal to the City Manager.

D. Each step after the initial filing allows for 10 business days for any subsequent action/response.

E. Note: Employees should fully review the City Personnel Manual Article X. for a full outline of the grievance process.

V. Dismissal of an Employee

A. If an investigation results in the dismissal of an employee, the following information shall be provided to the dismissed employee:

1. A statement citing the reason for dismissal.

2. The effective date of the dismissal.

3. An instruction for the dismissed employee to contact the Human Resources Office to determine the status of fringe and retirement benefits.

This policy does not apply to probationary employees.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.11

SUBJECT: RESERVED

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:** All Personnel

Purpose:

Policy:

Definitions:

Procedure:

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.12

SUBJECT: Personnel Early Warning System

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Personnel Early Warning System

DISTRIBUTION: All Personnel

The Personnel Early Warning System (PPEWS) is a resource to assist command and supervisory personnel in identifying employees who show symptoms of job stress or performance problems. Symptoms may result in an escalating pattern of misconduct allegations, officer involvement in accidents, or involvement in an unusually high number of critical incidents. The Creedmoor Police Department is concerned with the wellbeing of all employees in the organization. The intent of the Personnel Early Warning System (PEWS) is to proactively provide all employees with the assistance and training necessary to perform their assigned duties in an effective and efficient manner.

Purpose: The purpose of this General Order is to aid administrators and supervisory personnel in identifying training needs by providing a mechanism for enhanced monitoring of employee performance issues.

Policy: The Department's administrators will utilize the Personnel Early Warning System established by this General Order to accomplish the following objectives:

1) Provide for the compilation of accurate statistical information on complaints that the Department receives concerning the conduct of personnel;

2) Provide a method for identifying patterns of complaints and other performance issues concerning Department employees;

3) Identify and address personnel training needs at an early stage; and

4) Improve employee performance.

Procedure:

I. Performance Review and Notifications

A. The Personnel Early Warning System will activate when an employee:

1. is the subject of five (4) or more complaints within a 12 month period, regardless of disposition, or

2. is the subject of two (2) or more sustained complaints within a 6 month period, or

3. is the subject of three (3) or more complaints of the same nature in a two (2) year period, regardless of disposition, or

4. is involved in two or more vehicle collisions within a twelve-(12) month period, regardless of "fault".

B. An employee may also be subject to activation of the Personnel Early Warning System should any supervisor, with the concurrence of the employee's Division Commander, identify documented work performance issues which, in the opinion of the employee's Division Commander, warrants administrative intervention.

C. The appropriate Division Commander will notify the Chief of Police, via memorandum, that the Personnel Early Warning System should be activated for an employee. The notification will include:

1. The dates of relevant incidents;

2. The types of incidents/complaints;

3. The status, disposition, and final classification of the incidents/complaints; and

4. Discipline administered, if any.

D. The Chief of Police will direct the appropriate Division Commander and/or Supervisor and review the employee's complaint files. The employee's motor vehicle collisions, Defensive Actions reports, personnel evaluations, sick leave usage, and other personnel records will also be subject to this review. The employee's Division Commander will complete this review within two (2) weeks. If, for any reason, the review will require longer than two weeks, the employee's Division Commander will submit a memo to the Chief of Police explaining the reason for the delay.

II. Administrative Action & Documentation

A. The employee's Division Commander will prepare a written report for the Chief of Police, outlining his findings and a Performance Improvement Plan recommendation for the employee. The report will include a brief summary of the facts of each incident and/or complaint that qualified the employee for the PEWS. This report should include the findings and conclusions based on the Commander's assessment, as well as any recommended assistance. Suggested assistance may include, but is not limited to:

1) an assessment that no problem behavior exists

2) remedial training

3) referral to the counseling

4) referral to the Employee Assistance Program

5) Peer training/assistance

6) Change of working environment (very limited and only minor accommodations are available due to the nature of law enforcement operations).

B. No punitive disciplinary action may be imposed as a direct result of PEWS review. A documented performance improvement plan designed to further identify and address any performance concerns may, however, include any or all of the above corrective measures. Progressive discipline for any failure to meet the stated requirements may be considered.

C. The Chief of Police will review the Division Commander's written report and recommendations.

D. All records related to the Personnel Early Warning System, with the exception of disciplinary records, will be retained in a secure Internal Affairs file separate from other personnel records.

III. Implementation of Recommendations

Participation by department employees in counseling and/or training may be voluntary or directed. Any order for mandatory psychological counseling and/or assessment must be authorized by the Chief of Police and provided to the employee in writing. Actions involving change of work environment, training, or counseling as a result of the PEWS Program are not considered punitive or disciplinary action.

IV. Annual Criteria Review

A. The Personnel Early Warning System will be evaluated annually by the Chief in consultation with other Division Commanders, in order to assess the system's effectiveness and make any necessary changes to criteria used. The written evaluation will be reviewed by the Chief.

B. The employee's Division Commander will ensure that documentation of successful completion of all recommendations is provided to the Chief of Police.

V. File Maintenance and Purging

The PEWS Report and any intervention efforts will be documented and maintained in the PEWS file in Internal Affairs. The Chief and/or Division Commander will purge any PEWS Reports/records that have been inactive for three years.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.13

SUBJECT: Harassment Policy

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Harassment, Sexual Harassment

DISTRIBUTION: All Personnel

Purpose: The purpose of this general order is to establish a written directive which prohibits sexual and other forms of harassment, and to establish procedures for reporting complaints of sexual and other forms of harassment in the workplace. This General Order provides procedures for documenting, investigating and resolving complaints of harassment, discrimination and retaliation.

Policy: It is the policy of the Creedmoor Police Department that all employees have the right to work in an environment free of all forms of harassment and discrimination. This agency considers harassment and discrimination of others serious employee misconduct and will not tolerate, condone or allow harassment by employees, whether sworn, civilian, volunteer, or other non-employees who conduct business with this department. The Department shall take immediate action to prevent harassment or discrimination and will promptly and thoroughly investigate all reported incidents of harassment. In the event that harassment does occur, swift and effective remedial and disciplinary action will follow up to and including termination of employment. Equally serious are false accusations of harassment. Unwarranted accusations are demoralizing and slanderous. Such accusations can expose the accuser and the City of Creedmoor to litigation and damages. Furthermore, false accusations undermine the purpose of this policy. Disciplinary action, including termination, will be taken with any employee who falsely accuses someone of harassment. Nothing in this policy is intended to deny employees any rights available by law, including the right to file charges or complaints with the Equal Employment Opportunity Commission, or any court of competent jurisdiction.

The Creedmoor Police Department prohibits all types of harassment and discrimination of any person because of race or ethnic origin, gender, religion, age, sexual preference, or the presence of any sensory, mental, or physical disability. All employees will adhere to a standard of conduct that is respectful, courteous, non-offensive, and nondiscriminatory.

Note: This policy is designed to supplement, not take the place of, the City of Creedmoor's personnel policies.

I. Definitions:

A. *Harassment* - Verbal or physical conduct that belittles or shows hostility or aversion toward an individual because of his/her ethnic origin, gender, religion, age, or disability or that of his/her relatives or associates. Such conduct may be illegal if it:

1. Creates an intimidating, hostile, or offensive work environment, or
2. Unreasonably interferes with an individual's work performance, or
3. Adversely affects an individual's employment opportunities.

B. *Discrimination* - Taking an action against an employee as a result of that employee's race or ethnic origin, gender, religion, age, sexual preference, or the presence of any sensory, mental, or physical disability.

II. Examples of Harassing Conduct

The following are examples of harassing conduct:

A. Epithets; slurs; negative stereotyping; threats; ridicule; put-downs; offensive jokes, names, or remarks; intimidation; or hostile acts that relate to ethnic origin, gender, religion, age, or disability.
B. Written or graphic materials that are placed on walls, bulletin boards, or elsewhere on Department or other City property, or circulated or published in the workplace, that denigrate or show hostility or aversion toward an individual or group because of ethnic origin, gender, religion, age, or disability.
C. The invasion of personal space; blocking movement; pushing; threatening motions; isolating another person; failing to acknowledge a person's presence; using indecent gestures; or inappropriate eye contact such as glaring.

III. Examples of Harassment Based on Gender (Sexual Harassment)

The following are examples of harassing conduct based on gender:

A. Forced sex; kissing; grabbing; intentional touching in non-socially acceptable places such as knees, buttocks, or breasts; touching hair, clothes, or jewelry; hugging; caressing; invading personal space; blocking movement; using indecent or obscene gestures; pranks.

B. Requests for sexual favors with implied or explicit threats or promises; repeated social invitations when the invitee has previously expressed no interest in accepting such invitations; conversations or voice mail with suggestive comments or jokes; teasing or derogatory comments about gender (male or female) or other sexual matters, including sexual orientation.
C. Posters, calendars, drawings, cartoons, e-mail, or other media which are either blatant or subtle and are displayed or used inappropriately and are sexual or sexist in nature.

IV. Employee Complaint Procedure

For an employee who believes he/she is being harassed by his/her supervisor, another employee, or a non-employee, the first step in most cases is to tell the person that the conduct is offensive and must stop.

If the matter is not resolved, or if for any reason an employee does not believe that he/she can go directly to the individual responsible for the conduct, or for more serious cases, an employee may use one or all of the following procedures:

A. Notify the immediate supervisor of the situation.
B. If the employee does not feel comfortable talking to the supervisor, or if the harassment is coming from the supervisor, seek out a higher level supervisor within the Department to discuss the problem.
C. If a supervisor doesn't settle the matter, file a formal grievance. Formal grievances must be filed within 15 business days of the incident's occurrence.
D. At any time, go directly to the Chief of Police, the Human Resources Department, or to the City Manager who will investigate the situation.

V. Confidentiality

All complaints will be handled as confidentially as possible. However, once a supervisor becomes aware of harassment, he/she is required to bring it to the attention of a higher level supervisor and/or to the Human Resources Department.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.14

SUBJECT: Personal Appearance, Uniform and Equipment

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** #1- 12/15/16

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Personal Appearance; Uniforms; Equipment

DISTRIBUTION: All Personnel

Purpose: The purpose of this General Order is to establish guidelines for proper appearance and wearing of uniforms by officers of the Creedmoor Police Department.

Discussion: Creedmoor Police Department officers are placed in uniform so that all appear in the same neat, clean and orderly clothing. The uniform represents both dignity and authority. Any additional articles intended to supplement the uniform will not be allowed or permitted, except by direct authorization of the Chief of Police.

Definitions: Class A/Business Attire – Full Uniform or Coat, tie and dress slacks for males; dress slacks, skirts, and blouses for females.

Class B/Business Casual Attire - Dress trousers or slacks with appropriate collared shirt (button-up or polo/golf) and dress shoes or boots, not to include blue jeans, t-shirts, and tennis shoes.

Class C - B.D.U. style pants or any other type of utility/cargo style pant and polo/golf shirt with embroidered badge provided by the department.

I. Hair Grooming

Officers on duty shall maintain a neat, well-groomed appearance. Hair shall be styled according to the guidelines established in this order. This applies equally to both men and women, though the specific grooming standards for each reflect the traditional differences in appearance between the sexes. The Supervisory personnel may authorize alternate apparel and/or hairstyles for personnel in special assignments.

A. Officers

1. Male officers' hair must be clean, neat and combed. Hair shall not be worn longer than the top of the shirt collar at the back of the neck, when standing with the head in a normal posture. The bulk or length of the hair shall not interfere with the normal wearing of all standard headgear.

2. Male officers' sideburns shall be neatly trimmed and shall not extend lower than the lowest point of the ear.

3. Female officers' hair must be clean, neat and combed. The bulk or length of the hair shall not interfere with the normal wearing of all standard headgear.

4. Female officers' hair styled or fashioned in a bun may be worn in conformance with the foregoing standards.

5. Wigs or hairpieces are permitted, if they conform to the above standards for natural hair.

B. Facial Hair

Uniformed Officer shall be clean shaven, except they may wear mustaches which do not extend more than 1/4 inch below the upper lip line and ½ inch in length beyond the edge of the mouth. Investigative staff and personnel working undercover assignments may be allowed to deviate from these requirements as particular assignments dictate. Prior approval must be obtained from the Chief of Police.

C. Earrings

Officers shall not wear earrings or any jewelry on the face while in uniform. Small ear bobs shall be permitted as long as they do not present a safety hazard, or detract from the uniform.

II. Uniform-General Regulations

Creedmoor Police Department officers shall wear such uniforms and insignia of their rank and be provided with such equipment as the Chief of Police may from time to time designate. Such articles of uniform and equipment shall conform in style, design and specifications as hereinafter provided. Except as otherwise directed or authorized by proper authority, all uniformed officers shall wear the complete uniform of the day when on duty.

A. The Patrol Division Commander shall authorize and direct the wearing of the winter or summer uniform to meet seasonal (or individual) conditions. The following procedure will be adhered to for changing the Uniform of the Day.

1. The change from winter to summer uniform will occur at 0600 on the date authorized by directive from the Patrol Division Commander.

2. The change from summer to winter uniform will occur at 0600 on the date authorized by directive from the Patrol Division Commander.

B. Head gear (Hat, when issued)

1. Officers shall have the option of wearing the issued hat/helmet, except that the hat/helmet will be worn:

   a. When the officer is directing traffic

   b. When the officer is appearing at special outdoor ceremonies and/or engaged in crowd control duties(ie. festivals, football games, etc.)

2. The hat shall be neat and clean. It shall not be worn so far forward as to obscure any part of the forward vision. The bottom front of the headband will be positioned no higher than one inch above the eyebrow. The hat will be worn centered and level on the head. Clear, plastic, hat covers should be worn during inclement weather.

C. Uniform

Uniform shirts shall be neat, clean and fitted to the individual officer.

1. Summer Uniform of The Day -The Summer Uniform of the Day requires the wearing of short-sleeved shirt with open collar, and without tie. The top button should be opened.

   Note: Officers with tattoos visible with short sleeves may elect to wear long-sleeve uniform shirts but may have open collar shirts when the summer uniform is designated.

2. Winter Uniform of The Day - The Winter Uniform of the Day requires the wearing of long-sleeved shirt and clip-on tie. A tie bar or tie tack may also be worn. Shirtsleeves will be buttoned. A turtle-neck or mock turtle neck-sweater of uniform color may be worn in lieu of a tie when colder weather dictates.

3. The Commander Sweater (if issued) may be worn as a part of the Winter Uniform of the Day or Night, with or without a jacket. This sweater shall

not be with civilian attire except by those civilian employees who are specifically granted permission to do so.

4. Undergarments and neck jewelry shall generally not be worn in a visible manner with the uniform. Undershirts worn under the open collar uniform shirt shall be black "crew" neck style, and chains or necklaces shall not be worn exposed to view with the uniform.

5. Dress Uniform – The Dress Uniform may be designated by the Chief or Division Commander for special occasions. The Dress Uniform is the same as the Winter Uniform, but may include white gloves or special dress jackets if issued and approved. Patent leather gear and footwear should be worn with the Dress Uniform.

D. Shirt Accessories

Only the items listed below will be worn on the uniform shirt.

1. The departmental badge will be worn above the left breast. However, the badge will be worn in the same position of the outermost garment, should the jacket be worn.

2. Nameplate bearing the officer's first and middle initials and the last name will be worn horizontally and centered above the right breast pocket.

3. Marksmanship badges and/or commendation awards may be worn horizontally and centered above the nameplate.

4. Whistle and chain: Officers may carry their whistle on a pocket clip on the right shirt pocket flap and/or on a shoulder lanyard.

5. Uniform shirts are to have departmental cloth patches centered on the middle of the shoulder directly below the top of both sleeves.

6. Neckties: Only issued, pre-tied clip-on type ties shall be worn.

   a. The clasp or tie tacks may be worn horizontally midway between the third and fourth buttons from the top of the shirt holding the necktie in place over the buttonhole plait of the shirt. Tie clasp or tacks displaying controversial designs or lettering will not be worn.

   b. Officers at the rank of Captain or above may wear only gold-colored tie clasp or tack. All other officers may wear only silver colored tie clasp or tacks.

7. Chevrons – Chevrons indicating rank of Sergeant are to be centered on the middle of the shoulder ½ inch directly below the departmental patch.

8. Collar Insignia

   a. Officers will wear the officially designated insignia of their rank on the left and right collar points of the uniform shirt.

   b. Collar insignias on both the short and long sleeve shirts will be worn centered on both collars with the centerline of the insignia bisecting the points of the collar and positioned one (1) inch from the collar point.

E. Trousers

Trousers shall be department issued. Trousers will be tailored so that the bottom hems barely touch the vamp of the shoes.

F. Socks

Only dark blue or black socks will be worn with the official uniform.

G. Shoes and Boots

1. Shoes and boots worn by uniformed personnel will be of smooth black material, capable of retaining a high gloss shine.

2. Shoes and boots may be either plain or plain-cap toe in design.

3. High or low cut shoes are optional.

4. Loafers or shoes with ornamental buckles or tassels are prohibited.

5. Platform shoes or boots having a heel higher than one and one-half (1-1/2) inch are prohibited.

H. Jackets

Departmental issued jackets shall be worn at the discretion of the officer. The following accessories will be worn on the jacket:

1. Nameplate - Over right breast pocket

2. Badge - On the left front of the jacket

3. Departmental patches shall be centered on the sleeve ½ inch below the top of the sleeve.

4. Chevrons shall be worn by Sergeants. Chevrons are to be centered on the sleeve ½ inch below the departmental patch.

5. Officers may wear the officially designated insignia of their rank on the left and right collar points of their uniform jacket.

I. Raincoat and Hat Cover
Issued raincoat and hat cover may be worn as needed.

J. No visible mixture of civilian clothing with the official uniform will be permitted, on or off duty, except for recognition purposes by plain-clothes officers during raids or other such emergency conditions.

K. Gloves

When worn, gloves should be black in color. White gloves may be issued for traffic direction and special ceremonies.

L. Civilian Personnel Apparel

1. Civilian personnel shall maintain a neat, well-groomed appearance and shall wear the appropriate apparel for their assignment.

2. Civilian personnel as assigned shall wear the issued uniform of their respective unit, if applicable.

M. When appearing in court, hearings, at formal ceremonies, public meetings, professional events or as designated by his/her supervisor, a full Class A uniform (long sleeved shirt and tie) is mandatory (no open collars).

III. Uniform Equipment

A. The duty gear inventory for uniformed officers shall consist of the following:

1. Gun Belt and Buckle

2. Holster

3. Cartridge Case

4. Handcuff Case

5. Belt Keepers

6. Collapsible Baton Holder

7. Radio Holder

8. O.C. Pepper Spray holder

9. TASER is to be worn in accord with training guidelines.

B. Weapons

1. The official service weapon or other approved handgun shall be carried while on duty

2. Firearms carried while on duty shall be maintained in clean and serviceable condition and must be approved prior to carry.

3. Failure to maintain authorized service weapons in clean and serviceable condition shall constitute a neglect of duty.

C. Body Armor

1. The department shall have a mandatory ballistic vest wear policy which shall be consistent with at least the following minimum requirements:

a. Ballistic vests are required to be worn by all uniformed patrol officers and supervisors at all times with the following permissible exceptions only:

1) A supervisor may authorize an officer to temporarily remove the vest if increased temperatures and/or the extended duration of an assignment increase the risk of heat-related injuries to the officer; or

2) If a uniformed patrol officer is issued and wearing an external shirt carrier, the officer may remove the carrier while inside the police department provided he is not in direct contact with the public. The vest must be in place before exiting the building.

b. While on duty, officers assigned to divisions other than uniformed patrol shall maintain their body armor immediately available at all times, i.e. in the vehicle within ready access.

c. Ballistic vests are required to be worn by all sworn personnel when engaged in pre-planned high risk activities such as serving or

assisting with search warrants, conducting forced-entry operations, or other situations deemed to be high risk by the supervisor in charge of the activity.

d. Sworn personnel seeking a medical exemption to the mandatory wear of ballistic vests policy must obtain a detailed written justification from a medical doctor which describes the specific physical condition and how this condition prevents the wearing of a ballistic vest. In such cases, the Police Chief may require a second medical evaluation through a physician identified by CPD for confirmation that the ballistic vest cannot be worn. If it is determined that the employee's medical condition is such that prohibits the wear of a ballistic vest, then the employee may be referred to a physician identified by CPD for a "Fitness for Duty" evaluation.

D. Other Rules/Regulations

1. All Creedmoor Police Department uniformed officers, while on duty, shall be neat and clean in personal appearance and shall wear their uniforms with dignity and in strict conformity with rules and regulations. Officers shall keep their uniforms clean, well pressed and brushed. All authorized metallic accessories worn with the uniform shall be kept clean and bright. Shoes and leather goods shall be kept clean and shined.

2. No employee of the Creedmoor Police Department shall wear any portion of the official uniform or carry a firearm while under disciplinary suspension. Upon notification of suspension for disciplinary reasons, Police Officers shall immediately, if directed, surrender the badge, identification card and weapon to the supervisor giving notice of disciplinary suspension.

3. When on duty, uniformed officers shall not stand or walk with hands in pockets or otherwise exhibit a posture that detracts from a well-groomed, disciplined and alert image.

4. The ownership and title to all uniforms and equipment issued to personnel of the Creedmoor Police Department is vested in the Creedmoor Police Department.

5. It shall be the duty of each employee of this department to produce any article(s) or item(s) of issued uniform or equipment or any other item worn or carried while on duty which affects the employee's appearance or performance of duty, upon demand of a supervisor.

6. The wearing of BDU uniforms or other variations to uniform and appearance standards may be approved by the Chief of Police and/or

Division Commanders for specialized assignments or purposes on a case-by-case basis.

7. All uniformed and plainclothes police employees shall dress and appear in a manner that reflects well upon the department and the City of Creedmoor. In the event that a question arises regarding the suitability or appropriateness of specific attire or individual appearance, the Chief of Police or his designee will make the final determination.

IV. Non-Uniform Personnel

A. Administrative/Investigative Staff

1. All male members while on duty may wear business casual attire (dress shirt, golf/polo shirt, or sweater, dress trousers and dress shoes) during normal daily activities. BDU style pants and boots may be worn on occasions where the Division Commander deems it warranted with concurrence from the Chief.

2. All female members while on duty may wear business casual attire (blouse, golf/polo shirt, or sweater, dress pants and dress shoes) during normal daily activities.

3. When appearing in court, hearings, at formal ceremonies, public meetings, professional events or as designated by his/her supervisor, business casual or BDU attire is not authorized and a full Class A Uniform or business attire shall be worn (business suit or sport coat and trousers with necktie). Clothing shall be clean, pressed, not tattered or frayed, and worn with all buttons buttoned (no open collars).

4. Neckties shall be clean and free from stains and shall be worn properly with a tight knot.

5. All clothing shall be clean, pressed, not tattered or frayed,

6. Trousers shall be properly tailored to break at the front of the shoe.

7. Shoes shall be cleaned and polished.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.15

SUBJECT: Outside Employment

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Outside Employment; Extra-Duty Employment; Off-Duty Employment

DISTRIBUTION: All Personnel

Purpose: To establish department policy with regard to members engaging in outside employment, and to outline procedures to be followed in obtaining permission to engage in such employment.

Policy: All members of the department who desire to engage in secondary / outside employment must recognize that their primary duty, obligation and responsibility is to the City of Creedmoor. Members are subject to call at any time for emergencies, special assignments or extra-duty, and no outside employment may infringe on this obligation. The management of secondary / outside employment shall be the responsibility of the Patrol Division.

Definitions:

Outside Employment - refers to employment where the City of Creedmoor is not the employer, regardless of whether or not the employment is of a police status in nature. The City of Creedmoor will not provide Worker's Compensation.

Extra-duty Employment - refers to employment that is voluntarily performed for the City of Creedmoor at locations where the City of Creedmoor agrees to provide police protection. The employment will be performed outside the employee's regular work hours. The City of Creedmoor will provide Worker's Compensation.

Off-Duty Employment - may be either Outside Employment or Extra-duty Employment.

Police Status Employment - is defined as employment requiring the official powers granted by law or ordinance to a sworn police officer.

Procedure/Rule:

I. Application for Outside Employment

A. Prior to accepting outside employment, Police Department personnel must submit information regarding outside employment through the chain of command using a form approved for that purpose to the Chief of Police, who will determine if the requested employment is in accordance with the terms and conditions of this directive.

B. An off-duty officer who receives a request from an employer requiring work to be performed before his next tour of duty begins shall:

1. Report the information to the Patrol Commander by telephone. The Patrol Commander (or on-duty supervisor in his absence) may grant temporary approval if the outside work complies with Departmental Policy.

2. Completely document the request on a form approved for that purpose the day they return to their assigned tour of duty. Indicate on the written request that the on-duty supervisor had temporarily approved the outside employment request and the date/time of the temporary approval.

II. Regulations for Off-Duty Employment

A. The official duties of sworn personnel shall take precedence over all outside/extra-duty employment.

B. Police Department Personnel shall not engage in outside/Extra-duty employment which impairs the efficiency of City services or results in any conflict of interest.

C. Police Personnel shall not use any police equipment in off-duty work other than that authorized by the Chief of Police. Standard police-issued equipment may be used for employment involving security/traffic activities. Assigned police vehicles may be on-site, but are not to be used for "patrolling" property or premises.

D. Police Personnel are subject to all rules and regulations of the department and must conduct themselves according to departmental standards while engaged in outside employment.

E. Employees may not work more than sixteen scheduled hours during a twenty-four hour period, which includes on-duty combined with extra-duty. This twenty-four hour period commences when the employee begins to work, on-duty or off-duty. There must be eight hours of non-employment time during this twenty-four hour period. (If an officer is required to work beyond their regularly scheduled tour of duty, those hours beyond the regular hours will not affect the off-duty hours. Likewise, if one is required to take a specific police action in your off-duty job that would require you to work over what you were scheduled for, this will not subject you to being in violation of this section if you must work longer. A specific police action would be something

such as processing an arrestee, writing a report, securing a crime scene, etc.) Employees may not work more than sixteen hours of off-duty employment on any scheduled day off unless authorized by the Chief of Police. No employee will be permitted to work off-duty to such an extent that it compromises the employee's health or interferes with the employee's on-duty performance. Supervisors are responsible for reviewing attendance records and initiating restrictions when necessary.

F. A police department employee is prohibited from interrupting a regular tour of duty to work any off-duty employment unless authorized by the Chief of Police.

G. While employed in off-duty Police Status employment, officers will not engage in any non-police status activities that would prevent them from taking necessary enforcement actions when appropriate. (Example: loading or unloading merchandise, carrying groceries to customer's cars, stocking shelves, etc.)

H. No outside employment will involve the operation or control of any taxicab or wrecker / towing service.

I. No outside employment will involve the handling and/or dispensing of alcoholic beverages. This would not prohibit "over the counter off-premises sales" out of uniform, such as licensed convenient marts, department stores, service stations, etc.

J. Officers engaged in off-duty police status work with police vehicle and/or related equipment should have the duty and location logged into the active CAD and should monitor the police radio, unless otherwise directed by command staff. Additionally, all officers are expected to respond to emergencies and urgent calls in the area if assistance may be reasonably provided.

K. No approval will be granted for off-duty police work outside the one-mile extra-territorial police jurisdiction of the City, unless it is on City property or in conjunction with a pre-planned mutual aid agreement. Employment in the one-mile extra-territorial limit must be specifically stated on the off-duty request form and approved by the Chief of Police.

L. Officers are prohibited from soliciting off-duty work as a law enforcement officer. All new law enforcement related off-duty employment opportunities must be routed through the Department's appropriate command staff.

M. Extra-duty police status employment is to be done in regular duty uniform, unless an exemption is approved by the Chief of Police. A minimum of $25 per hour shall be paid to the officer(s) assigned and a minimum of 3 hours of service is required unless otherwise approved by the Chief of Police.

III. Specifically Prohibited Work (Sworn Officers Only)

No off-duty employment will be approved which may reflect unfavorably on the Department or which may give rise to conflict of interest questions. Specifically prohibited types of work include, but are not limited to:

A. Employment involving the collection of accounts.

B. Employment inside establishments where alcoholic beverages are consumed, with the exception of hotels**,** special performance events (by artists, entertainers, professional speakers, etc.) or those establishments having extensive recreation facilities. Off-duty employment as kitchen or wait staff (not requiring sworn status) may be approved by the Chief of Police on a case-by-case basis for established restaurants. In the event that the officer is called for **specific police service** inside that portion of the facility serving alcohol, Communications will be notified to make a complaint number and required enforcement actions will be made. Officers working off-duty will not go into bars or taverns unless it is to perform proper law enforcement functions.

C. Employment involving the handling of any packages, merchandise, etc., while in a police uniform.

D. Employment involving selling door to door, or business to business by telephoning or peddling. This would not prohibit "over the counter" sales out of uniform, such as in department stores.

E. Security work as an independent contractor within City jurisdiction.

IV. Officer Eligibility for Off-Duty Employment

A. Off-duty police status employment is a privilege granted to officers. Violations of any provision of this policy may result in disciplinary action.

B. An officer's privilege to engage in off-duty employment may be revoked if the employment interferes with their regular duty assignments.

C. Probationary Officers (officers with less than one year service from date of becoming sworn) will not be eligible for off-duty Police Status employment without special exceptions approved by the Chief. However, under the direct personal supervision of an appointed Field Training Officer or other supervisor, probationary officers may be eligible for off-duty police status employment. (This does not include newly promoted supervisory personnel who are fulfilling their probationary promotion period.)

D. Officers assigned to light duty are not eligible for Off-Duty Police Status employment.

E. Officers on suspension are not eligible for Off-Duty Police Status employment during suspension period.

F. No officer may work an off-duty job for a period of twenty-four (24) hours after the conclusion of the shift for which the officer reported out sick.

V. Special Limitations and/or Exceptions

A. Departmental personnel may engage in various types of off-duty employment upon approval of the Chief of Police, if they comply with the preceding regulations. However, certain limitations may be imposed in particular fields of employment, such as the following:

1. Sales - in the field of sales, one's identity as a police officer or member of the department is not divulged and his position as a police officer does not in any manner enter into such sales.

2. Use of Authority For The Benefit Of Employer - when engaged in off-duty employment, officers shall not use their authority for the benefit of their employer when such use would inconvenience the public. For example, an officer should not get into a street and stop traffic so that customers can drive in or out of the employer's private parking lot, unless necessary to move traffic on the public roadway.

3. Trespassing - only the owner of a business or an authorized employee is vested with the authority to invoke the trespassing law. When the owner or employee has decided to assume the responsibility for determining who will and will not remain (i.e., seek an arrest warrant), he may request police assistance in enforcing the law. An authorized off-duty officer may only initiate enforcement of trespassing laws when the owner of a business or other authorized employee is not present at the location and the business is closed or otherwise not open to patrons or the public.

4. Gaming Rooms – Officers are not permitted off-duty Police Status employment at gaming rooms or bingo halls.

VI. Forwarding the Outside Employment Request Form

A. The police department employee requesting off-duty work shall complete the Outside Employment Form (CPD Form 27) prior to beginning employment.

B. The Outside Employment Request Form shall be forwarded through the Chain of Command to the Chief of Police or his designee for review and approval or disapproval, then to the City Manager for approval or disapproval.

C. Copies of the Outside Employment Request Form will be forwarded by the Chief of Police to the requesting employee, his immediate supervisor or Section/Unit Commander, the officer's Division Commander, and the Human Resources Office.

D. Officers maintaining outside employment for periods longer than one year must re-submit the Outside Employment Request Form at least once each year (on or prior to January 1st). It is the officer's responsibility to re-submit this form through the Chain of Command to the Chief's office. No outside employment is allowed until approval has been received by the employee.

VII. Suspension or Revocation of Privilege to Work Outside Employment

A. The Chief of Police may approve, suspend or revoke the privilege to work outside employment on a case by case basis.

B. Review or complaints concerning outside employment shall be initiated through the established complaint or grievance processes.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.16

SUBJECT: RESERVED

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:** All Personnel

Purpose:

Policy:

Definitions:

Procedure:

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.17

SUBJECT: Field Training

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Field Training; Field Training Officer;
Recruit Training

DISTRIBUTION: All Personnel

Purpose: To establish a period of indoctrination and training for recruits, specify the selection criteria for field training officers, and provide guidelines for the evaluation of a recruit's field performance.

Policy: The Field Evaluation and Training Program for recruits will facilitate a recruit's transition from the classroom to the field under the supervision of a Field Training Officer (FTO), to ensure that the standards of a competent uniformed patrol officer are met. Essential elements of this program will include the proper selection of Field Training Officers, a complete Field Evaluation and Training Program Guide, proper evaluation and review, and delineation of responsibilities.

Procedure:

I. Authority of Field Training Officers

Field Training Officers will discuss training matters with recruit officers, point out performance mistakes and deficiencies, and suggest performance improvements. Field Training Officers lack the authority to take disciplinary action or give commands, except in cases involving actions by recruit officers that may jeopardize the purpose or interests of the Department.

II. Qualifications of Field Training Officers

A. Prior to appointment, Field Training Officers will be required to meet the following criteria:

1. A minimum of one year of service as a police officer with the City of Creedmoor and at least years of total law enforcement related experience.

2. Achieved a rating of “Meets Expectations” or higher on the most recent annual performance evaluation.

3. No disciplinary actions for a period of eighteen months prior to appointment that have resulted in the loss of pay, demotion, or suspension.

4. Agreement to serve in the additional duty assignment for a minimum of two years, at the discretion of the Chief of Police.

B. Field Training Officer appointees must possess the technical knowledge necessary for successful performance in the position of police officer and the teaching skills required of a Field Training Officer. Appointees must also demonstrate the desire to participate in the program and show a commitment to the goals of the program and the Department.

III. Field Training Officer Selection

Officers meeting the qualifications for field training officer may request appointment by forwarding a request through the chain of command to the Patrol Commander. Statements of endorsement from the candidate's Section Commander regarding the applicant’s suitability for the responsibilities of Field Training Officer should be included with the request. The Patrol Commander will review all candidates for appointment and any additional relevant information and will appoint Field Training Officers in accordance with the needs of the Department.

IV. Instruction for Field Training Officers

A. Before serving as a Field Training Officer, appointees must successfully complete a Field Training Officer Course administered by an accredited training provider.

B. Designation and Certification of Field Training Officers

Appointees who have successfully completed the Field Training Officer program of instruction will be placed on a roster of certified Field Training Officers. The maintenance of an officer’s status as Field Training Officer will be dependent upon continued satisfactory performance as evaluated by the Patrol Division Commander.

V. Field Training Officer Responsibilities

Field Training Officers will:

A. Be responsible for the field training of the assigned recruit officer, using departmental written directives as a guide.

B. Use required departmental forms and training materials designated for use in the Field Training Program.

C. Evaluate and complete a performance rating form documenting the progress of the recruit officer on a daily basis.

D. Forward all completed Field Training documentation to the Section Commander.

E. Complete timely performance reviews for the assigned recruit officer.

F. Recommend the release of a recruit from the training process when that recruit is ready to assume the responsibilities of a law enforcement officer without assistance or recommend termination of a recruit officer when the evaluation process indicates a likelihood that the recruit officer will be unable to carry out the duties and responsibilities necessary for successful job performance.

VI. Patrol Division Commander's Responsibilities

The Patrol Division Commander will:

A. Be responsible for monitoring the training of the recruit officer by the Field Training Officer;

B. Review completed departmental forms and training materials used in the Field Training Program;

C. Conduct monthly evaluation interviews with the recruit and the Shift Supervisor; and

D. Compile all completed documentation relating the recruit training for inclusion in the recruit's field training file.

VII. Shift Supervisors Responsibilities

Shift Supervisors will

A. Monitor the training of the recruit officer by the Field Training Officer;

B. Conduct biweekly evaluation interviews with the recruit officer and the Field Training Officer;

C. Review and forward weekly all documentation relating to the training of a recruit officer to the Patrol Division Commander; and

D. Keep the Patrol Services Division Commander and other appropriate personnel informed of any deficiencies or issues with the recruit officer's performance.

VIII. Assignment of Recruit Officers

A. Each recruit officer will be initially assigned training with the Human Resources Officer and Patrol Services Commander for orientation. During orientation, training will be provided on the following topics:

1. Employee benefits;

2. Use of force training, including firearms, OC Spray, and Police Baton;

3. Mobile Data Computer;

4. Tours of City facilities, Criminal Justice agencies, hospitals, and other facilities as appropriate; and

5. Any other appropriate training.

B. Upon completion of orientation, the recruit officer will be assigned to a Patrol Squad and to a primary and secondary Field Training Officer. The Field Training Officers and the recruit officer are under the command of the Patrol Services Division Commander.

C. The required length of the Field Training Program (after completion of BLET and Orientation) is 8 to 12 weeks.

D. Officer with more than 12 months of previous law enforcement will complete at least 4 weeks fo field training.

E. The Chief of Police may, at his discretion, authorize and require a longer periods of field training for entry level and lateral hires.

F. The Patrol Division Commander will assign recruit officers to Field Training Officers. The recruit officer will rotate field assignments as follows:

1. Observation Phase (approx. 1 week)- During this phase the recruit officer will ride with and observe the primary Field Training Officer.

2. Primary Performance Phase (approx. 4 weeks)- During this phase the recruit officer will perform the duties of a patrol officer, under the guidance of the primary Field Training Officer.

3. Secondary Performance Phase (approx. 4 weeks)- During this phase the recruit officer will perform the duties of a patrol officer, under the guidance of the secondary Field Training Officer.

   The Shift Supervisor will ensure that the recruit officer is trained during varying hours. Recruit officers will switch shifts with the squad to which they are assigned.

4. Final Phase (approx. 1 to 2 weeks)- During this phase the recruit officer will perform the duties of a patrol officer under the guidance of the primary Field Training Officer. During this phase the Field Training Officer may wear either the standard police uniform or appropriate civilian attire.

5. Daily Observation Reports- Outline critical dimensions to be instructed upon to the officer and observed by the training officer. Observation reports must be completed on a daily basis.

6. Variations in Field Training Hours- Variations to the length/duration of field training may be authorized by the Chief of Police upon recommendations of the staff, but at least four weeks of field training is required in all cases.

7. Check-in Units- During all phases of the Field Training Program, calls for service requiring a check-in will necessitate the dispatch of a second car, as the Field Training Officer should become involved, only in emergency situations.

IX. Field Evaluation and Training Program Manual

A. The Field Training Officer will use the *Field Evaluation and Training Program Manual* and accompanying forms in training the recruit officer. During orientation, the Patrol Division Commander and/or Shift Supervisor will furnish the recruit officer with a *Field Evaluation and Training Program Manual* along with other necessary documents and materials.

B. Each recruit officer will retain the *Field Evaluation and Training Program Manual* throughout the duration of the Field Training Program. The Field Training Officer will use evaluation and performance rating forms included in that manual to monitor the performance and development of the recruit officer.

C. The Field Training Officer will complete the “Field Training Topical Checklist” and forward it along with a recommendation to the Shift Supervisor. The Shift Supervisor will review and forward the checklist to the Patrol Services Division Chief of Police and Human Resources for filing in the recruit officer’s training file.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.18

SUBJECT: Social Media

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Social media

DISTRIBUTION: All Personnel

Purpose: The Creedmoor Police Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and provides guidance on its management, administration, and oversight in conjunction with the City's Social Media Policy. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

Policy: Social media provides valuable means of assisting the Creedmoor Police Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses which may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role these tools play in the personal lives of some department personnel. The personal use of social media can have bearing on departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

Definitions: Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), micro-blogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit, Kik).

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

I. ON-THE-JOB USE

A. Department-Sanctioned Presence

1. Determine strategy

a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.

b. Where possible, the page(s) should link to the city's/department's official/sanctioned website/page.

Social media page(s) shall be designed to inform and target audience(s) regarding recent and upcoming events, information relating to crimes or initiatives and general community support and recruiting

2. Procedures

a. Any social media sites referencing Creedmoor Police Department social media sites or pages must be approved by the Chief of Police along with

the concurrence from the City Manager's Office shall only be administered by the Chief of Police, his/her designee(s) or a member of City Hall Staff

b. Where possible, social media pages shall clearly indicate they are maintained by the City of Creedmoor and/or the Creedmoor Police Department and shall have department contact information prominently displayed.

c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.

(1) Content is subject to public records laws.

Relevant records retention schedules apply to social media content.

(2) Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.

d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Creedmoor Police Department.

3. Department-Sanctioned Use

a. Creedmoor Police Department personnel representing the department via social media outlets shall do the following:

(1) Conduct themselves at all times as representatives of the Creedmoor Police Department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

(2) Identify themselves as a member of the Creedmoor Police Department.

(3) Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission.

(4) Not conduct political activities or private business.

b. The use of Creedmoor Police Department computers by department personnel to access social media is prohibited without authorization.

c. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.

d. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

B. Potential Uses

1. Social media is a valuable investigative tool when seeking evidence or information about

   a. missing persons;

   b. wanted persons;

   c. crimes perpetrated online (i.e., cyber-bullying, cyber-stalking); and

   d. photos or videos of a crime posted by a participant or observer.

2. Social media can be used for community outreach and engagement by

   a. providing crime prevention tips;

   b. sharing crime maps and data; and

   c. soliciting tips about unsolved crimes (i.e., Crime Stoppers).

3. Social media can be used to make time-sensitive notifications related to

   a. road closures,

   b. special events,

   c. weather emergencies, and

   d. missing or endangered persons.

II. PERSONAL USE

A. Employee's using social media for personal use must must compliance with the City's Social Media Policy.

Precautions and Prohibitions: Barring state law or binding employment contracts to the contrary, Creedmoor Police Department personnel shall abide by the following when using social media.

1. Creedmoor Police Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Creedmoor Police Department.

2. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee's professional duties and responsibilities—may not be protected free speech under the First Amendment and may form the basis for discipline if detrimental to the department. **All personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.**

3. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police or their designee.

4. For safety and security reasons, Creedmoor Police Department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to do the following:

    a. Display department logos, uniforms, or similar identifying items on personal web pages.

    b. Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are, or who may reasonably be expected to work in undercover operations, should not post any form of visual or personal identification.

5. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's Mission Statement; Values and Operational Policies is required in the personal use of social media. In particular, department personnel are prohibited from the following:

    a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule,

malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.

b. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.

6. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.

7. Creedmoor Police Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.

8. Department personnel should be aware that they may be subject to civil litigation for

a. publishing or posting false information that harms the reputation of another person, group, or organization (defamation);

b. publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;

c. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or

d. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

9. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.

10. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

11. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 2.19

SUBJECT: RESERVED

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:** All Personnel

Purpose:

Policy:

Definitions:

Procedure:

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.01

SUBJECT: Criminal Arrest

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** #1 - 12/15/2016

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Criminal Arrest Policy and Procedure; Warrantless Arrests; Detention By Private Person; Arrest Of Military Deserters; Juvenile Petition

DISTRIBUTION: All Personnel

Purpose: To define the departmental policy on effecting criminal arrests and provide consistency in the exercise of police power in the City of Creedmoor.

Policy: The citizens of Creedmoor have basic rights that are set forth in common law, statutory law and the Constitution. Among the rights is the right of persons suspected of criminal acts to be protected from abuses by persons with law enforcement powers. The policy of this department is to exercise the power of arrest in conformity with all applicable laws.

Procedure:

I. Discretion

A. Officers are vested with a broad range of discretion when deciding whether or not to make an arrest. This directive is not intended to deprive any officer of this discretion, provided it is exercised in accordance with departmental rules and regulations and in furtherance of the Police Department's mission, values, goals and objectives.

B. The proper exercise of discretion does not relieve the investigating officer of his responsibility to conduct a thorough preliminary investigation of crimes or incidents.

II. Arrest Warrants & Juvenile Petitions

A. The primary and most fundamental source of authority to arrest, recognized under the common law and under modern statutes, is that of a warrant. This is the only authority expressly sanctioned by the Constitution of the United States.

B. An arrest with a warrant can be made at any time, day or night, except that, when the charge is of a minor nature as determined by the on-duty Squad Commander/Supervisor, service should be made at a reasonable time of day. For the purpose of this directive, 0700 to 2200 shall be considered reasonable.

C. An active warrant or summons is not to be removed from the warrant file for any reason except for the purpose of service upon the party named in the warrant or summons. If an officer disposes of a warrant or summons that is in the possession of this department, he/she is to record the disposition of said warrant and cause the warrant to be returned to the Office of the Clerk of Superior Court in the county named on the warrant.

D. Service shall be attempted immediately on any warrant or summons that charges felonious crimes against persons, or any other crimes of violence.

E. All warrants or summonses delivered to or obtained by the Department or any of its members, regardless of the severity of the charge(s), will be placed in the warrant file.

F. Service of warrants in the warrant file will be assigned by the Patrol Squad Commanders/Supervisors, unless otherwise designated by a Division Commander.

G. A juvenile custody order issued by legal authority is an order of the court. This order gives a police officer the legal authority to take the juvenile for whom the summons is issued into custody.

1. An officer who believes a juvenile custody order is necessary because a child poses a threat to himself or the community will contact the Juvenile Intake Officer.

2. Any officer who obtains a juvenile petition for any non-divertible offense, or who knows of the existence of a juvenile custody order, has lawful authority to take the juvenile named in the order into custody. Once the juvenile is in custody, the officer taking custody will contact the Intake Counselor, and shall not release the juvenile to anyone other than an Intake Counselor (or per instructions within the order).

3. Warrant service in foreign jurisdictions

4. Warrants for the arrest of individuals known to be in foreign jurisdiction will be returned to the Office of the Clerk of Superior Court for processing.

H. Creedmoor Police Officers may accompany a Deputy Sheriff or officer with jurisdiction during transport of an arrestee from foreign jurisdictions. Creedmoor Police Officers have no enforcement powers outside their jurisdiction.

III. Warrantless Arrest

A. The legislatures and courts have historically maintained a delicate balance between the interest of the community in protecting itself and the right of the citizen to be free from unjustified arrest. In striking the balance, the legislature has strictly limited the authority to arrest without a warrant. The criteria apply equally to juveniles and adults, affording all citizens equal protection.

Note: The term "ARREST" in this order, when used with regard to juveniles, means "taking into custody".

B. Under the North Carolina General Statutes 50B-4.1 (b), officers shall arrest and take into custody without a warrant or other process if the officer has probable cause to believe that the person has violated a court order pertaining to domestic violence.

C. In accordance with statutory authority, a police officer may arrest without a warrant in the following instances:

1. When a felony or misdemeanor is committed or attempted in his presence;

2. When there is probable cause to believe that a felony or misdemeanor is being committed or attempted in his presence;

3. When he has probable cause to believe that a felony has been committed or attempted and probable cause that a specific person committed or attempted the felony; or

4. When an officer is notified via official police communications that there is lawful authority to make an arrest.

D. An officer can make a warrantless arrest of persons for misdemeanors not committed in his presence if there is probable cause to believe that:

1. Unless the person is immediately arrested, he may not be apprehended later

2. He or she may cause injury to any person or damage to the property of one or more persons

3. He or she committed a misdemeanor and cannot be positively identified by appropriate form of identification.

4. He or she has committed a misdemeanor under G.S. 14-132.2, Domestic Criminal Trespass

5. He or she has committed an assault under G.S. 14-33(b)(1) or (2) when the offense meets the criteria established in G.S. 50B (Note: NC Statutes state that an officer SHALL take the suspect into immediate custody if a violation of G.S. 50B-4.1 is substantiated)

E. Juveniles may be taken into custody under the guidelines above or under the authority set forth by the courts. These guidelines state that a juvenile may be taken into custody:

1. Pursuant to an order of the court

2. By a law enforcement officer pursuant to the laws of arrest

3. When a law enforcement officer has reasonable grounds to believe that the child is in immediate danger from his surroundings and that his removal is necessary for his protection or

4. By a law enforcement officer if he has reasonable grounds to believe that the child has run away from his parents, guardian or legal custodian

F. Officers of the Creedmoor Police Department shall routinely use the Uniform Citation instead of arrest for misdemeanors such as city ordinance violations, disorderly conduct, shoplifting and ABC violations unless:

1. the person requires medical examination or medical care

2. There is a reasonable likelihood that the offense will continue or resume, or that persons or property will be endangered

3. The person cannot or will not offer satisfactory evidence of identity

4. The prosecution of the offense for which the person was accused will thereby be jeopardized

5. A reasonable likelihood exists that the cited person will fail to appear in court; or,

6. The person demands to be taken immediately before a magistrate.

G. Interrogation Rights

1. Miranda warnings should not be given unless the subject is in custody and is about to be interviewed. Giving unnecessary warnings is not recommended.

2. If an arrested person asserts right to silence and/or the right to counsel, interrogation efforts must cease immediately. Subsequent interrogation attempts are governed by special legal rules.

3. If a person who has been formally charged (arraigned before a judicial official or indicted) asserts the right to council, efforts to interrogate concerning the charged offense must cease immediately. Further attempts to interrogate regarding the charge are subject to strict legal requirements.

4. Waivers of any applicable rights must be obtained prior to interrogation, preferably in writing.

5. Juveniles will be administered the appropriate juvenile warnings prior to interrogation. If the juvenile is less than 14 years of age, a parent, guardian, custodian or attorney will be present during questioning.

H. Detention by Private Persons-Officer's Duties

Whenever a private person (citizen) detains another, the responding officer will document the event and:

1. For Felony Offenses

a. take the suspect into custody.

b. take a complete statement of facts from the detainer.

c. make application for the appropriate charging document (notwithstanding a proper exercise of discretion).

d. process the suspect according to department policy and procedure.

2. For misdemeanors amounting to a breach of the peace, a crime involving physical injury to another person or a crime involving theft or destruction of property:

a. take the suspect into custody

b. advise the detainer to respond and apply for warrant and process for the suspect

c. if the detainer refuses to apply for a warrant and the officer has legal authority to arrest for the misdemeanor, it will be his discretionary decision whether or not to charge the suspect.

d. if the detainer refuses to apply for a warrant and the officer does not have legal authority to arrest, release the suspect and document all relevant information in the investigation report.

I. Pre-trial release

Under North Carolina Statute 15A-501, an officer who physically arrests (takes into custody) an individual must take the person before a judicial official without unnecessary delay, and may not release the individual except under the un-arrest authority discussed in this General Order.

III. Authority to Arrest Military Deserters

A. Officers of the Creedmoor Police Department may detain the individual based upon information contained on the Department of Army Form DA 3835 and an entry in NCIC. This does not authorize an arrest.

B. To substantiate an apprehension of a military deserter, the US Army Deserter Information Point (USADIP) and/or NCIC must be contacted to verify the individual is presently wanted for desertion and is subject to apprehension.

IV Un-arrest After Original Justification For Arrest Has Vanished

A. Occasionally an officer may make an arrest and then learn shortly thereafter that the probable cause has almost completely diminished or evaporated entirely. In some cases, there is simply a realization that the wrong person has been arrested. To continue the arrest/custody procedure may be unreasonable if it continues after justification for the custody ends.

B. Any officer shall, after learning that justification for custody has vanished, release (un-arrest) the person immediately.

C. Upon releasing the person, the arrestee should be released in a safe place, preferably of his or her choosing.

D. In every un-arrest case, careful documentation of the facts that originally justified the arrest should follow. This should be accomplished through the completion of an Incident/Investigation Report.

E. Supervisors will review all such incidents to determine whether the detention or custody/seizure was justified in the beginning, and insure all documentation is completed.

V. Arrestees Suspected of Ingesting Controlled Substances

Officers who have probable cause to believe that an arrestee was in possession of a controlled substance and has ingested the substance in an attempt to destroy or conceal the substance, shall:

A. Have EMS respond to the scene immediately, and

B. Provide medical attention, or cause him to be transported to a medical facility, regardless of arrestee's refusal. An officer will accompany the arrestee in the EMS transport unit, and, upon arrival at the Emergency Room, present the arrestee for medical treatment.

C. The officer accompanying or transporting the arrestee will request him to consent to medical treatment. If the arrestee refuses or declines medical treatment at the hospital, the officer shall transport the arrestee to the Magistrate's Office. Officers should request an unsecured bond for misdemeanor charges.

D. If an arrestee is ordered confined to a detention facility, the arresting officer shall cause the official taking custody of the arrestee to be aware of the ingestion of controlled substance, or the belief that the arrestee ingested a controlled substance, so that the official taking custody may determine the need for medical monitoring of the prisoner. The officer will deliver to the official a record of medical treatment or the arrestee's denial of treatment.

VI. Diversionary Programs

Members of the Creedmoor Police Department are encouraged to seek the cooperation of social service agencies in diverting individuals from the criminal justice system, where appropriate. It is appropriate for members to divert individuals, prior to arrest, who have been detained for public drunkenness. These individuals may be referred to the Granville County Mental Health Center or Granville Medical Center. In addition, members are encouraged to work with the District Attorney's staff in seeking help for individuals who may benefit from diversion.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.02

SUBJECT: Processing Arrestees

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** #1 – 12/15/2016

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Fingerprinting Arrestees; Photographing Arrestees, Processing Arrestees;

DISTRIBUTION: All Personnel

Purpose: To establish guidelines for processing arrestees, while complying with North Carolina General Statutes, the submission guidelines of the SBI, and this procedure.

Procedure:

I. General

A. Officers will check all arrestees through the DCI/NCIC, NCAWARE networks and locally for outstanding warrants prior to taking any arrestee before the magistrate.

II. Courthouse Access, Magistrate's Office and Detention Facilities

A. Officers transporting prisoners to the processing area for fingerprinting and photographing will enter the Police Department via the secured side entrance.

B. Security Measures

1. Officers shall follow all weapon control policies when arriving at the jail or other detention facilities. The officer should utilize the provided weapon securement facilities at the detention facility however, he/she may elect to secure their firearm in the trunk of their vehicle before removing the prisoner from the vehicle.

2. Before prisoners are taken into any detention facility or courthouse building for processing, they must be frisked and handcuffed.

3. All arrestees must be handcuffed and remain handcuffed when in the Magistrate's lobby. Handcuffs may be removed for processing (obtaining fingerprints and photographs).

4. Prisoners shall be under continuous observation by the arresting officer or other designee for possible health problems and/or needs until released from Departmental custody.

5. It will be the arresting officer's responsibility, unless otherwise designated by higher authority, to ensure the security and safety of civilian personnel. No prisoner will be left alone with non-sworn personnel at the courthouse.

C. Prisoner Confinement/Release

1. Following processing, officers will escort the prisoner to appear before the magistrate, who determines probable cause and/or conditions of pre-trial release.

a. If the magistrate orders confinement, the arresting/processing officer or jail personnel will allow the arrestee reasonable access to a telephone to arrange for bail.

b. Officers will turn over all required documents, including the Release Order (AOC-CR-200) concerning the prisoner's charges, trial dates, and bail/bond to the jail. Officers will advise jail personnel of any aggressive behaviors displayed by the arrestee, remove Police Department restraint devices from the prisoner, and leave the prisoner in the custody, care and control of the jail.

III. Processing Criteria & Duties of Officers

A. All persons arrested and charged by a member of this department for an offense that is punishable as a felony shall be processed accordingly via friction-ridge fingerprint impressions using the LiveScan system or conventional ink based fingerprint impressions. Mugshot photographs of the arrested person shall also be completed. (See Section IV below on juveniles).

B. All persons, other than juveniles, arrested and charged by a member of this Department for an offense punishable as a Class 1 or Class A1 misdemeanor criminal violation of North Carolina General Statutes will be carried to the Processing Section of the County Sheriff's Department. Jail personnel will collect and record friction-ridge fingerprint impressions using the LiveScan system, and photograph the arrested person.

C. Any officer who arrests a person 16 years of age or older charged with the commission of any misdemeanor offense committed because of the victim's race, color, religion, nationality, or country of origin (Hate Crime) shall cause the person to be fingerprinted.

D. The Criminal Investigation Division maintains Personal History Information data and detailed M.O. information in the departments computerized records management system.

E. All arrest reports are to be submitted to and maintained by the Records Section in accordance with established department procedures and retention schedules.

F. Criminal history transcripts (other than local departmental arrest data) are accessible through the DCI/NCIC system.

IV. Fingerprinting Juveniles (NCGS 7B-2102):

A. NCGS 7B-2102 requires law enforcement officers to fingerprint a juvenile who was 10 years of age or older at the time the juvenile allegedly committed a non-divertible offense, as set forth in NCGS 7B-1701, when a complaint has been prepared for filing as a petition and when the juvenile is in physical custody of law enforcement or the Office of Juvenile Justice.

1. Non-divertible Offenses are as follows:

a. Murder
b. First or Second-degree Rape
c. First or Second-degree Sexual Offense
d. Arson
e. Any violation of Article 5, Chapter 90 of the General Statutes that would constitute a felony if committed by an adult.
f. First Degree Burglary
g. Crime Against Nature
h. Any felony that involves the willful infliction of serious bodily injury upon another or which was committed by the use of a deadly weapon.

B. If a juvenile is fingerprinted pursuant to NCGS 7B-2101, the custodian of records shall destroy all fingerprints at the earlier of the following:

1. The intake counselor or prosecutor does not file a petition against the juvenile within one year of the fingerprinting of the juvenile pursuant to NCGS 7B-2101.

2. The court does not find probable cause pursuant to NCGS 7B-2202, or

3. The juvenile is not adjudicated delinquent of any offense that would be a felony or a misdemeanor if committed by an adult.

C. Fingerprints taken pursuant to NCGS 7B-2101 are not public record as outlined in Chapter 132 of the General Statutes.

D. Fingerprints taken pursuant to NCGS 7B-2102, shall be maintained separately from all juvenile records.

E. After a juvenile who was 10 years of age or older at the time of the offense is adjudicated delinquent of an offense that would be a felony if committed by an adult, fingerprints obtained pursuant to NCGS 7B-2102 shall be transferred to the SBI to be used for all investigative or comparison purposes.

V. Special Procedures

A. Grand Jury Bills of Indictment

1. A defendant charged in a Grand Jury Indictment which was not originally initiated by a felony warrant, or when the original warrant was disposed of in District Court, will be fingerprinted and photographed for such charge(s). When fingerprints are taken for Grand Jury Indictments, officers should record the charge(s) within the charge block on each fingerprint print card as follows:

Grand Jury Indictment - (Charged offense)

2. If the Grand Jury Indictment is for a specific charge on which the defendant has been previously processed and the charge is still pending, officers will not process the arrestee again

B. Fugitive and Governor's Warrants

All subjects arrested or served with a Fugitive or Governor Warrant shall be fingerprinted. When fingerprints are taken for Fugitive and Governor Warrants, officers should record the charge(s) within the charge block on each fingerprint card as follows:

Fugitive/Governor Warrant - State

C. Out-of-County Warrants

It is the policy of this Department to detain persons wanted on out-of-county warrants, and to serve all out-of-county warrants on persons detained for such purpose. When an officer serves an out-of-county warrant on an individual for an

offense requiring photograph and fingerprints (in accordance with this General Order), the arresting officer will:

1. Fingerprint the subject.

2. Complete the final disposition report.

3. Record the charge(s) on the fingerprint card and final disposition report as follows:

Out-of-County Warrant - Wake County – (Charged Offense)

4. Attach the final disposition report to the original criminal process charging the individual

5. Route all corresponding documents to the Clerk of Court in the County named in the charging document(s)

If an officer arrests a person for another county and our Department is also charging the subject with an offense requiring fingerprinting under this order, separate fingerprint cards and disposition reports will be required.

D. Traffic Arrests (Chapter 20 Offenses)

In the absence of other legal justification, officers are generally not authorized to obtain fingerprints or photographs of persons charged with a class 2 or class 3 misdemeanor motor vehicle offense under Chapter 20 of the North Carolina General Statutes.

D. "John Doe" Arrestees

When the true identity of a person originally processed as a "John Doe" is learned, the arresting officer will notify Records personnel with the correct information. It is the arresting officer's responsibility to notify the Granville County Jail so that they may correct their records.

E. Misdemeanor Arrests Pursuant to the National Child Protection Act

Pursuant to the National Child Protection Act as amended by the Violent Crime Control and Law Enforcement Act of 1994, the arresting officer shall cause a person 16 years of age or older who is charged with the commission of an identifiable misdemeanor offense, as set forth by the Administrative Office of the Courts (AOC), against a child, an elderly person or individuals with disabilities to be fingerprinted.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.03

SUBJECT: Searches & Forced Entry

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Searches; Forced Entry; Search Warrant;

DISTRIBUTION: All Sworn Personnel

Purpose: The Fourth Amendment of the Constitution of the United States regulates searches and seizures of persons and property. It is necessary that searches and raids be conducted in a reasonable manner, in order to comply with the Constitution and policies of this department.

Procedure:

I. Consent Searches

When, in the course of any criminal investigation, it becomes necessary to search a person, a vehicle, a house or building, officers will do so as follows:

A. Consent will be obtained from

1. the person to be searched

2. The registered owner of any vehicle to be searched or the person in apparent control of the operation and contents of the vehicle at the time the consent is given. If the registered owner is present, his consent must be obtained.

3. A person who, by ownership or otherwise, is apparently entitled to give or withhold consent to a search of a premises.

B. The person who consents to a search may, at any time during the course of the search, withdraw that consent. (It is not required, however, that police officers advise them that they can withdraw consent.) If consent is withdrawn, officers will stop the search immediately, unless probable cause has been established and exigent circumstances exist to justify a continued search. In the absence of exigent circumstances, officers will seek a search warrant for continued search.

C. Upon completion of the search, the officer in charge/evidence technician or forensic evidence specialist will supply an inventory of the items seized to the person who consented to the search.

II. Search with a Search Warrant for Evidence of a Crime or for Contraband

A. All search warrant affidavits must comply with North Carolina General Statute 15A-244 and contain the following:

1. Name and title of the applicant

2. A statement that there is probable cause to believe that items which are subject to seizure under North Carolina General Statute 15A-242 may be found in or upon a designated or described place, vehicle or person

3. Details and facts supporting the statement. The statements must be supported by one (1) or more affidavits specifically setting forth the facts and circumstances establishing probable cause to believe that items are in the places or in the possession of the individual(s) to be searched

4. A request that the courts issue a search warrant directing a search for and the seizure of the items in question.

B. In preparing the affidavit, the officer should verify addresses, conduct surveillance or other corroboration, and take other appropriate measures to ensure accuracy of information.

C. Service of Search Warrant**s**

1. Supervisors will conduct a pre-service meeting for personnel assigned to execute the search warrant to discuss and, where appropriate, assign the following issues and responsibilities:

a. Supervisory control over the search

b. The location to be searched and/or individual to be searched

c. The existence, nature of any known hazards associated with the search or the search location

d. The physical layout of the house and/or building, if known

e. The assignment of responsibilities for assisting officers, as necessary to:

1) cover front and rear of premises

2) guard persons arrested

3) search and secure the premises

4) restrict access to authorized persons only

5) identify, label and collect any evidence found

6) participate in the search of the premises/building

7) Determine the means of identifying search participant as police personnel.

Depending on the nature of the operation associated with the search, search participants will be guided by supervisory judgement in the use of raid jackets, the display of identification badges, or other means of identifying search participants as police personnel.

2. All department personnel engaged in pre-planned searches and forced entries as defined in this general order will wear protective ballistic vests at all times during the execution of the search and/or entry.

3. The search warrant must be executed within 48 hours from the time of issuance. Any warrant not executed within this time is void and must be marked "Not Executed" and returned without unnecessary delay to the Clerk of Court

4. The officer executing a search warrant must, before entering the premises, give appropriate notice of his identity and purpose to the person to be searched or the person in apparent control of the premises to be searched. If it is unclear whether anyone is present at the premises to be searched, the officer must give notice in a manner likely to be heard by anyone who is present.

5. Before undertaking any search or seizure pursuant to the warrant, the officer must read the warrant and give a copy of the warrant application and affidavit to the person to be searched or the person in apparent control of the premises or vehicle to be searched.

6. If no one in apparent and responsible control is occupying the premises or vehicle, the officer must leave a copy of the warrant affixed to the premises or vehicle. An officer may break and enter any premises or vehicle when necessary for the execution of the warrant if:

   a. The officer has previously announced his identity and purpose and reasonably believes either that admittance is being denied or unreasonably delayed or that the premises or vehicle is unoccupied.

   b. The officer has probable cause to believe that the giving of notice would endanger the life or safety of any person.

7. Any forced entry will be reported to and investigated by a supervisor. It the premises are unoccupied, it must be secured prior to leaving.

III. Searching Premises or Vehicle

A. A supervisor will be present on all searches of premises. Each room or vehicle will be searched twice by more than one officer.

B. When exigent circumstances exist, officers may conduct a warrantless search of a vehicle in accordance with United States and North Carolina Law. Careful attention should be given to:

1. location of the vehicle

2. ability of vehicle to be moved

C. Any evidence found by search officers will be noted and left in position. The officer in charge of the search will be notified and he will collect the evidence.

D. All evidence will be submitted to Property & Evidence Control. The officer in charge of collecting evidence will complete all reports and property control forms before ending his duty tour. All evidence will be properly packaged and placed in storage lockers before the officer ends his tour of duty.

E. Inventory of Items Seized:

The officer in charge will write and sign a receipt itemizing the items seized via form AOC-206.

1. If items are seized from a person, then a receipt must be given to that person.
2. If items are seized from a place or vehicle, the receipt must be given to:

a. the owner

b. Person in control of premises or vehicle

c. If no person is present, the receipt will be left in the premises or vehicle from which the items were seized.

IV. Frisk of Persons Present in Premises or Vehicle to be Searched

A. If an officer reasonably believes that his safety or the safety of others present so requires, he may search for any dangerous weapons by externally patting the clothing of those persons present.

B. If the officer feels an object which he believes is a dangerous weapon, he may take possession of that object.

C. Officers have the authority to conduct strip and body cavity searches under certain conditions that are necessary to protect the safety of officers, civilians and other prisoners; and to detect and secure evidence. Such searches shall be conducted only with proper justification and in accordance with procedural guidelines for conducting such searches as set forth in this directive.

1. Strip searches are defined as any search of an individual requiring the removal of clothing to permit the visual inspection of the skin surfaces including genital areas. Strip searches may be conducted by departmental personnel of the same sex as the person being searched and under conditions that provide privacy from all but those authorized to conduct the search. If a strip search is conducted, it must be done discreetly and out of the view of the public. While a search warrant is not required for a strip search, a supervisor must approve all strip searches beforehand.

2. Body cavity searches are defined as any search involving visual inspection or physical examination of internal body civilities, such as the rectal or vaginal cavity, excluding visual inspection of the open mouth.

    a. A body cavity search shall be performed pursuant to a search warrant or consent of the person being searched. Only a physician or other medically trained personnel, who are acting under a physician's direction, shall perform a body cavity search.

    b. Only an officer of the same sex as the person being searched will be present when the body cavity search is conducted.

3. All details of investigations involving strip searches will be fully documented in the investigating officers Incident Report.

4. All details of investigations involving body cavity searches, including the attending medical personnel's contact information, will be fully documented in the officer's Incident Report.

V. Detention and Search of Persons in Private Premises or Vehicle to be Searched

A. An officer executing a search warrant or directing a search of premises not generally open to the public, or of a vehicle other than a common carrier, may detain any person present for such time as is reasonably necessary to execute the search warrant.

B. If the items listed in the search warrant are not found on the premises or vehicle, the officer may then search any person present at the time of the officer's entry for the specifically described property in the warrant. Officers cannot seize different types of property for use for prosecution of any person so searched.

C. All controlled substances are the same type of property.

VII. Conclusion of the Search

A. The executed search warrant must be returned without unnecessary delay to the Clerk of Court. The warrant must be signed and sworn to by the officer who executed the warrant and must contain a written inventory of the items seized.

B. The officer in charge is responsible for:

1. Assuring all evidence is accounted for.

2. Assuring the premises or vehicle is secure.

3. Assuring all paperwork and evidence is turned in.

VIII. Searching Premises to Locate and Arrest with a Warrant for Arrest or Order for Arrest

A. A sworn law enforcement officer may enter private premises or a vehicle to effect an arrest when:

1. The officer has in his possession a warrant or order for the arrest of a person or is authorized to arrest a person without a warrant or order having been issued. Before entering a suspect's premises to arrest, an arrest warrant must have already been issued (unless arrest follows "hot pursuit"). Officers should have physical possession of the warrant prior to entry (unless the warrant is in electronic format and has been verified). Before entering the premises of one other than the person named in the arrest warrant, the officer must have one of the following:

a. Consent of the owner of the premises.

b. A search warrant describing the premises and the person sought.

c. An emergency that prevents the officer from obtaining the search warrant prior to entry.

d. The officer has reasonable cause to believe the person to be arrested is present.

2. The officer has given or made reasonable effort to give notice of his authority and purpose to an occupant there, unless there is reasonable cause to believe that the giving of such notice would present a clear danger to human life.

X. Forced Entry

A. A law enforcement officer may use force to enter premises or vehicles if he reasonably believes that admittance is being denied or unreasonably delayed, or when an officer reasonably believes that doing so is urgently necessary to save a life, prevent serious bodily harm or control public catastrophe or when the officer is in hot pursuit of violators.

B. The term "forced entry", as used in this procedure, shall include any entry into any building except by permission of an authorized person. "Forced entry" is entry by force, whether or not any physical damage is incurred to the property. "Damage" shall mean any damage, regardless of whether it could be estimated or whether it can or has been repaired.

C. The mere fact that an officer on the scene has in his possession (or in electronic format with verification) a legal paper for the arrest of a named person may not in itself constitute probable cause to conduct a forced entry onto the premises, even if the address shown on the legal paper is correct. Probable cause to enter is information known to an officer at the scene that would lead a reasonable, prudent person to believe the person named on the legal paper is in fact inside the premises at the time. The final test of probable cause must rest with the officer being able to show those points that establish probable cause to departmental supervisors and/or a court of law.

D. The totality of the whole known facts before entry must point to probable cause. The fact that the person was inside and was arrested does not itself establish probable cause since this fact was established after entry.

E. When an officer has a warrant (or the warrant is in electronic format and has been verified) for arrest for a named person, whose address is on the face of the warrant and is the same as the premises in which he is attempting to gain entry, and having probable cause that the person being sought is in the building and being

denied after exhausting reasonable means to gain entry without force to effect an arrest, shall:

1. Notify a supervisor to respond to the scene.

2. Upon the arrival of the supervisor, he shall set forth his facts to determine probable cause.

3. The supervisor shall determine if the facts known constitute probable cause and/or the necessity of a search warrant.

4. The supervisor shall grant or deny permission to forcibly enter.

5. If entry is made, the supervisor shall prepare administrative reports to comply with reporting procedures.

F. Each forced entry by members of the Creedmoor Police Department shall be reported, in writing, by the Section or Unit Commander to which the officers were assigned. Reports shall be directed to the respective Division Commander, and shall contain, but are not limited to the following:

1. Person Wanted: Name, address, race, age, sex and OCA number.

2. Offense: Specific charge(s), warrant for arrest, order for arrest, etc.

3. Location: Address entered, type of premises, owner of property, property rented to.

4. Damage: Complete description of the damage, dollar estimate, photograph of damage.

5. Officers: Supervisor making probable cause decisions and names of all officers and supervisors on the scene.

6. Probable Cause: A full statement of those elements that were related to the supervisor and used to determine probable cause. Included shall be the names of any and all persons who supplied information upon which probable cause was wholly or partially based.

F. The reporting supervisor shall include his finding, justification and recommendations on the entry. Photographs of the forced entry shall be processed as soon as possible, and the OCA number on the report shall be affixed to the photographs, along with the forced entry date, time and location of entry. Photographs will be forwarded to the Division Commander of the officer(s) effecting entry.

G. The administrative report will be forwarded, through channels, to the Chief of Police, who will evaluate the findings and action taken at the division level. If the Chief of Police does not concur with the findings and the action taken, the administrative report shall be returned to the Division Commander for further investigation and documentation however; the Chief of Police will have final authority in initiating or recommending final action in all forced entry incidents. Upon approval of the action taken, the report will be forwarded to the respective Division Commander.

I. No officer shall make any statement to anyone regarding liability for repairs due to any forced entry. Such determination, if deemed necessary, shall be handled through the Office of the Chief of Police.

J. Searches and seizures not aforementioned by this or other departmental directives should be conducted in accordance with state and federal constitutional provisions.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.04

SUBJECT: Prisoner Custody & Transportation Responsibilities

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Handcuffing Prisoners; Restraining Prisoners; Searching Prisoners; Transporting Prisoners

DISTRIBUTION: All Personnel

Purpose: To establish responsibilities and guidelines for Department personnel for the custody and transportation of prisoners.

Policy: When a prisoner is in custody, the arresting or transporting officer will assume responsibility for providing security to prevent the prisoner's escape and to prevent injury or death to police personnel, citizens, and prisoner.

Definitions:

Prisoner - A person who has been deprived of liberty and movement and kept under involuntary restraint, confinement, and/or custody

Arresting Officer - Any police officer who physically takes a person into custody and places that person under arrest

Transporting Officer - Any police officer who has a prisoner in custody and transports that prisoner from one location to another

Restraining Device - Any device used to restrict the movement of prisoners, such as handcuffs, flex-a-cuffs, leg-restraints

Protective Shield - A device placed between the front and rear seat of police vehicles to separate the officer and the prisoner

Weapons - For the purposes of this directive, includes all firearms; ammunition; chemical munitions; stun guns; sharp or pointed implements such as knives, razor blades, pocketknives, pen knives, broken glass, letter openers, and/or screw drivers; impact tools such as convoys, blackjacks, saps and sap gloves, metal knuckles, PR- batons, and all other batons

Warrant- For the purposes of this directive, any arrest authorization process

I. Responsibilities of Arresting or Transporting Officer

A. A Prisoner's custody is solely the responsibility of the arresting and transporting officers. Officers may delegate custody responsibility to other sworn officers, but not to non-sworn personnel.

B. When a transfer of custody occurs, clear and concise communication should take place between officers to:

1. Ensure immediate medical treatment when injuries occur before or during arrest or incarceration

2. Ensure immediate medical treatment if symptoms of illness are evident or complaints of illness are made by prisoners

3. Confirm with all officers involved what has occurred and what remains to be done.

C. Officers charged with the custody of prisoners will:

1. Observe all laws and departmental directives;

2. Treat prisoners humanely;

3. Remain in the proximity of the prisoners to prevent escape and/or injury to themselves, injury to others, or damage to property;

4. Keep prisoners secured, but not subjected to unnecessary restraint;

5. Not place or leave unattended weapons, or objects adaptable for use as weapons, within proximity of prisoners;

6. Be responsible for the security of prisoners' personal property or property under prisoners' control at the time of arrest; Ensure that such property is stored safely until it can be returned to the arrested person(s) or released to the appropriate official at the holding facility;

7. Ensure that prisoners who are ill, injured, or show signs of illness while in custody are not left unattended; Officers are governed by the decision made by Emergency Medical Services personnel regarding the need for hospitalization; and will accompany prisoners transported for treatment of injuries or illness unless urgent medical circumstances exist.

8. Note that no arrestee in obvious need of medical attention will be accepted by the County Jail;

9. Ensure that prisoners with exceptional transportation needs, such as those who are non-ambulatory or require wheelchairs, crutches or prosthetic appliances, are transported in a manner that reasonably accommodates their needs while providing appropriate safety and security; Ensure that medicines and/or medical equipment necessary for safe transport accompanies the prisoner;

10. Search prisoners thoroughly, particularly prior to turning custody over to another officer for transportation;

11. When releasing prisoners to any holding facility, notify detention personnel of pertinent medical information and provide medical release forms, if applicable; Advise detention personnel of any escape and/or suicide attempts or threats to carry out such actions;

12. Ensure that immediate notification regarding transfer of custody is made to a supervisor;

13. Ensure that a prisoner's condition and actions taken are documented in a written report.

II. Handcuffing/Restraining Prisoners

A. Handcuffs or other physical restraints will be used only to immobilize prisoners and not to cause injury, additional injury, or discomfort. Officers will use discretion and common sense when considering the use of handcuffs or other physical restraints.

B. Persons physically arrested and handcuffed will be restrained with the hands of the prisoner placed behind the back. The use of flex-a-cuffs restraints is permissible when needed.

C. Prisoners will not be handcuffed to any portion of the vehicle during transport.

D. Prisoners transported due to special circumstances may require special restraint such as waist chains and/or leg restraints. Prisoners wearing waist chains will be

restrained with their hands placed in the front. This method will be used when transporting prisoners for extended periods of time.

E. All persons arrested will be handcuffed during transport.

F. All prisoners, including the physically or mentally handicapped, who exhibit violent behavior should be handcuffed during transport. Prisoners who exhibit violent behavior, as well as those who are physically or mentally handicapped, may require special restraint in addition to or instead of handcuffs. Such devices may be obtained through Emergency Medical Services or the local hospital. When using restraining devices other than handcuffs, the immediate supervisor must be notified and reasons documented in a written report.

G. The handcuffing of juveniles is allowed under the same circumstances as adults.

III. Searching Prisoners

Following a physical arrest, and before transporting prisoners, officers will search the prisoner for weapons and contraband.

A. If the transporting officer is not the arresting officer, the transporting officer will search each prisoner before transporting.

B. Whenever possible, an officer of the same gender as the prisoner will conduct the search. If an officer of the same gender is not available, the arresting or transporting officer may conduct the search. While searching a prisoner of the opposite gender, the prisoner will be touched only as necessary to determine that no weapons or contraband are concealed. Every search of a prisoner of the opposite gender will be documented in the officer's report narrative.

IV. Searching Vehicles Used for Prisoner Transport

A. At the beginning of each shift, the assigned officer will examine the exterior and the interior of police vehicles to determine that the vehicle is safe to operate and is equipped with all the items assigned to the vehicle. The examination will also serve to locate any contraband, weapons, or other dangerous items.

B. Before transporting a prisoner, the transporting officer will search the vehicle for contraband and weapons. The officer will also ensure that no equipment that could be used as a weapon against the officer is within reach of the prisoner. Upon the completion of transporting a prisoner to a holding facility, the transporting officer will search the vehicle again for weapons and contraband.

V. Prisoner Transportation

Whenever possible, a prisoner will be transported in a police vehicle that is equipped with protective shield.

A. Seating Arrangements

1. Seating arrangements of prisoners during automobile transportation in vehicles without protective shields, if necessary, will be as follows:

   a. One officer and one prisoner - prisoner in right front seat

   b. One officer and two prisoners - one prisoner in right front seat and second prisoner in right rear seat

   c. Two officers and one prisoner- prisoner in right rear seat and second officer in left rear seat

   d. Two officers and two prisoners- prisoners in right front and rear seats, second officer in left rear seat

   e. Two officers and three prisoners- all three prisoners in rear seat, second officer in right front sear to maintain observation of prisoners; the transportation of three prisoners in one patrol vehicle is to be avoided and done only when absolutely necessary.

2. Seating arrangements of prisoners during automobile transportation in vehicles with protective shields will be as follows:

   a. One officer and one prisoner- prisoner in right rear seat

   b. One officer and two prisoners- one prisoner in right rear seat and the second prisoner in left rear seat

   c. Two officers and one prisoner- prisoner in right rear seat and second officer in right front seat

   d. Two officers and two prisoners- prisoners in right and left rear seats, second officer in right front seat

   e. Two officers and three prisoners- all three prisoners in rear seat, second officer in right front seat to maintain observation of prisoners

C. General Guidelines

1. Restraining devices will be used in accordance with departmental directives and training. Prisoners will be seated and securely belted in the safety seatbelt prior to and during transport. Once prisoners are secured in the vehicle, the vehicle doors will be locked to prevent subjects outside the vehicle from opening the door and enabling prisoners to escape.

2. Officers will notify the Communications Center when initiating the transportation of prisoners, providing the following information:

   a. The number of prisoners

   b. The location to which prisoners are being transported

3. If the prisoner is the officer's opposite gender or a juvenile, the officer will also provide the Communications Center with the beginning and ending mileage.

4. While transporting prisoners, officers will:

   a. Not allow prisoners to smoke

   b. Not answer calls for service unless involving a life or death situation, with permission from the immediate supervisor

   c. Stop to render police assistance only in an emergency where there is clearly a grave risk to a third party, and only when the risk to prisoners or to the public from prisoners is minimal

D. Transporting Prisoners to the Police Department

Prisoners will not be taken to, held, or housed at the Police Department except for the purpose of interviewing, processing (i.e. Prints, photos, breath-testing) and other booking requirements. While at the Police Department, officers will:

1. Park vehicles in the closest available space to the Police Department and escort the prisoner into the building

2. Not leave prisoners alone; Maintain constant visual contact

3. Remove restraints at the arresting/transporting officer's discretion

4. Secure the interview room of weapons or objects that may be used as weapons

5. Close the interview room door while interviewing prisoners to prevent others from listening and/or interfering

6. Never leave prisoners handcuffed and/or unattended in an interview room; delegate custody to another officer if it is necessary to leave temporarily

7. Exercise caution with weapons, using weapon lockboxes where available

E. Transporting Prisoners to Detention Facility

Prisoners who fail to post bail after being ordered confined will be transported to the County Jail.

1. Upon arriving at the jail and prior to taking a prisoner from the vehicle, the transporting officer will secure his or her handgun either by locking it in the trunk of their police vehicle or in the lockboxes provided at the jail.

2. Any restraining devices, such as handcuffs or leg restraints, will not be removed from the prisoner until the prisoner has been accepted and taken into the custody of the detention officer on duty at the receiving area of the jail. The staff of the jail may request the transporting officer's assistance in securing the prisoner in the jails restraining devices until the prisoner can be processed and moved to a cell area by facility personnel.

3. The arresting or transporting officer will give the receiving officer at the jail the NC A.O.C. Release Form provided by the magistrate when turning over a prisoner.

4. The arresting or transporting officer should ensure that the receiving officer at the jail properly documents acceptance of the prisoner. The date and time confined should be on the arrest report.

5. Officers transporting a prisoner to the County Jail should advise the receiving detention officer of any potential medical conditions or security hazards that the prisoner may pose prior to leaving the jail facility.

F. Transporting Prisoners in Special Situations

Normally, the transporting of prisoners for court appearances, hospital visits, funerals, and to or from locations outside the Creedmoor Police Department's jurisdiction is handled by the Granville County Sheriff's Department or by the North Carolina Division of Prisons. If directed by a Division Commander to provide transportation in special circumstances, officers will:

1. Provide two officers to escort prisoners;

2. Provide at least one officer of the same gender as the prisoner (if possible);

3. Verify the identity of the prisoners;

4. Have all documentation that must accompany prisoners;

5. Ask about any escape or suicide attempts or threats;

6. Upon arrival at the destination, advise the proper authority of any escape or suicide attempts or threats and document activity in a written report;

7. Randomly choose meal locations;

8. Use restraining devices according to departmental directives;

9. Keep prisoners under observation at all times.

G. Transporting Handcuffed/Restrained Prisoners

1. When transporting more than one prisoner in a police vehicle, each prisoner will be handcuffed separately.

2. Handcuffs or other restraints may be used when transporting prisoners who are sick, injured, or physically handicapped, if the officer has reasonable belief that the person is combative, a threat to others, or may attempt escape.

3. "Hog-tying" of prisoners is prohibited. A combative prisoner should be restrained with handcuffs or flex-a-cuffs on the wrists, and leg-chains around the ankles. Prisoners will be transported in a seated, upright position to guard against positional asphyxia. Prisoners will be monitored at all times.

4. Prisoners may be released from handcuffs and/or other restraints during any of the following circumstances:

   a. When custody is transferred to another law enforcement agency

   b. At the request of medical personnel to facilitate the treatment of an injured prisoner

5. Before releasing prisoners from any type of restraint, officers should keep in mind potential security concerns for all persons nearby. A prisoner's escape potential will be evaluated and the appropriate action taken before such release.

H. Transporting Prisoners by Commercial Airlines

1. If transporting prisoners by commercial airline, the commercial airline will be notified in advance in order to comply with company regulations and federal regulations pertaining to the transportation of prisoners. Prisoners will remain handcuffed while inside the terminal.

2. The officers and prisoner should be the first to enter the aircraft. The prisoner should be placed in the window seat or between two officers. The officers and prisoner should be the last to exit the aircraft.

I. Transporting Juvenile Prisoners

Juvenile prisoners will not be transported in the same vehicle with adult prisoners. When transporting juvenile prisoners, officers will provide the Communications Center with the beginning and ending mileage, logging times by doing so.

J. Prisoners of the Opposite Gender

1. Prisoners of the opposite gender from each other will not be transported in the same vehicle.

2. When transporting prisoners of the officer's opposite gender, officers will provide the Communications Center with the beginning and ending mileage, logging times by doing so, and will take the most direct route to the intended destination.

K. Transporting Handicapped Prisoners

1. Mentally handicapped prisoners will be transported in a separate vehicle from any other prisoners.

2. When transporting mentally handicapped prisoners of the transporting officer's opposite gender, an officer of the same gender as the prisoner will accompany the transporting officer. If the prisoner is not violent or exhibiting violent behavior, and with the permission of the immediate supervisor, a spouse, parent, or legal guardian of the prisoner may accompany the prisoner instead. The accompanying person's name and relationship to the prisoner will be documented in the officer's report narrative.

3. Physically handicapped prisoners will be placed and secured in the vehicle in a position as comfortable and convenient as possible. Aids such as wheel chairs, crutches, canes, or other devices should be placed in the trunk of the vehicle.

L. Transporting Sick or Injured Prisoners

1. Officers will notify their immediate supervisor if prisoners are injured prior to or incidental to arrest or become ill or injured during transport. Officers may request Emergency Medical Services to respond to their location. Emergency Medical Services personnel will determine if prisoners need to be transported to a medical facility for treatment. A determination of the need for restraining devices during transport will be made after consulting with Emergency Medical Services personnel.

2. If medical treatment is necessary, officers will notify their immediate supervisor and, if possible, accompany prisoners to the facility.

3. While at the medical facility, a prisoner may be restrained if the officer has a reasonable belief that the prisoner is combative or may attempt to escape. An officer will remain with the prisoner until released to a holding facility, or another officer.

M. Transporting Prisoners Exhibiting Violent Behavior

When transporting a prisoner exhibiting violent behavior, the transporting officer should request a second officer to accompany the officer during transport. When transporting more than one prisoner exhibiting violent behavior, different vehicles will be used.

N. Communication with Prisoners

Communications among prisoners and between prisoners and other individuals should be avoided during transportation. Such interaction will be at the transporting officer's discretion.

O. Prisoner Escapes During Transport

1. When an escape occurs, officers will:

a. Immediately notify the Communications Center in order for a broadcast to be given and other units assigned to respond to the area of escape

b. Notify the Division Commander of the escape

c. In the following manner, initiate an investigation in order to locate the prisoner:

1) Canvass the immediate area;

2) Check businesses, residences, and other locations that the prisoner may frequent;
3) Question the prisoner's past associates about possible whereabouts of the prisoner;

d. Obtain arrest warrants for escape;

e. Complete all necessary paperwork required by immediate supervisor.

2. When an escape occurs within another jurisdiction, officers will:

a. Immediately notify the law enforcement agency in the jurisdiction where the escape took place;

b. Notify the Communications Center;

c. Offer information to aid in the escapee's re-capture;

d. Assist the agency of jurisdiction in preparing the necessary reports and obtaining warrants in the jurisdiction;

e. Complete all necessary paperwork required.

P. Toilet Facility Use by Prisoners

Prisoners must be given an opportunity and reasonable access to toilet facilities. The use of toilet facilities should not normally be necessary while transporting prisoners from the point of arrest to the holding facility. When prisoners must use a toilet facility, officers will pre-search the toilet facility thoroughly looking for weapons, objects adaptable for use as weapons, and other contraband that prisoners could use to aid in escape or injure themselves, officers, or citizens.

IV. Hospitalization of Prisoners

A. The Creedmoor Police Department will provide guard protection for hospitalized prisoners when deemed necessary. Such protection will be provided for persons arrested by the Department who are ill or injured prior to incarceration. Until released from the Department's custody, the guard protection will be continuous. Officers standing guard will be in standard uniform unless otherwise approved by the Patrol Division Commander or Chief of Police.

B. When notified of a prisoner's admission and confinement to a hospital, the Patrol Division Commander will:

1. Assess the degree of risk, isolation needs, type of treatment, etc. in order to determine the amount and type security needed.

2. Establish the approximate length of time the prisoner will be hospitalized.

3. Establish a rotating work schedule utilizing all patrol teams.

4. Notify the appropriate Division Commander or Chief of Police.

5. Have necessary documentation taken to the magistrate's office.

6. At shift change, provide the relieving Patrol Division Commander with all pertinent information necessary for continued guard protection of the hospitalized prisoner.

C. The officer assigned to guard a hospitalized prisoner will:

1. Remain with the prisoner continuously and monitor all personal contacts

2. Be alert for suicide, escape, and/or assault attempts

3. Prevent unauthorized articles from being passed to the prisoner

4. Permit visits only by authorized persons on official business and immediate family or legal guardian

5. Allow no more than one person at a time to visit with or interview the prisoner, unless it is a necessary function of official business

6. Consult the immediate supervisor for instructions when uncertain regarding specific procedures.

D. The Division Commander or supervisor will assign officers to guard protection duty during their regular shift, unless advised differently by a Division Commander or Chief of Police. Guard Protection Shifts should be no longer than 8 hours.

E. Restraining devices may be used as deemed necessary.

F. The condition of the prisoner upon discharge will be recorded in a written report. Instructions for future treatment will obtained in writing and signed by the attending physician. The prisoner will be searched and restrained prior to post-treatment transport.

G. Following release from the custody of the Creedmoor Police Department, any necessary guard protection and transportation should be provided by the appropriate law enforcement agency.

H. If the medical facility is not in the jurisdiction of the Creedmoor Police Department, arrangements may be appropriate to turn custody over to another agency.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.05

SUBJECT: Use of Defensive Actions

EFFECTIVE DATE: 1201/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Force; Defensive Actions; Defensive Actions Report; Officer-Involved Shootings

DISTRIBUTION: All Personnel

Purpose: The purpose of this General Order is to establish departmental policy and procedures regarding the use of deadly and non-deadly defensive force.

Disclaimer: This directive is for department use only, and should not be construed as creating a higher legal standard of safety or care, in an evidentiary sense, with respect to third party claims. Violations of this directive will only form the basis for departmental administrative actions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

Policy: The value of human life is immeasurable in our society. Police officers have been delegated tremendous responsibility for the protection of life and property and the apprehension of criminal offenders. The officer's responsibility for protecting life must include his own.

It is every officer's responsibility to weigh all other reasonable means of apprehension and control before resorting to the use of force. When an officer determines that force is necessary, he is authorized to use force only to the degree sufficient to overcome resistance or to protect himself, or another person.

North Carolina General Statute 15A-401 (d), entitled Use of Force in Arrest, defines the legal responsibilities of sworn officers in the State when using force.

Definitions:

Force - Compulsion by physical means; physical contact or action beyond mere restraint. (The application of handcuffs does not constitute the use of force)

Deadly force - That degree or level of force which is likely to cause death or serious physical injury, or which the officer reasonably believes will create a substantial risk of death or serious physical injury.

Reasonable Belief - That belief which, in light of all facts and circumstances as they appear to an officer at the time of an encounter, would cause an ordinary and prudent person to believe it necessary to protect himself or a third party from death or serious bodily injury.

Imminent Threat - A threat of immediate danger or harm to the officer or any third party

Serious Physical Injury - A bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

I. Departmental Rules:

A. Protection of Self/Others: An officer is justified in using force upon another person when and to the extent that he reasonably believes it necessary:

1. To prevent the escape from custody or to effect an arrest of a person who he reasonably believes has committed a criminal offense, unless he knows that the arrest is unauthorized; or

2. To defend him/herself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

An officer is justified in using deadly physical force upon another person **only**:

a. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force;

b. To affect an arrest, or prevent the escape from custody, of a person who he reasonably believes is attempting to escape by means of a deadly weapon or who by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay.

3. During the course of an arrest or investigation, an officer may draw and point his/her weapon whenever the officer reasonably believes that such action is necessary to protect against an imminent threat of death or serious physical injury to himself/herself or others.

B. Reporting Requirements

An **employee** is required to complete a Use of Defensive Actions Report (CPD #26) whenever the **employee**

1. Applies force with or without the use of weapons; and/or

2. Takes any action that results, or is alleged to have resulted, in the injury or death of another person; and/or

3. Deploys his K-9 partner off lead to apprehend a suspect, and/or

4. Points a firearm at another person or occupied property and/or

5. Discharges his firearm for other than training, the dispatching of injured or recreational purposes.

The report will be completed and submitted before the end of the officer's duty shift.

II. Limitations & Prohibitions on Use of Force

A. Officers are authorized to discharge a firearm at another person in the performance of duty only when deadly force is justified. Officers will fire their weapons only to stop and prevent an assailant from completing a potentially deadly act. For maximum stopping effectiveness and minimal danger to innocent bystanders, that objective is best accomplished by shooting at the center of the target presented.

B. Officers are prohibited from discharging firearms when it appears likely that an innocent person may be injured, except as an ultimate measure of self defense or in the defense of another person when the suspect or violator is using deadly force.

C. Officers are prohibited from using the restraint hold commonly called the "choke hold, or other similar compliance holds that choke or restrict a persons ability to breath or the flow of blood to the brain, except when the officer reasonably believes there is an imminent threat of serious physical injury or death to himself or a third person and that he has no other reasonable alternative for defending himself or a third person.

D. Officers are prohibited from carrying or using a slapjack or blackjack.

E. Officers will refrain from striking an individual in the head with any type of impact weapon. The striking of an individual in the head with an impact weapon constitutes the use of deadly force, and the officer must be in fear of imminent death or serious physical injury before deadly force is justified.

F. Display of Firearm

Except for general maintenance, storage, or authorized training, officers should not draw, point, or exhibit their firearms unless circumstances create reasonable cause to believe that it may be necessary to lawfully use the weapon in conformance with state law and this General Order. The pointing of a firearm towards another constitutes force, but does not constitute deadly force. A display of the weapon without the pointing at an individual shall not be construed as a use of force.

G. Moving Vehicles

Officers shall not discharge a firearm at, or from, a moving vehicle except as the ultimate measure of self-defense or defense of another person when the suspect or violator is using deadly force.

H. When deadly force is justified, no distinction is to be made concerning the assailant's age. Self-defense and imminent threat of death, or of serious physical injury to the officer or a third party, shall be the only elements required for employing deadly force.

I. Shooting or Killing Animals

The killing of an animal is justified

1. for self- defense,

2. to prevent substantial harm to the officer or another, or

3. When the animal is so badly injured that humanity requires its relief from further suffering. Officers should obtain supervisory approval before dispatching an injured animal, and make arrangements for proper disposal of any carcass.

J. Warning Shots

A police officer shall not use his firearm to fire a warning shot.

K. Off Duty Actions

1. Off duty officers should refrain from taking forcible police action except in circumstances that seriously threaten life, valuable property, or public order. In other circumstances, the appropriate police action is to request assistance of an on-duty officer at the first opportunity.

2. Officers should carefully consider the risks to themselves and to others that may be caused by sudden confrontation with armed criminals or suspects before taking any action while off duty. No unarmed off-duty officer will be subjected to disciplinary action for failure to take action if that action would reasonably require being armed.

III. Use of Defensive Tactics

A. Uniformed members of the Department may be equipped with OC Pepper Spray, the collapsible police baton, X 26 TASER and a flashlight while on duty. Only agency personnel demonstrating proficiency in the use of these tools will be approved for carrying and using them as weapons. These tools may be used in the event that force becomes necessary, and are preferred over use of other police equipment and/or fists. Uniformed officers who are trained in the use of OC Pepper Spray, the collapsible police baton, and X26 TASER will carry these tools whenever they are out of the patrol vehicle for the purpose of taking enforcement action.

Newly hired sworn employees will not be authorized to carry lethal and less lethal weapons until they are issued copies of the Creedmoor Police Department Operations Manual and have been instructed on the Department's General Orders concerning Use of Defensive Actions and X26 TASER, and OC Spray.

B. When officers effect an arrest by use of force, they shall do so in compliance with N.C.G.S. 15A-401.

C. Unconventional Weapons

Officers may be required to defend themselves against an attack with whatever means are available, which may include items not normally considered to be authorized weapons. Incidents involving the use of unconventional weapons will not be considered as evidence establishing an inappropriate use of force. Each incident resulting in an injury or death will be investigated to determine the factual circumstances surrounding the event.

D. When an officer employs defensive tactics, he or she shall, as soon as practical, notify their on-duty supervisor. The on-duty supervisor shall conduct an investigation to determine the facts. If there are visible injuries, or if the person in custody alleges to be injured, photographs shall be taken to verify the injuries. Injuries alleged or sustained by officers during a Defensive Actions incident shall

be photographed. Statements will be taken from all witnesses, and shall become an addendum to the Use of Defensive Actions Report.

IV. Use of Force Continuum

1. When it appears reasonably necessary for an officer to use force, he shall adhere to the following Use of Force Continuum, time and circumstances permitting:

   a. Verbal Direction

   b. Show of Force (Back-up)

   c. OC Spray, X26 TASER or Unarmed Self-defense techniques, dependent upon the environment and/or circumstances. OC Spray, or X26 TASER is preferred over the use of grappling or striking techniques.

   d. Departmentally issued impact weapon(s)

   e. Deadly Force

2. OC Pepper Spray and X26 TASER

   The use of OC Pepper Spray and the X26 TASER are governed by General Order 3.06 and 3.07.

3. Unarmed Self Defense

   Unarmed self-defense techniques are to be used to stun or surprise an individual in order to create time to employ a control hold or restraining device. Permitted unarmed self-defense techniques are those taught in NC BLET or In-service training approved by the Department.

4. Police Batons and Flashlight

   Striking methods with the collapsible or straight police baton and/or flashlight are to be used to stun or surprise an individual in order to create time to employ a control hold or restraining device.

   Strikes to suspects will be made in accordance with established training for the less lethal weapon used.

   Blows to the head or back of the neck are not permitted under this directive, unless deadly force is warranted and the firearm is inaccessible or fails to function.

V. Post Incident Response Procedures

A. Subsequent to all use of force incidents, the involved officer(s) will

1. Determine the physical condition of any injured person and render first aid when appropriate.

2. Notify the telecommunications operator of the incident and location.

3. Request necessary emergency medical aid.

B. The involved officer(s) will remain at the scene (unless he is injured) until the arrival of the appropriate investigators. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop (violent crowd), the ranking officer at the scene shall have the discretion to instruct the officer to respond to another, more appropriate location.

C. The officer will protect his weapon for examination and submit said weapon to the appropriate investigator.

D. The officer shall prepare a detailed report of the incident.

E. The officer shall not discuss the case with anyone except supervisory and assigned investigative personnel, the District Attorney, the officer's attorney or legal representation, psychologist, clergy or immediate family.

F. Following incidents involving deadly force or any other critical incident where an officer’s actions will undergo the scrutiny of a criminal investigation, the officer’s supervisor should:

1. Assign an officer to provide companionship and support to the involved officer during the preliminary investigation and see to the officer’s basic needs

2. Review with the officer the events and activities that will likely take place, such as an SBI investigation, required psychological debriefing, etc.

3. Ensure that the officer is interviewed and allowed to wait in an area separate from areas used to interview suspects. A period of rest and recovery for the officer may be appropriate prior to the interview.

G. Incident Review

1. The involved officer will forward the Use of Defensive Actions Report (CPD #26) through his chain of command to the Chief of Police. These

reports will remain on file for three years unless they become part of an internal affairs investigative file.

2. The involved officer's supervisor or Section Commander will conduct a preliminary administrative investigation of each use of force/defensive actions incident, note his comments on the Defensive Action Report, and forward the report and attached interviews and other documents to the appropriate Division Commander.

3. The Division Commander will review all reports and may recommend referral of the incident to Internal Affairs for further follow up. The reviewing Division Commander will forward all reports and documents to the Chief of Police.

4. The Chief of Police will review all Defensive Action reports and determine what, if any, further action is required.

H. Investigation of Deadly Force

1. The Chief of Police may request that the State Bureau of Investigation (SBI) assume responsibility for any criminal investigation involving the use of deadly force.

2. An administrative investigation will be required for each incident involving the use of deadly force. This investigation will be the responsibility of the Chief of Police or his designee, and will be subordinate to any criminal investigation.

3. In the event of any traffic crash involving an employee operating a City vehicle and resulting in the immediate death of another, the On-duty Patrol Section Commander will request that the North Carolina State Highway Patrol assume responsibility for the investigation.

I. Weapon Discharge in Another Jurisdiction

In the event that an officer's weapon is discharged in another jurisdiction, the officer will be responsible for immediately notifying the appropriate law enforcement agency in that jurisdiction and contact an on-duty Creedmoor Police Department supervisor as soon as possible.

J. Weapon Discharge Off Duty

In the event that an officer discharges his weapon outside the line of duty, the officer will immediately notify Communications of the incident and request that the appropriate supervisor be notified. The officer should secure the area of the shooting, if appropriate, and await the arrival of the supervisor. The supervisor

will determine if an investigation is required and, if so, will conduct an investigation as if the weapon was discharged within the officer's official capacity. If the supervisor determines that an investigation is not required, the officer will forward a memorandum detailing the facts of the incident to his or her supervisor as soon as practical.

K. Weapon Discharge by Non-employee

In the event that an individual who is not employed by the Department discharges an officer's weapon under circumstances requiring a report by an employee, the officer will follow procedure as if he/she had fired the weapon.

VI. Attorney Representation for Officers in Incidents Resulting in Death/Serious Injury

A. Whenever an officer is involved in a use-of-force incident, auto accident or other action resulting in death or serious injury, he shall be furnished with an attorney. The City Attorney may designate an attorney for this purpose, after consultation with the involved officer. The attorney may be requested to immediately proceed to the scene of the incident to meet with and establish a lawyer-client relationship with the involved officer. This attorney shall refrain from acting on behalf of the department at this initial stage of investigation until the officer's interests and those of the department are deemed to be consistent.

B. The officer will also be advised of his legal and departmental rights regarding statements. The attorney will continue to assist the officer during the post-incident investigations as well as criminal, civil and federal civil rights actions, including the initial interview conducted by federal agents in any criminal civil rights action. However, should an officer desire at anytime to obtain his own counsel, he may do so without restriction. Payment may be denied if it is determined that the officer has not acted lawfully, in good faith or within the scope of his duties. All communications between the officer and department-furnished legal counsel are privileged and will remain confidential and undisclosed.

VII. Psychological Debriefing

A. In all cases where any person has been seriously injured or killed as a result of the actions of a police officer, the involved officer(s) may be required to undergo a debriefing with the department psychologist. The purpose of this debriefing will be to allow the officer to express his feelings and to deal with the moral, ethical, and/or psychological after-effects of the incident. The debriefing shall not be related to any department investigation of the incident and nothing discussed in the debriefing will be reported to the department. The debriefing session will remain protected by the privileged physician-patient relationship.

B. In all cases where any person has been injured or killed as a result of a firearm discharge or motor vehicle crash involving a police employee, the involved employee and his immediate family (spouse and children) will have available to them the services of the Police Psychologist. The purpose of this offer is to provide the employee and/or his family with a source of professional consultation to aid them in dealing with the potential moral and ethical after-effects of an incident. The services shall not be related to any department investigation of the incident, and nothing discussed will be divulged to the department. The consultation sessions will remain protected by the privileged relationship.

VIII. Administrative Assignment

A. An employee whose actions or use of force in an official capacity results in death or serious physical injury shall be temporarily assigned to administrative duties pending an administrative review.

B. While assigned to administrative duties, the employee shall be available for official departmental interviews and statements regarding the shooting incident. The employee shall not discuss the incident with anyone, except the District Attorney, departmental personnel assigned to the investigation, the employee's private attorney, the employee's psychologist, the employee's chosen clergy and the employee's immediate family.

C. The employee may be required to remain on administrative assignment for a period of time as deemed appropriate by the officer, his psychologist and the Chief of Police.

IX. Training

All Department training on the use of lethal or less than lethal weapons will be monitored by a certified weapons instructor. An employee who fails to demonstrate proficiency with any weapon may not return to duty with that weapon until such time as proficiency is demonstrated through remedial training. Remedial training shall be documented in the employee's training file.

A. Firearms

1. All sworn employees will be required to complete annual in-service training on firearms qualification, including a review of this General Order and legal updates regarding the use of force. This training shall be documented in each officer's training file.

2. An officer shall not be permitted to carry a duty sidearm on or off duty until he has successfully completed annual in-service training and qualified with the weapon (See General Order 200-14 Sidearm, Shoulder Weapons and Holsters).

B. Other Authorized Weapons

At least every two years, officers authorized to carry the flashlight, collapsible baton or other authorized less-lethal weapon will successfully complete in-service training on the use of each weapon. This training shall be documented in the officers' training files.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.06

SUBJECT: Use of OC Pepper Spray

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
OC Spray; Pepper Spray

DISTRIBUTION: All Sworn Personnel

Purpose: The purpose of the procedure is to establish standard guidelines for the use of OC Pepper Spray as a defensive means to control hostile subjects.

Policy: The policy of the Creedmoor Police Department is to use only the amount of force that is reasonable to safely and humanely control hostile and physically aggressive subjects. The Creedmoor Police Department has chosen to provide its officers with OC Pepper Spray as an option for officers to employ in the use of force continuum and in appropriate circumstances. This will allow officers to effectively control violent subjects without causing any permanent physical injury or long lasting after-effects.

OC Pepper Spray is a generic term for any of several brands of aerosol spray suppression systems containing the active ingredient Oleoresin capsicum (OC). The active ingredient, OC, is a powerful inflammatory agent that occurs naturally in Cayenne peppers.

I. Departmental Rules

A. Officers shall use only the amount of force that is reasonable to safely and humanely defend themselves when controlling hostile and physically aggressive subjects.

B. Officers using OC Pepper Spray on a person shall file a Defensive Actions Report (CPD 26) documenting such use prior to the end of his duty shift.

C. Officers shall carry and use only OC Pepper Spray that is purchased and provided to the officer by the Department. OC Pepper Spray shall only be issued to and used by officers who have completed a training course in its use.

D. OC Pepper Spray shall only be carried and used in a manner that is consistent with training and in conformance with this order.

E. Officers shall immediately seek medical attention for subjects who have been sprayed with OC Pepper Spray under any of the following circumstances:

1. The subject experiences serious chest pain or loss of consciousness; or

2. The subject announces that he/she has a serious pre-existing medical condition and requests medical attention; or

3. When in the opinion of the officer and based on his training, experience and the circumstances at hand - medical attention is warranted.

F. Officers shall seek medical attention for any subject sprayed with OC Pepper Spray if, after forty-five (45) minutes, there is no decrease in the severity of the effects of the OC Pepper Spray.

G. Intentional misuse of OC Pepper Spray, including horseplay, is strictly prohibited.

H. Officers shall closely monitor all subjects who have been sprayed with OC Pepper Spray and shall not leave any such subject who is in their custody unattended.

I. Officers shall not transport any subject that has been sprayed with OC Pepper Spray, in a prone (face-down), restrained position, or in any similar position which could likely interfere with the subjects ability to breath. Specifically prohibited is the “hog-tie” position in which the hands and feet are restrained together behind the subject’s back.

II. Procedure

A. Use of OC Pepper Spray

1. The use of OC Pepper Spray is considered a low-level use of force, less than that of empty-handed striking or grappling techniques, use of impact weapons, or firearms.

2. The use of OC Pepper Spray to affect an arrest or control violent behavior is considered a use of non-deadly physical force, therefore such use must comply with all applicable departmental policies and legal statutes governing the use of force. (See N.C.G.S. 15A-40l and CPD General Order 200-8).

3. In appropriate situations OC Pepper Spray may be used as an alternative to higher levels of force, thereby reducing the likelihood of avoidable injury to the subject and the officer. However, nothing in this procedure shall prevent the use of other forms of force when such force is reasonably necessary and authorized by policy and law.

B. Training Guidelines

1. Training will consist of classroom instruction, practical exercises, and limited personal exposure to the effects of OC Pepper Spray. Departmental personnel or other approved instructors who are trained by the manufacturer may administer training. Department personnel will attend refresher training on the use of OC Pepper spray, at least biennially.

C. Aftercare

1. After exposing a subject to the effects of OC Pepper Spray, officers shall apply handcuffs or other appropriate restraints as soon as it is safe and feasible to do so.

2. A subject may close his eyes for a period of time after being exposed to OC Pepper Spray. Officers will assist the subject when walking or moving, after the subject is handcuffed, until the effects of the OC Pepper Spray are sufficiently diminished.

3. As soon as it is safe and feasible to do so, and without unnecessary delay, officers will assist subjects in recovering from the effects of OC Pepper spray by allowing the subject to rinse his face and eyes with cool water. Such aftercare efforts shall be documented in the narrative section of the Defensive Actions Report (CPD Form #26).

4. Subjects sprayed with OC Pepper Spray should fully recover from the effects without any special treatment or aftercare, other than exposure to fresh air and cool water, with almost full recovery in about 45 minutes**.** If a person has not recovered within forty-five

minutes, officers shall obtain and provide medical attention for the subject.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.07

SUBJECT: Taser / Electronic Control Device

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE: 1 – 03/01/2017**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Use of TASER

DISTRIBUTION: All Personnel

Purpose

The Purpose of this policy and the use of the TASER are to increase an officer's options for bringing an incident under control. The Department provides a variety of less lethal alternatives, including the Advanced TASER X26 or approved Electronic Control Device (ECD), which may prevent or minimize injury to suspects and officers. This Written Directive will establish guidelines and procedures for the use of the Advanced TASER/ECD.

Policy

The policy of the Creedmoor Police Department is to use only the reasonable amount of force necessary to safely and humanely control physically aggressive subjects, and/or those subjects threatening or attempting suicide who pose a threat to officers. The Creedmoor Police Department has chosen to qualify all sworn personnel with the Taser / Approved ECD as a use of force/defensive actions option to reduce injuries and avoid the escalation of violence. Though the Department values the preservation of life, less lethal weapons, including the Advanced TASER, are not intended to resolve situations necessitating the justifiable use of deadly force.

Personnel Affected: Sworn Personnel

A. Definition

Advanced TASER or Approved ECD: Less lethal conducted energy weapon manufactured by TASER International, Inc. that is primarily used by activating gas propelled wires to conduct energy to a remote target, thereby controlling and affecting the central nervous system of the body. The TASER sends out short duration, high voltage

electrical waves that overpower the normal electrical signals within the nerve fibers. The X26 does not rely solely on pain to achieve compliance.

Probes: ¼ inch #8 sterile, straight fish hooks with barbs. Penetration cannot exceed ¼ inch depth even at point blank range. Penetrated probes cauterize skin, minimizing the chance of infection.

Deadly Force: That force which is likely to cause death or serious injury, or which creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious injury.

Use of Force: The amount of force required by police to compel compliance by an unwilling subject. (IACP Definition)

Less Lethal Force: Less lethal force is that which is less likely to result in death or serious injury than force commonly considered dangerous.

Serious Physical Injury: A serious physical injury is any injury that causes great pain or suffering, creates a substantial risk of death, or permanent impairment of the function of any bodily organ or limb.

Reasonable Belief: The facts or circumstances the officer knows, or should know, are such as to cause a reasonably well trained officer to act or think in a similar way under similar circumstances.

Excited Delirium: Excited Delirium is a syndrome which may lead to sudden and unexpected death during the course of physical restraint by law enforcement and/or medical personnel. Excited Delirium involves an acute, transient disturbance in consciousness and cognition, with disorientation, hallucinations, disturbances in speech, misidentification of individuals, and combative and/or violent behavior.

B. Contents

Authorization, Certification and Re-certification

Injury Potential

Reporting Procedures

Deployment Considerations

C. Procedure

1. Authorization

Sworn members are authorized to carry and use only the Department issued Advanced TASER / ECD while on duty or during off-duty employment and in the performance of their duties.

a). While exercising their Law Enforcement Authority, an officer shall not carry or use the Advanced TASER OR APPROVED ECD, on duty or during off-duty employment, until the officer has completed Advanced TASER / ECD training and certification.

b). Training programs shall be conducted by a Department Instructor who has successfully completed the Advanced TASER / ECD Instructor Certification, and maintains certification from the manufacturer.

c). Initial user training shall comply with Taser's recommended outline for initial instruction, including all drills and functional demonstrations. Prior to issuance and authorization to carry, the officer shall demonstrate the ability to:

1) Pass all functional tests listed at the end of the Advanced TASER / ECD Certification test, and

2) Achieve a minimum passing score of 80% on a written examination, and

3) Fire one air cartridge to both familiarize the user with the functions of the system as well as to test aptitude. The user should fire one air cartridge during the instruction course. The user must be able to hit the target from eight feet using the laser sight to aim the TASER.

d). **Annually, all officers must complete recertification:**

1) Annual recertification training will require the user to demonstrate knowledge of agency policy(s) on the use of force, escalating force, and deadly force as well as familiarity with recognized safe handling procedures for the weapon. Recertification training will be provided by a certified weapon instructor who will ensure users further demonstrate proficiency with the Advanced Taser / ECD by successfully completing training on the proper loading, unloading, deploying and discharging the probes of the weapon.

2) Achieve a minimum passing score of 80% on the written examination, and

3) If the model of TASER device used has changed; all officers will fire one training cartridge from the new equipment to ensure familiarity.

4) Direct exposure to the effects of the Advanced Taser / ECD is not required for certification. Officers are encouraged to experience the effects of a Taser.

e). Officers who fail to demonstrate safe-handling techniques and/or fail to achieve a minimum score on either the written examination or qualification course of fire, shall not be authorized to carry or use the Advanced TASER / ECD until remedial training is completed, and a Department Certified Instructor submits a written recommendation of approval through the Chain of Command.

2. Injury Potential

a). Members are reminded that the improper use of less lethal force could cause death or serious injury and may be interpreted as an unauthorized use of lethal force. Therefore, members will be guided by their training, prudent decision making skills, and written directives when responding to a subject's resistance level.

3. Reporting

a). Whenever an officer uses the Advanced TASER / ECD (actively uses the TASER to temporarily incapacitate) a Defensive Action Report shall be completed and submitted through the Chain of Command for administrative review. This shall be completed prior to the officer ending his/her tour of duty.

b). Emergency Medical Services will be called for subjects who request medical treatment or display obvious signs of injury requiring medical treatment. Treatment or refusal of treatment shall be documented on the Defensive Actions Report.

c). The Shift Supervisor, or his designee, shall be responsible for photographing the location of the barb/stun mode contacts on the suspect's person, and any secondary injuries resulting from TASER deployment.

d). The Department Certified TASER Instructor shall be responsible for assisting in the technical set up of the data port equipment and answering any questions that are obtained from the data-port information. The Advanced TASER / ECD reading will be given to the Division

Commander conducting the internal affairs investigation into the incident if such investigation is required. This information will be retained with the Defensive Action Report.

e). The expended air cartridge(s) and recovered air cartridge anti-felon identification tags shall be submitted into evidence. In the event that more than one user deploys a TASER in the same incident, all expended air cartridges and recovered tags shall be placed into evidence.

4. Deployment Considerations

a). The TASER / ECD may be deployed only where a police officer is confronted with an exigency that creates an immediate safety risk and that is reasonably likely to be reduced by use of the ECD. Such situations may include the following:

1. Violent or threatening behavior;

2. Flight to avoid arrest or detention in circumstances where an officer reasonably perceives that allowing the suspect to run would create an immediate safety risk to themselves or others;

3. Other situations where an officer can articulate an immediate safety risk that is reasonably likely to be cured by use of the ECD;

4. ECDs should ***not*** be deployed in situations where individuals are non-compliant or passively resistant, unless the non-compliance or resistance creates an immediate safety risk that can be mitigated by the use of the ECD.

b). Response Level: The Advanced TASER / ECD is considered a low level of force, on par with OC Pepper Spray, in the Use of Force Continuum. The use of the TASER / ECD is Preferred over the use of unarmed self-defense techniques, time and circumstances permitting. The Advanced TASER / ECD may be used in lieu of higher force options if the user feels that deployment will not compromise the safety of himself, or others.

c). Carry of the Advanced TASER OR APPROVED ECD

Officers issued a TASER shall carry the Advanced TASER OR APPROVED ECD, encased in the patrol vehicle or on the support side of the duty belt in the approved TASER “holster”.

d). Prior to deploying the Advanced TASER OR APPROVED ECD

1) Time and circumstances permitting, wait for the arrival of back-up officers to conduct the physical arrest. The deploying officer should not conduct handcuffing under normal circumstances.

2) In the event that the Advanced TASER / ECD operator is facing a deadly threat, always have back-up present and prepared to respond immediately with deadly force in the event that the TASER is ineffective or the situation escalates to a level requiring deadly force.

3) Prior to deploying the TASER OR APPROVED ECD, the operator will advise all present, "TASER, TASER." This is to alert all officers that the TASER is being deployed and to prevent accidental sympathetic shootings resulting from the effect of the air cartridge firing.

4) The command to deploy TASER will be "TASER, TASER, TASER". The command of "Shoot" and/or "Fire" shall not be used.

e). Tactical Considerations

1) Aim at **lower** center of mass, **if possible**

2) If possible, maneuver to deploy at suspects back

3) Deploy from cover when possible

4) Maximum clothing penetration is 2.50" total, or 1.25" per probe. Aim where clothing fits more tightly.

5) A full five second cycle deployment should be given without interruption unless circumstances dictate otherwise. Each five second cycle is a "window of opportunity" for the arrest team to gain control of and handcuff the suspect. Use a second five second cycle if suspect continues to resist.

6) Use verbal commands before, during, and after deployment.

7) The X26 can be used in stun mode when the air cartridge has been removed, or when the fired cartridge is still in place.

8) When using the Advanced X26 in the stun mode, officers shall not stun subjects in the face, frontal neck, or groin region.

f). Safety Considerations

1) TASER / ECD deployment can cause secondary injuries from the subject falling; therefore deployment will be a last resort for less lethal encounters with the elderly or those with apparent medical conditions.

2) Officers shall not aim at the head or the neck.

3) TASER / ECD deployment (Air Cartridge or Stun Mode) can ignite gas fumes, clandestine drug labs, or other flammable or combustible environments. TASER / ECD shall not be deployed in any flammable environment.

4) OC Pepper Spray issued by the Creedmoor Police Department uses a non-flammable propellant. Officers should not deploy TASER /ECD when a subject has been sprayed with an unknown Pepper Spray or other chemical weapon.

5) Back-up officers can touch and handcuff a subject while the TASER is deploying current. Officers should be careful to avoid touching or stepping on probes and/or wires.

6) Officers may remove probes embedded in subcutaneous skin layers under the following conditions:

i. Use protective/disposable gloves and other universal precautions to prevent Bloodborne Pathogen exposure;

ii. Secure the skin area by placing two fingers directly around the probe;

iii. Using counter pressure with one hand, remove probe with the other hand by pulling it outward (90degrees) from the impact area;

iv. Once removed, inspect and collect probes for evidence; and

v. Have medical personnel evaluate probe injury site for treatment, if necessary.

5. Excited Delirium Syndrome

a). As a precaution, EMS should be contacted immediately for those persons displaying signs of Excited Delirium. There is no medical or psychiatric diagnosis of excited delirium, and there is little scientific data that has been validated regarding the syndrome. It is the subject's behavior that

indicates the syndrome. Three groups of subjects are more prone to the sudden and unexpected death associated with excited delirium: people with a mental illness, (bipolar disorder or schizophrenia), chronic illicit stimulant (cocaine, methamphetamine) abusers and ecstasy, marijuana, or alcohol abusers, or a combination of mental illness and substance abuse. Other causes of excited delirium include infection, head trauma, and adverse reactions to medication. Most subjects the police will encounter with excited delirium are males between the ages of 30 and 40. It is rarely seen in females.

b). Any person experiencing delirium requires prompt medical attention as it is a result of life threatening medical conditions. Delirium is characterized by an insidious disturbance in the level of consciousness and a change in mental status. People in delirium will likely manifest acute behavior problems, including becoming oppositional, defiant, angry, paranoid and aggressive. Attempts to calm or contain them will result in further aggression and violence. Control techniques can be difficult because subjects often demonstrate unusual strength and insensitivity to pain, as well as instinctive resistance to the use of force.

Signs and Symptoms of Excited Delirium

Excited Delirium presents as a cluster of physiologic and behavioral symptoms which include:

- Unbelievable strength
- Imperviousness to pain
- Ability to offer effective resistance against multiple officers over an extended period of time
- Hyperthermia (temperatures can spike to between 105-113°F)
- Sweating
- Shedding clothes or nudity
- Bizarre and violent behavior
- Aggression
- Hyperactivity
- Extreme paranoia
- Incoherent shouting or nonsensical speech
- Hallucinations
- Attraction to glass (smashing glass is common)
- Confusion or disorientation
- Grunting or animal-like sounds while struggling with officers
- Foaming at the mouth

- Drooling
- Dilated pupils

Excited delirium is a medical emergency that requires acute medical care. Excited delirium causes a person's sympathetic nervous system to shift into overdrive. The sympathetic nervous system is responsible for the up or down regulation of most of the body's homeostatic functions, including the release of adrenalin, heart rate, body temperature, and pain perception. Physical restraint compounds these effects on the sympathetic nervous system. The subject was already in a medical crisis before you arrived on scene. It is likely he is near complete exhaustion, despite how he presents. Excited delirium is associated with a number of dangerous physical effects including hyperthermia, changes in blood acidity, electrolyte imbalances, a breakdown of muscle cells, cardiac arrhythmias and ventricular fibrillation. The typical excited delirium death involves the subject slipping into a state of sudden tranquility, either during or after the struggle and restraint, followed by cardiac arrest. It is essential that law enforcement officers recognize the symptoms of excited delirium and sudden death so that appropriate emergency medical care is initiated early. If you are not sure if someone is exhibiting excited delirium behavior, err on the side of caution.

As a precaution, EMS should be contacted immediately for those persons displaying signs of Excited Delirium. It is preferable to call and have EMS en-route before having to utilize the TASER or any other defensive actions. One TASER firing in the probe mode is suggested.

6. The TASER should not be deployed on women who are clearly pregnant.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.08

SUBJECT: Firearms

EFFECTIVE DATE: 12/01/2015 **REVISION DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:** All Sworn Personnel

Duty Holsters, Issued Duty Weapons, Off-Duty, Backup Handgun

Purpose: The purpose of this General Order is to establish departmental policy relating to sidearms carried by police officers both on and off-duty, and relating to holsters worn by officers while on duty.

I. Procedure

A. Unless otherwise authorized or instructed, all officers shall be armed while on assigned duty with either the department-issued duty weapon or, if specifically approved by the Chief of Police, with their own handgun, subject to the limitations and provisions of this order.

1. Officers are encouraged but not required to carry a handgun while off-duty. An officer who chooses not to carry a handgun while off-duty will not be subject to disciplinary action if an occasion should arise in which, if he were armed, he could take enforcement or protective police action. When operating an assigned vehicle in an off-duty status, officers shall be armed with their assigned weapon or an approved off-duty weapon, and shall carry their badge and departmental identification.

2. A secondary (back-up) on-duty handgun is authorized, but only upon meeting specific department approval and written authorization from the Chief of Police.

B. When an officer desires to carry any personally-owned handgun or other weapon, either while on or off-duty, he may do so only upon receiving specific, written

authorization from the Chief of Police, in accordance with the guidelines herein established.

C. The prohibitions and restrictions of this order shall not deprive officers of the use of any legal weapon for sporting purposes.

D. The carrying of personal shoulder fired weapons while on duty is forbidden, unless an officer has qualified with (annually) and is otherwise authorized by the Chief of Police.

E. Officers shall maintain and handle all weapons with the utmost care.

F. Weapons are not to be left unsecure or unattended.

II. Procedure

A. Handguns

1. On-duty Weapons

Officers must carry the issued or agency approved weapons. Reserve Officers may purchase and carry a weapon of their choice, provided the weapon conforms to the following stipulations:

a. Either adjustable target or fixed sights.

b. A cylinder or magazine capacity of at least six rounds.

c. Is one of the following calibers and no other: 9 mm, .40, .45, .380, .38 or .357.

d. Must be similar, in design and mechanical operation, to the department issued weapon.

e. Factory-equipped grips, or replacements that are approved by the Department Armorer. Grips shall not be pearl, stag horn, ivory or other similar decorative types.

f. The weapon must be inspected, and determined safe by the Department Armorer or a Departmental Firearms Instructor.

g. The firearm must be registered with the department by make, model, serial number, and ballistic sample or fired shell casing.

h. The weapon must be approved by the Chief of Police.

i. Departmental issue handguns are:

(1) Glock 9mm

(2) Officers serving as Reserve Officers may carry a firearm conforming to departmental standards upon the approval of the Chief of Police.

2. Off-duty and Secondary Handguns (Concealed)

Officers may either carry the department-issued weapon while off-duty, or purchase and carry their own weapon, provided:

a. The firearm has been inspected, and determined safe by the department armorer or firearms instructor.

b. The firearm has been registered with the department by make, model, serial number, and ballistic sample or fired shell casing. The Chief or his/her designee shall maintain a record on each weapon approved by the agency for official use.

c. The weapon is carried in compliance with the law and departmental policies and procedures.

3. Review, Inspection and Removal of Unsafe Weapons

All weapons approved for carry shall be inspected by a certified firearms instructor during firearms qualification and line inspections. Supervisors shall periodically conduct spot inspections of all weapons issued to their assigned personnel. In the event that any weapon is determined to be unsafe due to poor maintenance, breakage or regular malfunctions, the officer to whom the weapon is assigned shall immediately surrender the weapon to the Departmental Armorer for inspection and first-line maintenance. If the Departmental Armorer cannot correct the problem, the weapon shall be replaced, and returned to an authorized service center for repair or replacement. Personnel who become aware of any problem with an issued weapon shall immediately notify the on-duty supervisor, who shall reassign the officer to non-enforcement duties until qualified with a replacement weapon.

The Chief or his/her designee will maintain a record of each weapon approved by the department for official use.

The department will not defray any costs of maintenance or repair to secondary or other personally owned weapons used by the officer in the performance of police duties. The carrying of secondary or approved

personally owned weapons does not relieve the officer from accountability for regular care, cleaning and maintenance of such weapons.

B. Holsters

1. Uniform Officers

Officers assigned to uniformed duty shall wear only a department-issued holster. No officer shall wear a holster that allows a weapons mounted light unless authorized by the Chief of Police.

2. Plainclothes Details

Officers assigned to plainclothes duty may wear either the issued holster or one purchased by them individually. Holsters must be approved by the Chief of Police.

3. Members of the tactical team may use weapon mounted lights with holsters during tactical operations only after completing training for this purpose.

C. Ammunition

1. **While on duty, officers will only utilize ammunition provided by the department for their issued duty weapon. Ammunition used in a secondary weapon must be approved and will be provided by the officer.**

2. While off-duty, officers desiring to carry their own weapon shall utilize the ammunition type that was used when the officer was qualified with the weapon by a Departmental Firearms Instructor.

3. Duty ammunition presently issued by the Creedmoor Police Department includes:

a. .9mm 124 Grain

b. 12 gauge 00 Buck Shot Shotgun ammunition

c. 12 gauge one (1) ounce Rifle Slug Shotgun ammo

d. .223 55gr. Soft Point Tactical Round

e. .308 Win 168 gr. ammo

4. At no time, other than at firing range practice, will other than factory-loaded ammunition be carried in weapons covered by this procedure.

D. The use of shoulder weapons will be restricted to those officers demonstrating proficiency in their usage on a state-approved firearms course. Issued weapons are:

1. Remington 870, Police Magnum shotgun

2. Colt and Smith & Wesson 5.56 rifle

3. Mossberg 500

4. Venom Tactical .308 rifle

E. Firearms Qualifications

1. Each officer shall be proficient with the weapon carried.

2. Each officer shall qualify with any weapon they carry, both on and off - duty.

3. An officer shall not carry a weapon on or off-duty until he has successfully completed firearms training and qualifies with the weapon.

4. All sworn personnel are required to qualify at least annually with their duty weapon(s). All sworn personnel shall complete annual training on the agency's Defensive Actions Policy; State Law regarding Deadly Force; basic marksmanship, and firearms maintenance. A department Firearms Instructor, certified by the NC Criminal Justice Education and Training Standards Commission, shall conduct the training. Firearms training and qualification scores shall be recorded on the NC Training & Standards Commission Form F-9a.

5. The course of fire for qualifying with a personally owned weapon or secondary weapon shall be the same as that required for the department-issued weapon.

6. Officers who are issued new or replacement weapons of a different type and model shall be required to qualify with those weapons prior to carrying the weapon on or off-duty.

7. Officers not routinely carrying the department-issued weapon are required to return the weapon to the Department Armorer.

8. All agency authorized firearms should be stored properly and safely. The use of gun-locks or safes is encouraged, as is the storage of a firearm which is separate from the ammunition.

F. Requalification/Remedial Qualification

1. Annual qualification with a firearm is a requirement established by the N.C. Criminal Justice Training and Standards Commission to maintain certification as a police officer, so failure to qualify may result in an officer being assigned to leave without pay and/or termination.

2. Officers who fail to qualify at annual qualification sessions shall be assigned to administrative duties that do not require arrest powers (if available). They will be rescheduled, at the department's convenience**,** for remedial training and further attempt(s) at qualification within 15 calendar days of their initial failure to qualify.

3. An officer who fails to qualify will be prohibited from carrying a weapon, either on or off-duty, and from taking enforcement action until he successfully qualifies.

4. Officers who fail to qualify with primary duty weapons will have their status with the department reviewed. In particular, the following will result in a review of status:

   a. Failure to qualify in accord with the standards established by the N.C. Criminal Justice Training & Education Commission.

   b. Cases involving clearly unsafe or inappropriate conduct with a weapon.

G. Remedial Procedures

1. Once an officer has failed to qualify he/she shall be offered up to four (4) hours or five-hundred (500) rounds of remedial firearms training under the supervision of a certified firearms instructor.

2. After completing or declining remedial firearms training, the officer shall be presented with an additional range period with three (3) additional attempts (day and/or night, whichever applicable) to qualify.

3. If any officer should fail to qualify after being offered remedial training and their additional range period (three (3) qualification attempts), the matter shall be referred to the Chief for administrative review/action. Members may face disciplinary action up to and including dismissal.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.09

SUBJECT: Carrying Concealed Weapons Off-Duty

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Concealed Weapon
Interstate Handgun carry
Retired Officer
Carry Concealed Weapon Off-Duty

DISTRIBUTION: All Personnel

Policy: The Law Enforcement Officers' Safety Act (LEOSAc of 2004 authorizes the concealed carry of firearms by law enforcement officers and retired law enforcement officers throughout the United States. Retired officers must have qualified with the weapon-type they are carrying within the previous twelve months and be carrying photographic identification from the agency from which they have retired or an authorized state agency.

Procedure:

A. Active Duty Officer

1. Creedmoor Police Department sworn officers may carry their authorized duty or off-duty weapon during interstate travel under LEOSA. LEOSA does not convey any out-of-state law enforcement authority upon Creedmoor Police Department officers.

2. Officers may not carry under LEOSA if they are "the subject of any disciplinary action by the agency". Thus, Creedmoor Police officers suspended from police duty or with suspended police authority (such as light duty) may not carry under LEOSA.

3. Creedmoor Police Department sworn officers will not take CPD issued firearms out of state except on official business or with written permission from the Chief of Police or his designee.

B. Retired Officers

1. The Creedmoor Police Department will provide retired Creedmoor Police officers with the opportunity to qualify with a handgun under LEOSA.

2. Retired law enforcement officers from other agencies will not be eligible to qualify to carry handguns through the Creedmoor Police Department. The officer must have retired from duty from the Creedmoor Police Department and must meet the guidelines of LEOSA.

3. Reserve Officers who were previously with the Creedmoor Police Department as full time sworn officers prior to their retirement must qualify with their duty or off-duty weapons along with full-time officers annually and are not eligible to qualify separately as "retired" officers.

4. Retired Creedmoor Police officers qualified under LEOSA will be provided with identification cards indicating their LEOSA qualification. This identification will provide the contact number of the Police Department so that LEOSA authority may be verified by law enforcement. ***LEOSA does not convey any law enforcement authority or arrest authority upon a retiree.***

5. Retired Creedmoor Police officers must meet certain LEOSA standards before being eligible for LEOSA carry authority:

   a. The retiree must have retired in good standing for reasons other than mental instability. The term "in good standing" means at the time of retirement, the officer was not facing disciplinary action that could have resulted in his or her termination for misconduct or unfitness for office. The term "mental instability" means that the officer either was medically separated for mental instability or, at the time of a years-of-service or disability retirement, the officer was facing removal for reasons of mental instability.

   b. The retiree must have been regularly employed as a law enforcement officer for an aggregate of at least fifteen years or have been medically retired for a service-connected disability after having completed probation.

   c. The retiree must have met the State's standards for training and qualification within the previous twelve months.

C. Restrictions

1. LEOSA does not supersede the laws of any state that permits private parties from banning or restricting the possession of concealed firearms on their premises.

2. LEOSA does not supersede the laws of any state that prohibit the possession of a firearm on governmental property, installations, bases, buildings, or parks.

3. LEOSA does not provide authority for a person to carry a concealed firearm while under the influence of alcohol or any other intoxicating or hallucinating substance. Additionally, current Creedmoor police officers may not carry a firearm with any alcohol or impairing controlled substance in his/her body.

4. LEOSA does not allow any person to carry a concealed firearm if that person is prohibited by federal law from carrying a firearm.

5. LEOSA does not authorize officers or retirees to carry machine guns, firearm silencers, or destructive devices as defined by federal law.

6. LEOSA does not require retirees to qualify with specific weapons. LEOSA does require retirees to qualify with each weapon-type (pistol and revolver) that the retiree will carry under LEOSA authority.

D. Program Management

1. Retired Creedmoor Police Department officers must submit a request in writing to the Chief of Police to request to qualify with a handgun under LEOSA. Once the request has been approved, the Chief of Police will forward the officer's request to the officer designated as the Creedmoor Police Department's Training Coordinator.

2. The CPD Training Coordinator is the designated manager of LEOSA for retired Creedmoor Police Officers and LEOSA-eligible civilian employees. The Coordinator will schedule training and qualification as necessary.

3. The LEOSA qualification process will include a written affidavit from the retiree or civilian employee specifying that the retiree or civilian employee is eligible to carry under LEOSA.

4. The Coordinator may direct that appropriate records checks be made to verify LEOSA eligibility. The Coordinator may also direct that a retiree or employee receive medical clearance before allowing that individual to

complete training and qualification. In no case will an individual deemed medically or psychologically unfit to carry a weapon be allowed to qualify or authorized to carry under LEOSA authority.

5. If the Coordinator determines that the retired officer is not medically or physically fit to carry a weapon, the retired officer may appeal the Coordinator's decision directed to the Chief of Police in writing.

6. Qualified retired officers will be allowed to qualify with no more than two firearms.

7. Retired officers must provide their own handguns and ammunition for qualification.

8. Retired officers must have a safe and secure holster and all weapons and holsters must pass inspection by the Creedmoor Police Department Firearms Training Instructor prior to qualification.

9. The minimum qualification score will be in accordance with State standards.

10. Qualified officers will be required to sign a waiver of liability of the Creedmoor Police Department prior to qualification for:

    a. All acts taken related to carrying a concealed firearm.

    b. Acknowledging their personal responsibility as a private citizen for all acts taken when carrying a concealed firearm as permitted by the Act and not as an employee or former employee of the Department. Such disclaimer will also release the Department from any claim or action of law resulting from any injury or accident during the described firearms training and qualification activities.

11. Retirees who fail to qualify will be given the option of two (2) additional attempts as soon as practical after the failed attempt.

12. If the qualified retired officer fails to qualify on the third attempt the Coordinator will:

    a. Notify the retiree of the failure;

    b. Complete a report outlining the retiree's name, the course of fire, the firearm type, the score received on each attempt and any remedial training provided.

c. Notify the Chief of Police of the failure.

13. Qualified retired officers will be given three attempts at qualifying during the scheduled qualification date, subject to range availability and time restraints. Scheduling of another date to attempt to requalify will be at the discretion of the Coordinator.

E. Carrying a Concealed Handgun Pursuant to a Permit

1. North Carolina Concealed Carry Permit – North Carolina law authorizes any qualifying citizen to obtain a concealed carry handgun ("CCH") permit. A CCH permit authorizes a permit holder to carry concealed handguns in North Carolina, under certain restrictions. These permits are also recognized via reciprocity by numerous other states. (The North Carolina Department of Justice maintains a regularly updated list of reciprocating states available at www.ncdoj.com.)

2. Creedmoor personnel may utilize North Carolina's concealed carry handgun permit authorization. Sworn law enforcement officers and recently retired sworn law enforcement officers are not required to complete the standard CCH training course in order to secure a CCH permit. Personnel who wish to secure a CCH permit should contact the sheriff's office of his/her county of residence.

3. An off-duty officer who is carrying a concealed handgun under the authority of a North Carolina concealed carry handgun permit is under no Departmental restriction, but that officer shall fully comply with all requirements and restrictions of North Carolina's concealed carry handgun permit law.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.10

SUBJECT: Response Procedures, Pursuit Driving & Emergency Vehicle Operations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Vehicle Operation; Pursuits; Emergency Response; Use of Emergency Equipment; Tire Deflation Devices

DISTRIBUTION: All Personnel

Purpose: To establish a procedure for prompt response to citizen calls for service and for using emergency equipment on police vehicles, and guidelines to be followed by department personnel to follow when pursuing fugitives who are the occupants of a moving motor vehicle.

Policy: It shall be the policy of the Creedmoor Police Department to require that all personnel operate the department's vehicles in accordance with the law and in compliance with this order. The Department performs no tasks that are of such importance to justify operating a vehicle with a reckless disregard for the safety of innocent persons.

I. Governing Authority

A. **N.C.G.S. §20-145** Speed limitations shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm. This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

B. **N.C.G.S. §20-156(b)** - The driver of a vehicle upon the highway shall yield right of way to police and fire department vehicles when operators of said vehicles are giving a warning signal by appropriate light and by bell, siren or exhaust whistle audible under normal conditions from a distance not less than 1000 feet. When

appropriate warning signals are being given, as provided in this subsection, an emergency vehicle may proceed through an intersection or other place when the emergency vehicle is facing a stop sign, a yield sign, or a traffic light which is emitting a flashing strobe signal or beam of steady or flashing red light. This provision shall not operate to relieve drivers of a police or fire department vehicle from the duty to drive with due regard for safety of all persons using highways, nor shall it protect drivers of any such vehicle from the consequences of any arbitrary exercise of such right of way.

II. Operation of Emergency and Other Equipment on Vehicles

A. The blue lights, siren and flashing headlights shall be used to signal other users of the traffic-way that emergency conditions exist and the right-of-way should be relinquished to the patrol vehicle. Full emergency equipment (blue lights, siren and flashing headlights) must be used in all situations wherein it is reasonably necessary for the officer to take unusual liberties in their driving, and to expedite their free movement to reach their destination more quickly.

B. The spotlight and/or "take-down" lights may be used as a protection to the officer when hazardous conditions exist. Following a traffic stop, the spotlight and "take-down" lights should be used to illuminate the interior of the suspect's car so that all occupants are kept within view and at a distinct disadvantage when looking back toward the police vehicle and officer.

C. The public address system is particularly valuable when stopping a known or suspected felon. The desired actions of the suspect should be directed from a safe distance, minimizing the hazard to the officer.

The public address system is also valuable in directing persons when unusual conditions exist, such as a traffic artery temporarily obstructed, alerting pedestrians to hazardous conditions or elements, and communicating with other persons concerned with relieving the emergency situation.

III. Call-Response Procedures

Citizens' requests for service will be classified Code 1, Code 2, or Code 3 based upon information available to the 911 Center's telecommunicators. Regardless of the code dispatched, officers must exercise due care and caution at all times in the operation of their vehicles.

A. Code 3 - Emergency Priority

1. "Code 3" describes an emergency priority call that warrants response with full emergency equipment: blue lights, siren and flashing headlights activated. An officer responding to a Code 3 call is authorized to cross intersections where there is a stop sign or red light facing in the direction

of the responding officer, provided that the officer is operating blue lights, siren and flashing headlights, and has determined that it is safe to proceed through the intersection. If it is necessary to come to a full stop in order to determine if it is safe to proceed, the officer shall come to a complete stop.

Unless both siren and blue lights are activated, other motorists potentially affected by an officer's driving behaviors are under no obligation to yield the right of way to the police vehicle, regardless of the nature of the police officer's response.

2. Code 3 response is considered warranted in the case of the following events:

   a. Officer in trouble, needs immediate help

   b. Murder, just occurred

   c. Rape/forcible sex offense in progress or just occurred

   d. Robbery in progress or just occurred

   e. Aggravated assault (regardless of weapon used) in progress or just occurred

   f. Burglary of an occupied dwelling in progress

   g. Assault and battery in progress

   h. Arson in progress

   i. Disorder/fight in progress involving weapons

   j. Threatened or imminent suicide

   k. Felony fugitive/wanted person at location, when likelihood of apprehension exits

   l. Kidnapping in progress or just occurred

   m. Personal injury traffic collision/accident where an ambulance is not on the scene

   Code 3 Responses will normally be preceded by an alert tone. Code 3 responses may also be warranted in other situations when the most current information communicated to the responding officer(s) indicates a

potential for loss of life or serious injury to a person(s). This section of this directive does not prescribe Code 3 responses – it identifies when Code 3 response is warranted. An officer's decision to elevate to, continue or terminate Code 3 response will be governed by the most current information known or communicated to him. When the most recent information communicated to an officer would indicate that there is no threat or potential of imminent death or serious bodily injury, Code 3 response will be avoided or discontinued.

3. When two or more emergency vehicles approach an intersection where traffic control devices are installed, the right of way for the emergency vehicles shall be determined by those traffic control devices.

B. Code 2 – Priority

A Code 2 call is defined as a priority call warranting immediate response, but with blue lights and no siren.

Note: Code 2 response provides the officer with no right of way exceptions, and other motorists have no legal obligation to yield right of way unless both blue light and siren are activated.

C. Code 1 – Low Priority

Code 1 is used to notify the officer that the call warrants a response as soon as the officer is available. Telecommunicators may hold Code 1 calls until the officer is available for service, as necessary, but the unit receiving the call will respond to the call without unnecessary delay.

The blue lights, siren, and/or other vehicular equipment may be used when responding to citizens' calls for service, regardless of how a call is classified, in order to assist officers in the performance of their duties. Some appropriate uses for emergency/other vehicular equipment are the use of blue lights to protect stopped or stranded motorists on or at the side of the traffic-way, the use of blue lights with siren to clear an intersection, if necessary, and the use of the siren/horn to attract public attention to emergency conditions.

An officer who parks his vehicle in the trafficway or remains in a stopped position on the roadway at a scene or incident must activate the vehicle's blue light(s) and hazard flashing lights to warn approaching motorists of the hazard.

IV. Vehicle Stops

A. Initiating Vehicle Stops

Officers are authorized to initiate a vehicle stop in any of the following cases:

1. when there is reasonable suspicion to believe the operator of a vehicle is doing so in violation of a law or statute; or

2. when there is reasonable suspicion to believe that the operator or a passenger has violated or is in violation of a law or statute; or

3. when there is an arrest warrant, order for arrest, or a criminal summons outstanding for any person in the vehicle; or

4. when there is reasonable suspicion to believe that any person in the vehicle is or has been involved in a violation of law.

5. when law or ordinance permits a vehicle stop.

In any attempt to apprehend a fleeing/wanted suspect who operates or occupies a motor vehicle, if the level of known danger created by an attempt to apprehend the suspect substantially outweighs the seriousness of the offense(s) then known to the officer, **the officer will cease efforts to overtake or stop the suspect vehicle and avoid using the blue light and siren.** The officer may attempt to keep the suspect's vehicle in sight while driving within the posted speed limit.

B. Forcible Vehicle Stops

Forcible stopping techniques are prohibited. Examples of forcible stops are stationary roadblocks, "running roadblocks", ramming, and spin-out maneuvers.

V. General Procedures in Pursuit Driving

For the purposes of this General Order, a pursuit will be defined as follows:

"The emergency operation of a police vehicle by a law enforcement officer, using emergency (blue) lights and audible siren, to apprehend a fleeing suspect who is the driver or an occupant of a moving motor vehicle - provided the driver of such vehicle is aware, or should reasonably know, of the efforts of the officer(s) – when the operator of the pursued vehicle maintains or increases speed in an attempt to elude or evade capture".

A. Vehicle pursuits are **not permitted** in the following situations:

1. When, in the opinion of the officer or the on-duty Patrol Squad Commander/Supervisor the weather, road, traffic, or pedestrian conditions are so hazardous as to outweigh the necessity of the suspect's apprehension; or

2. When the officer knows that the violation(s) or offense(s) committed by or alleged against the suspect is an infraction as defined by NCGS § 14-3.1 (a); or

3. When the pursuing officer establishes the identity of the vehicle's driver, and apprehension of the suspect is possible at a later time; or

4. When the pursuing officer's vehicle cannot be safely operated at pursuit speed.

B. Officers are authorized to initiate a pursuit in the event that they have attempted to make a vehicle stop as permitted in this order, and at least one of the following conditions then exists:

1. the suspect presents a clear and imminent danger to the safety of others, and the necessity of immediate apprehension outweighs the level of danger created by the pursuit; or

2. the suspect has committed a violent or other dangerous criminal offense (one which endangers the life of another person).

C. Officers initiating a pursuit shall immediately activate the blue lights, siren and flashing headlights, and notify the telecommunicator that a pursuit is in progress, giving the reason for the pursuit, present location, and direction of travel. A complete description of the pursued vehicle, including the number of occupants and any information on the traffic conditions, will be given as soon as possible.

D. Officers in a second unit joining the pursuit shall activate full emergency equipment (blue lights, siren and flashing lights) and notify the telecommunicator to assure that no additional units join in the pursuit. Pursuits are limited to a maximum of two units. However, under the direction of the ranking on-duty Patrol supervisor, other units may be directed toward the pursuit on parallel routes. Officers in the second pursuit unit will take the responsibility for radio traffic to allow the primary pursuit unit to concentrate on driving. Officers in pursuing units will maintain a reasonable distance from the vehicle they are following to allow for safe braking and other defensive driving maneuvers.

E. Police unmarked vehicles which are not equipped with blue lights and siren will not be operated on an emergency basis or in a pursuit.

F. Any Creedmoor Police Officer transporting a passenger(s) who is someone other than a SWORN Creedmoor Police Officer shall not involve his vehicle in a pursuit until the officer has discharged the passenger(s). Officers transporting ride-along participants and non-sworn recruits may respond Code 1 to calls requiring such response.

G. Non-sworn employees of the department shall not engage in pursuits or emergency responses.

H. If an officer operating an unmarked unit initiates a pursuit, he/she shall relinquish pursuit to any marked unit that joins the pursuit. The originating officer may proceed safely to the termination point of the pursuit, if needed.

I. Officers shall not operate a vehicle the wrong way on an interstate or controlled-access highway or a divided roadway in pursuit of a suspect who flees in a motor vehicle.

J. The primary pursuit officer shall be responsible for communicating by radio (or, if inoperable, by telephone) the progress of the pursuit until relieved by a secondary pursuit unit. The primary pursuit officer will be responsible for controlling pursuit tactics and determining whether or not continued pursuit is justified, until a supervisor relieves him of that decision.

K. The secondary unit involved in the pursuit shall not attempt to pass the primary unit unless authorized to do so by the primary unit.

L. The primary pursuit officer, a supervisor, or any other unit involved in the pursuit may terminate the pursuit at any time. When the threat created by continued pursuit exceeds the necessity of immediate apprehension of the suspect, a supervisor will be responsible for terminating a pursuit if it is still in progress at that time.

M. A supervisor shall respond immediately to the termination point and assume responsibility for police actions at the scene.

1. Each officer who initiates or later engages in a pursuit shall complete the "Vehicle Pursuit Report" (CPD-24) and send a copy, via the chain of command, to the Chief of Police. The form must be completed and routed before the end of the officer’s tour of duty.

2. Upon receiving the completed report, each supervisor or commander in the involved officers’ chain of command will review the incident and write summary comments of his critique, and forward the form to the Chief of Police. The Patrol Services Commander will maintain an administrative file on all pursuit reports and conduct an annual analysis of those reports.

N. In the event another law enforcement agency pursues a vehicle within or entering the city limits and requests assistance from the Police Department, the telecommunicator shall first determine the reason for the pursuit and the number of vehicles involved in the pursuit. The telecommunicator shall then advise the on-duty Patrol Section Commander or supervisor.

1. The on-duty Patrol Squad Commander or supervisor shall be responsible for determining whether or not the Police Department will assist in the pursuit. The Squad Commander or supervisor shall also be responsible for determining the type of assistance to be provided. He/she shall make such determination with consideration for safety to the public and to officers, and the nature of the pursuit, in making this decision. No officer may join an interagency pursuit without express authorization from the on-duty Squad Commander or supervisor.

2. Creedmoor Police Department units assisting in such pursuits will adhere to Department rules and regulations and the specifics of this order. Officers will terminate their involvement in the pursuit whenever so directed by a supervisor, or when, in the discretion of the officer(s) involved, it is appropriate to do so.

O. No officer shall continue his involvement in any pursuit that causes him to pursue beyond the range of two way communications unless specifically authorized to do so by a supervisor.

VI. Use of Tire Deflation Devices

A. The use of Tire Deflation Devices (TDD) will be governed by sound professional judgement, procedures outlined in this order and in accordance with procedures established during training. Officers should have reasonable cause to believe that the suspect has committed an offense justifying continued apprehension efforts. Officers engaged in pursuits or supervisor(s) who have reason to believe the continued movement of the fleeing vehicle threatens or places the driver and/or others in imminent danger of serious bodily harm may elect to utilize or request TDD in order to bring the suspect vehicle to a stop.

B. Prior to using or deploying the TDD, officers must have completed training on the use of these devices.

1. Officers must consider the following prior to using the TDD:

   a. An effective and safe location for the placement of TDD.

   b. Deployment locations should have reasonably good sight distance to enable the officer deploying the TDD to observe the chase and other traffic as it approaches, from a safe position.

2. TDD will not be deployed on curves, bridges or other locations where reasonable judgement under the circumstances would dictate avoidance.

3. The officer deploying the TDD should choose a location with natural barriers such as roadway overpasses, trees, guardrails or shrubbery. These barriers will conceal the officer from the suspect's view and allow deployment of the TDD in a relative position of safety.

4. Traffic congestion, special events, and/or activities may create situations where the use of the TDD would be inappropriate.

5. Position and vulnerability of the public, private property and other assisting units and equipment must be considered.

C. No officer will deploy a TDD to stop any vehicle with fewer than four (4) wheels.

D. Pursuit vehicles will coordinate with the officers and/or agencies deploying the TDD or assisting in the pursuit in order to ensure the safe and effective use of the TDD.

1. When the decision is made to deploy the TDD, pursuit units should attempt to plan deployment as far in advance as possible under the existing conditions.

2. The officer deploying the TDD will be in position at a predetermined location in sufficient time for proper deployment. All pursuit units will be notified when the TDD is in place.

3. The TDD will be deployed in accordance with the manufacture's recommendations. After deploying the TDD the officer(s) at the scene should immediately seek a protected location. Officers will avoid physical contact with the activation rope or the TDD until after the pursued vehicle completely travels over the device.

4. The officer who deploys a TDD will be responsible for securing it immediately after its use. The officer(s) should search the immediate area where the TDD was used and collect any spikes or points that may have become detached.

E. All other agencies involved in a pursuit should be informed of the deployment of a TDD, whenever practical.

F. TDD may be used to prevent stationary vehicles from being moved in an attempt to flee a scene. Any officer deploying a TDD should include the deployment in a pursuit report.

VII. TELECOMMUNICATOR RESPONSIBILITIES

A. Upon notification of a pursuit, Telecommunications personnel will alert all personnel and relay all pertinent information by radio, including the unit(s)

involved, the suspect vehicle's description, location and direction of travel, and the reason for the attempted stop of the vehicle, if the aforementioned information is not already known to pursuing or assisting units.

B. As the pursuit progresses, the telecommunicator may repeat the location and direction of travel as the pursuit changes course. This will update all units of course changes and ensure proper information is disseminated to other units.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.11

SUBJECT: Firing Range Rules and Regulations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Firing Range Rules

DISTRIBUTION: All Personnel

Purpose: To ensure safe, efficient and effective operation of the police firing range; and to establish firing range safety regulations and procedures

I. Responsibility

A. Personnel Using Firing Range

1. Be fully aware of, understand and abide by the contents of this order.

2. Obtain permission for use from the agency Training Coordinator

3. Follow the Creedmoor Police Department Safety Rules and Regulations.

4. Abide by instructions of designated Range Officer, regardless of rank.

5. Make certain the range is cleaned of any used targets and other debris prior to leaving.

6. Secure all gates when leaving.

7. Report any damage or violations of these responsibilities to the Patrol Services Division Commander.

B. Patrol Services Commander and Training Coordinator

1. The Patrol Services Division Commander, or his/her designee will:

a. approve and schedule the use of the range for all activities

b. Maintain a calendar/schedule of all events held at the Creedmoor Police Department Firing Range

c. Assure that responsibility waivers are received from non-department personnel using the range, and that they are aware of the department's rules and regulations

d. Ensure that personnel abide by the rules and regulations established for the range:

1) Report violations to proper authority regarding actions of Department personnel

2) Report violations to the responsible party, and advise that reoccurrence may result in being denied use of the range

2. The Patrol Services Division Commander or his/her designee will

a. Plan/schedule required departmental firearms training

b. Maintain training records/firing scores of department personnel as submitted by designated Range Officer/Instructor(s).

c. Provide the Chief of Police with periodic status reports of the activities conducted on the range, and its overall condition.

II. Rules of the Range:

A. Reporting to the Facility

1. Report to the designated range officer for instructions concerning loading or unloading of weapon(s).

2. Follow directions of Range Officer at all times.

3. Range Officer will assemble all personnel for simultaneous unloading of weapons and their inspection.

4. These activities will take place on the range.

5. Range Officer will review Safety Rules prior to firing activities.

B. Range Safety Rules

1. Follow instructions of range officer/instructor - do NOT anticipate commands.

2. Know the condition of your weapon(s).

3. Handle every weapon as if it were loaded.

4. No firing is allowed without approval.

5. Only authorized firearms and ammunition may be used.

6. Obey all range commands instantly.

7. No one is to go forward of a firing line, unless directed to do so.

8. Ear and eye protection is to be worn while firing is being conducted. Those personnel who wear prescription eye glasses will not be required to wear safety glasses as long as they wear a cap or hat with a bill.

9. Use of alcohol is prohibited prior to and during firearms training.

10. Dry firing is allowed only under supervision.

11. Handguns are to remain holstered and snapped when not on firing line.

12. If handgun must be carried or handed to another, the cylinder must be open and/or the slide locked open, magazine out.

13. If rifles and shotguns are used and carried, the action must be open, safety on, and barrel up.

14. If a misfire occurs, keep weapon pointed down range and attempt to clear the weapon. If unable, signal the range officer for assistance.

15. Check weapons for obstruction prior to firing. Never try to shoot an obstruction from the barrel of a weapon.

16. Keep trigger finger out of trigger guard until weapon is on target.

17. Never point a weapon in the direction of anyone.

18. Do not modify any departmental weapon.

19. Smoking is not allowed on the firing line.

20. Horseplay in any nature is not allowed.

21. Do not load or unload a firearm unless directed to do so.

22. The strictest discipline must be maintained at all times on the range, in order to prevent accidents and injuries. Carelessness and thoughtlessness cannot be tolerated during firearms training.

23. Officers shall maintain and handle all weapons with the utmost care.

24. Weapons are not to be left unsecure or unattended.

25. Personnel shall not disassemble any issued weapon beyond field stripping for maintenance. Personnel shall not attempt to repair any issued weapon or personally owned weapon approved for carry. Armorers shall only perform repairs of issued weapons. Repairs of personally owned weapons approved for carry shall be performed only by an authorized Service Center, and at the cost of the employee.

III. General Training Regulations:

A. Required Qualification

1. Service weapons

a. All members must satisfactorily fire the Department's qualifying courses with the weapons they carry annually

b. The Range Officer and Instructors will record proficiency scores for all firearms training, and forward copies to the Chief or his/her designee for signature. Firearms records shall be maintained in the officer’s training file by the Chief or his/her designee.

B. Additional Training

1. Members are required to participate in all assigned firearms training events.

2. A range officer/instructor will provide additional training to officers who require it.

3. An officer may use the firing range anytime that it is not in use, provided the officer is accompanied by another person(s), and obtains approval from the Patrol Services Commander or his/her designee. The officer shall assume full responsibility for compliance with all safety rules, and for the behavior of the other person(s).

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 3.12

SUBJECT: Naloxone Training and Use Procedures

EFFECTIVE DATE: 02/23/2017 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Heroin, Naloxone, Narcan, Opiates, Overdose

DISTRIBUTION: All Personnel

Purpose: To establish guidelines governing utilization of Naloxone (Narcan) used by the Creedmoor Police Department. The objective of this policy and the utilization of Naloxone are to reduce fatalities resulting from the use of opiates.

Policy: It is the policy of the Creedmoor Police Department that its personnel will be trained in the use of Naloxone by appropriately qualified persons. This policy does not create a mandated duty to act for officers of the department, but instead trains and authorizes an officer to administer the intranasal Naloxone in an effort to treat opioid-related overdoses and reduce opioid-related overdose deaths. It is the policy of this department that selected employees are required to be trained in the use of the approved intranasal Naloxone.

I. Program Authorization

A. The Creedmoor Police Department is authorized to participate in a Naloxone Administration Program through:

1. N.C. General Statutes

2. N.C. Medical Board

3. N.C. Office of Emergency Medical Services

4. Granville County Health Department and Granville County Emergency Medical Services

II. Training

A. Training for the Naloxone Administration Program will be provided by the North Carolina Harm Reduction Coalition. Successful completion of the training is at the discretion of the instructor administering any cognitive and/or skills examination.

B. Re-training shall be conducted by persons qualified to administer such training and shall occur at least biannually.

C. Deployment

Any opioid antagonist (Naloxone) utilized by the department must be approved by the Director of the Granville County Emergency Medical Services or his designee. Each patrol car shall be equipped with naloxone kit.

D. Naloxone Program Coordinator

The Patrol Commander will serve as the program coordinator and will have the following duties.

1. Ensure officer compliance with this policy.

2. Maintain communication with and submit all required reports to the Granville County Emergency Medical Services personnel assigned to oversee the Naloxone Administration Program.

3. Perform internal reviews of the Department's Naloxone Administration Program.

4. Report missing or damaged drugs to the Granville County Emergency Medical Services personnel assigned to oversee the Naloxone Administration Program.

5. Oversee the department's stock and replacement of Naloxone Administration Program drugs and peripheral program supplies.

6. Coordinate any training related to the Naloxone Administration Program with the department's training sergeant.

E. Naloxone Administration

1. Officers will be dispatched to overdose calls, within their jurisdiction, by police communications or the Granville County 911 Emergency Communications Center.

2. Upon arrival at the scene of an overdose, officers will:

    a. Ensure that the scene is safe to initiate patient care

    b. Take precautions as the officers deems necessary due to the situation

    c. Perform an assessment to determine:

        1) the event is a known or suspected overdose

        2) the patient is at least 15 years of age and/or 110 pounds or more

        3) the patient is unconscious

        4) the patient is not breathing or is breathing at a rate of less than 10 breaths per minute.

    d. Notify police communications of assessment findings.

    e. Follow the protocol outlined in the Naloxone Administration Training.

F. Maintenance and Replacement

1. Inspection of the Naloxone kit shall be the responsibility of the officer assigned a kit. The inspection will be completed at the beginning of each tour of duty.

2. Missing or damaged Naloxone kits or program peripheral supplies shall be reported to the officer's immediate supervisor without delay.

G. Documentation

Officers administering the intranasal Naloxone must submit a case report detailing the event. At a minimum the report must contain:

1. Dispatch information (OCA number, date, time, location, etc)

2. Person(s) involved (patient, complainant, witnesses, etc)

3. Patient assessment findings;

4. Amount of Naloxone administered;

5. Outcome of the Naloxone administration

6. Any and all other care provided to the patient by the responding officer;

7. Documentation supporting whether or not the Naloxone was deployed or administered;

8. Disposition of the patient;

H. Criminal and Civil Immunity

1. Administration of Naloxone

a. A person who receives an opioid antagonist (Naloxone) that was prescribed pursuant to NCGS 90-106.2 may administer same to another person if;

1) the person has a good faith belief that the other person is experiencing a drug related overdose and;

2) the person exercises reasonable care in administering the drug to the other person.

b. Evidence of the use of reasonable care in administering the drug shall include the receipt of basic instruction and information on how to administer the opioid antagonist.

c. The following individuals are immune from any civil or criminal liability for the administration of the drug pursuant to NCGS 90-106.2;

1) Any practitioner who prescribes an opioid antagonist;

2) Any person who administers an opioid antagonist.

2. Reporting Criminal Immunity

a. Pursuant to NCGS 90-96.2, a person acting in good faith who seeks medical assistance for an individual experiencing a drug related overdose, or an individual experiencing a drug related overdose shall not be prosecuted for;

1) misdemeanor possession of any controlled substance;

2) felony possession of less than one gram of cocaine;

3) felony possession of less than one gram of heroin;

4) possession of drug paraphernalia, if the evidence for prosecution was obtained as a result of the drug related overdose and need for medical assistance.

b. Pursuant to NCGS 18B-302.2, a person under the age of 21 shall not be prosecuted for the possession or consumption of alcoholic beverages if the possession or consumption was discovered solely because the person was seeking medical assistance on behalf of another person if he or she;

1) acted in good faith, upon a reasonable belief that he or she was the first to call for assistance and;

2) used his or her own name when contacting authorities;

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.01

SUBJECT: Investigative Process

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Investigative Process; Preliminary Investigation; Follow-Up Investigation, Case Assignment

DISTRIBUTION: All Personnel

Purpose: To describe stages in the investigative process and to furnish general guidelines to be followed by members when conducting criminal investigations.

Discussion: Coordination between the Chief, Patrol Services, and Investigative Services Division personnel is essential if an investigation is to be successful. An investigation is successful if the person responsible for a crime is identified and apprehended, and adequate information and evidence are obtained to ensure that prosecution is possible. The Department's procedures are designed to ensure a coordinated and effective investigative process.

Policy: Efficient and effective investigation is a major goal of the Police Department. Such investigation requires a systematic approach to ensure that all possible appropriate actions are taken and that specific expertise is employed whenever needed. To reach that goal without unnecessary duplication of effort, individual tasks are routinely assigned to appropriate personnel and exceptions are made when particular circumstances dictate. The following general provisions will govern the criminal investigation process whenever they apply to the specific crime being investigated.

Definitions: Investigative Process - The investigative process consists of the "preliminary investigation" and the "follow-up investigation." Absolute distinctions between these stages are impossible, because situations themselves often dictate at which particular point a function must be done. Officers in the Patrol Division will generally conduct the preliminary investigation while investigators or specialists will generally conduct the follow-up investigation.

Any one officer or group, however, may conduct the entire investigation, if circumstances make this option appropriate.

Preliminary Investigation - The preliminary investigation is directly concerned with the arrest of perpetrators at or fleeing from the scene, and with initial crime-scene processing and recording of information. It is conducted at the scene of the crime and is generally the responsibility of uniformed Patrol officers, although in some instances investigative personnel may be assigned this function or any of its tasks. A preliminary investigation should include, but will not be limited to, the following tasks upon arrival at or identification of a crime scene:

1. Assuring that care is provided for injured persons
2. Determining the nature and extent of the criminal act or incident.
3. Obtaining accurate descriptions of perpetrators, vehicles, and property taken and furnishing the information to other field units.
4. Locating, identifying and interviewing victims, witnesses, and suspects.
5. Protecting the crime scene.
6. Collecting evidence.
7. Preparing and submitting required reports.

Follow-up Investigation - The follow-up investigation may be conducted at the crime scene, or at another location at a later time, and is frequently the responsibility of personnel assigned to a unit of the Investigative Services Division. A Follow-up investigation of a crime is a continuation of the preliminary investigation, and occurs when a complete investigation by uniformed personnel is not possible or practical. When additional evidence or information is required to identify and apprehend the perpetrator and the time required to obtain such evidence or information is extended beyond one tour of duty, or when complexities of the case require the use of specialized personnel, personnel from the Investigations Division or other specialized investigators should be summoned to assist in the preliminary investigation and begin the follow up investigation.

Follow-up Investigation is a series of tasks that include, but may not necessarily be limited to:

1. Thorough and complete collection of physical evidence either at the scene or elsewhere.
2. Continuation of the development of witnesses.
3. Necessary re-interviewing of original witnesses.
4. Assessment of information and evidence obtained.
5. Liaison with the Crime Lab and assessment of Crime Lab analysis.
6. Determining and conducting appropriate surveillance, interrogation, or identification processes.
7. Coordination of tasks when the investigation extends beyond jurisdictional boundaries.

8. Presentation of evidence and statements to the prosecutor and judicial officials to obtain arrest or search warrants, or for prosecution of the perpetrator.
9. Locating and arresting the perpetrator and accomplices.
10. Development of exhibits for presentation in court.
11. Preparation and submission of required reports.

Procedure:

I. Use of Specialized Personnel

A. Any officer who is investigating a case is responsible for determining whether specialists should perform any function of the investigation. Officers will remain aware of the potential value of evidence or other information, and should determine whether their own training, skills, knowledge and experience, and the time then available to them, is sufficient to collect such evidence or information effectively and efficiently. The determination that any specialist is needed at the scene will be made based on consideration for the nature and seriousness of the offense under investigation and whether any necessary functions require special handling. The On-duty Section Commander or Supervisor will, upon such determination, take necessary action to cause specialists to respond to the scene.

B. Functions which may require special handling, and for which the use of follow-up investigators or other specialists is authorized, may include but will not be limited to the following:

1. Collection of certain fragile evidence
2. Sketching or photographing the crime scene
3. Conducting crime-scene searches
4. Developing, and making forensic analysis of, evidence and making scientific comparisons
5. Conducting interviews and interrogations
6. Search and Rescue
7. Handling and disposition of explosives
8. Subsequent investigations away from the crime scene area

C. Specialists may be of many types, including the following:

1. Investigations Division Personnel.
2. Vice/Drug officer(s)
3. Uniformed patrol personnel with expertise in selected areas
4. Specialist Investigators from other Law Enforcement agencies
5. Crime Lab or other forensics personnel.
6. Personnel from other city department - barricades, lighting, etc.

D. If it is determined that the facts and circumstances warrant the use of specialists, it is the responsibility of the officer making such a determination to request those services through his supervisor, and to maintain the integrity of the scene until the specialists arrive.

E. As an investigation often cannot proceed until the work of a specialist is completed, every effort should be made to notify the specialist(s) without unnecessary delay.

F. The on-duty Patrol Section Commander will take necessary actions, and make notifications as appropriate, to cause specialist investigators and other required personnel to respond, unless relieved of that responsibility by higher authority.

II. Case Assignments and Responsibilities

A. Referral of Cases: The Patrol Section Commander or (in his absence) the on-duty patrol supervisor may refer cases to the Investigative Services Division for follow-up investigation in accordance with referral criteria established as follows:

1. The Investigative Services Division shall be responsible for immediate <u>on-the-scene</u> follow-up investigation for the following categories of crimes:

a. Homicides
b. Reported deaths of a suspicious or traumatic nature
c. Rapes or Felonious Sex Offenses (immediately reported)
d. Aggravated Assaults when the victim's injury is life threatening or will require hospitalization, the on-call investigator shall be called out to assume immediate follow-up investigation. If additional personnel are needed for crime scene processing, the investigator may request additional resources through the On-call Division Commander.
e. Armed Robberies of all banks, lending institutions and ABC stores
f. Armed Robberies from commercial establishments
g. Major-loss burglaries in which a five thousand ($5000.00) dollar loss or more is incurred.
h. Bombings
i. Arson or intentional fire cases resulting in death or serious bodily injury
j. Extortion
k. Kidnapping/Child Abductions
l. Felony Child Abuse

As soon as the Patrol Supervisor confirms that any crime listed or categorized above has occurred, he/she will contact the Investigations Commander or supervisor (or, after hours, the on-call Investigator and on-call Commander). The supervisor will communicate sufficient details of

the crime. An investigator may respond to the scene and assume the responsibility for the crime scene search and investigation, if the Commander deems necessary.

2. The Investigative Services Division Commander will assign responsibility to ISD personnel for follow-up investigation of the following additional offenses at a minimum:

   a. Motor Vehicle Theft/Rental Fraud
   b. Forgery
   c. Felony Fraud/False Pretense
   d. Credit Card/Automated Teller Machine Fraud
   e. Embezzlement
   f. Counterfeiting
   g. Felony Sex Offenses (not immediately reported)
   h. Larceny by employee

3. The Investigative Services Division Commander will assign responsibility to ISD personnel for follow-up investigation of the offenses listed below when any of the following factors are known:

   a. Felony Larceny when the following information is known
      Witnesses, or
      Suspects, or
      Vehicle Description, or
      Readily identifiable property

   b. Burglary

      1) The burglary involves a business or commercial establishment; or
      2) The burglary involves a residence; or
      3) Appears to be part of a pattern; or
      4) There is a distinct M.O.; or
      5) Stolen Property is traceable, or
      6) Significant physical evidence exists.

B. Follow-Up Investigation By Patrol Personnel

1. The Investigative Services Division Commander or designee will assign to a member of Patrol those cases that do not meet the criteria for assignment to Investigative Services Division personnel. The determination of case status shall be the responsibility of the Investigative Services Division Commander, or his designee, following periodic case review.

2. The Patrol Division Commander or designee shall immediately forward to the Investigations Commander those cases that are deemed unsuitable for assignment to Patrol Personnel.

3. The Investigative Services Division Commander or designee will assign cases using the case management software in RMS for all cases assigned to Patrol Division personnel for the purposes of tracking and case management.

4. Patrol Division personnel shall have preliminary and follow-up investigative responsibility for the following cases.

    a. Trespassing
    b. Malicious Injury to Property
    c. Larceny (misdemeanor) when the following is known

        1) Witnesses, or
        2) Suspects, or
        3) Vehicle Description, or
        4) Readily identifiable property

    d. Breaking and/or Entering Auto

    e. Assaults not referred to ISD when any of the following information is available:

        1) Victim or witness knows and identifies the assailant, or
        2) Reasonable description is obtained and the assailant can be identified through further investigation.

    f. Vandalism (when the following information is available)

        1) Witness, or
        2) Suspect, or
        3) Pattern exists

    g. Breaking into coin or currency operated machine

    h. Hit & Run

    i. Peeping Tom

    j. Indecent exposure

5. Any other case may be referred to the Investigative Services Division upon mutual agreement between Patrol and Investigative Division Commanders.

6. The Patrol Division will have preliminary and follow-up investigative responsibility on all other criminal cases, unless the Investigations Commander determines that there are extenuating circumstances warranting assignment to ISD personnel.

7. An officer must review a follow-up investigation with their immediate supervisor when the investigation exceeds thirty (30) days without completion.

8. If at any time the Patrol supervisor on-scene determines that a crime or case necessitates immediate referral to the Investigative Services Division, and it is evident that a ISD investigator's presence is needed, the on-scene supervisor shall contact the on-call Investigator. Investigations Division personnel on-call will respond to the scene upon the request of the On-duty Patrol Section Commander or supervisor. Investigative personnel will respond to all cases where unusual circumstances exist.

9. Any officer receiving follow-up information or taking any action on any case shall complete a supplemental report documenting the details or information learned and forward a copy to the attention of the investigating officer. All contacts with the victim, witness or complainant in a case must be documented in a supplemental report.

10. If the case does not have significant information to merit follow-up in accordance with the provisions of this order, the initial responding officer will be responsible for making a second follow-up contact with the complainant(s). The officer should explain that the investigation will remain inactive until other leads are developed that will aid in the clearance of the case. In such contacts, the officer will provide the complainant(s) with a contact number for notifying the department should the complainant obtain further information of investigative value.

C. Assignment of Cases by Investigations Division

1. The Investigative Services Division Commander or his designee will screen all criminal cases referred to Investigations. Case assignment will be based upon an evaluation of several factors unique to each case. The following solvability factors will be used to determine assignment for follow-up:

   a. The nature and severity of the crime
   b. The existence of witnesses

c. The existence of useable physical evidence
d. The identity or description of a suspect(s)
e. The identity or description of a vehicle
f. The value of property stolen
g. The case fits a unique M.O. or pattern.

2. If a case does not have significant information to merit follow-up in accordance with the provisions of this order, the investigator shall make a second follow-up contact with the complainant(s) explaining that the case will be filed inactive until other leads are developed that aid in the clearance of the case. The investigator will provide the complainant(s) with a contact number for notifying the department should the complainant attain further information.

D. Assigned Cases

1. A file will be established for all assigned cases. The file will contain, at a minimum, that incident's OCA number, and a copy of the preliminary report placed inside. The originals of all case reports are to be submitted to the records office.

2. After case assignments are made, the assigning authority or his designee will enter the assigned officer's name (also OCA file number and date) in the case management section of RMS for each case assigned.

3. The assigning authority will prepare a monthly Case Assignment Report to be given to the Chief of Police at the first of each succeeding month.

E. Contacts with Complainants and Criteria for Suspending of Investigative Efforts

1. Investigators / Officers should make at least one contact with the complainant to advise them the case is being investigated and to obtain any further information the complainant may have. This contact may be in person or by telephone.

2. Case Follow-up / Activity Schedule:

Case Type	**First Follow-up Report Due**	**Additional Follow-Ups**
Homicide	48 hrs	As needed, not to exceed every seven (7) days.
Bombings	48 hrs	As needed, not to exceed every seven (7) days.
Rape/Sex Off	48 hrs	As needed, not to exceed every seven (7) days.

All other felonies not mentioned.	5 days	As needed, not to exceed every 14 days
Misdemeanors	5 days	As needed, not to exceed every 14 days

3. Other than in major cases, case officers shall make contact with the victim within seven (7) calendar days from the date the incident was assigned for follow-up.

4. Case officers shall make a second contact with the complainant prior to closing of any investigation. This contact will be made to determine the existence of any additional information, and to assist in building confidence in the Investigative process.

F. Suspending Investigative Efforts

1. When there is a lack of further leads or solvability factors; or there is a lack of sufficient investigative resources to continue the investigation, an investigating officer may, with consideration of the seriousness of the offense, request authorization from his Commander (or designee) to close the case. When the case has been closed, the investigating officer shall make contact with the complainant and advise them of the final case determination and status.

2. A supplement shall be filed to indicate case closure and the reasons for the closure determination. A supervisor must approve this closure.

III. Availability of Criminal Investigations Personnel

The ISD Commander will designate an on-call investigator under his command, who will be available and respond to call-outs in accordance with the provisions of this order.

IV. Crime Scene Responsibility

A. When an officer from the ISD is summoned to the scene, he/she will assume full responsibility for crime scene processing, and may seek additional investigative resources as he/she deems necessary and appropriate for the circumstances.

B. The Investigator called to the scene of a crime will assume full responsibility and authority for the on-the-scene follow-up investigation, and may use available resources, as he/she deems necessary.

V. Electronic recordings of Interrogations

A. Custodial interviews in major cases should be electronically recorded if reasonable to do so.

B. Custodial interviews in homicide cases must be electronically recorded according to North Carolina law. Recordings may be via audio or video and must be "in its entirety", including a reading of the persons' constitutional rights. The Video recordings must show both the interrogator and the person in custody. Recordings must be authentic, accurate and unaltered.

VI. Cross-Training of Officers in Investigations

A. The ISD Commander shall be responsible for the assignment of investigators to attend roll call briefings on a periodic basis. The purpose of the attendance is to enhance communication between Patrol and Investigative personnel.

B. Officers may be temporarily assigned to the Investigative Services Division for the purpose of gathering additional investigative experience. Officers may be given the opportunity to work a variety of assignments, consistent with the Career Development Program. The purpose of the cross-training program will be to strengthen the investigative process, enhance the career development for individual officers, improve crime investigative reporting, improve and provide for more complete preliminary investigations by patrol officers, and create a pool of patrol officers with investigative experience.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.02

SUBJECT: Investigation Reports

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Initial Reports; Incident Reports; Crime Reports; Investigation Reports; Crimes Scene Search Report; Continuation Page; Supplement Report; Hit & Run Reports

DISTRIBUTION: All Personnel

Purpose: The purpose of this general order is to establish procedure for the completion and submission of reports of criminal investigations by department members, and to prescribe conditions under which the completion of an initial Crime/Incident Report is required.

Policy: It is the policy of the Creedmoor Police Department to require its officers to complete an Incident/Investigation report upon becoming knowledgeable of a crime or upon receiving a complaint of a crime which occurs within the Department's arrest jurisdiction or investigative responsibility. Supplement (progress) reports will be prepared and submitted to inform investigators, department administrators, prosecutors and other readers of new developments in an investigation, or at other prescribed intervals as specified by Command Staff Members. Arrest reports will be completed when an individual has been taken into custody and presented to a judicial official.

Discussion: Coordination between personnel in all departmental components and functions, particularly between patrol officers and other investigative personnel is essential if a criminal investigation is to end in success. An investigation is successful when the crime under investigation is promptly solved and the case is closed. Measurable results occur when the person responsible for a crime is identified and adequate information and evidence are obtained to ensure that prosecution (when appropriate) is possible.

The purpose of the initial report is to record and transmit pertinent information regarding the commission of a crime or the details of an incident, and to document the preliminary investigative actions taken at the scene by officers. The Department's reporting procedures are designed to ensure a coordinated and effective investigative process. All initial investigative reports are due before the end of the investigating officer's shift unless supervisory approval is granted.

I. Procedure:

A. Initial Incident Report Required – Conditions

To ensure that proper action is taken to investigate and document crimes reported to or discovered by officers of the Department, members will complete an initial Incident/Investigation Report under the following circumstances:

1. for any initial complaint of a crime or attempted criminal act, not previously reported, that comes to the attention of the Department (by a victim or reporting witness);

2. in the instance of any crime or incident not previously reported that is discovered, or for which evidence is found, by a police officer, and the only method of identifying the perpetrator(s) or others involved would be through a continued police investigation.

3. Sworn employees will take reports over the telephone, for certain categories of calls for service. Telephone reporting may be used under the following circumstances.

    a. in cases of fraud or identity theft when the victim is out of state or far enough away as to make in person reporting not feasible or practical.

    b. in cases where the reporting party is providing information only as a means of obtaining increased or specialized police services, such as increased patrol, or security checks. These requests will be documented but need not be recorded on an Incident/Investigative Report unless warranted.

Officer-initiated actions that result in immediate arrest shall be documented on an incident report if a continuing police investigation is necessary to identify and/or apprehend one or more additional suspects.

B. Report Form(s)

1. When conducting a preliminary investigation, officers will obtain and record all initial information on offenses, property, victims, and offenders on the Incident/Investigation Report using the department's electronic reporting software/records management system.

2. The assigned officer will complete the form in accordance with the guidelines published in the Incident Based Crime Report Writing Manual [developed by the North Carolina State Bureau of Investigation, Division of Criminal Investigation (August 1997)]. Officers may use this form as a checklist for collecting pertinent data and details in completing the initial crime report, and for conducting the preliminary investigation. Officers will use the Continuation Page, to record additional narrative information as necessary to continue narratives in initial or supplement reports.

3. Officers will complete investigation reports in such a manner as to include all pertinent facts, data and circumstances that are available or may be practically obtained at the time the report is completed, leaving little or no need for duplication of preliminary investigative efforts.

4. All data and narrative information shall be legibly hand-written or typed in clear and simple language, including all facts reported as they are known, then available to or practically ascertainable by the reporting officer.

5. Data recorded in the Incident/Investigation Report form will include all mandatory blocks of required information as identified by the Report Writing Manual, as well as narrative information, with careful documentation of the following:

    a. the time the responding officer(s) arrived at the scene
    b. officers' actions at the scene
    c. The identity of the reporting person(s), if other than the victim,
    d. suspect information – all known/available information describing the suspect or suspects, including aliases, nicknames, physical description, physical oddities, dress, employment or school attended
    e. property taken – in thefts, all available descriptive data on property stolen, including the make, model, serial number, value (as provided or estimated by the victim)
    f. physical evidence – all items of evidence, including traces, tool-marks and other impressions or imprints, will be described in detail, along with full information as to when and where such evidence was found, who found it, who handled it, and its disposition

g. victim's statement(s) – victims will be identified by name, address, date of birth, age, and employment or school attended, and the essential facts of the victim's story or statement will be recorded in the narrative
h. description of injuries to the victim(s) or suspect(s)
i. witness information
j. witness statement(s)
k. offenders' utterances – all words spoken or written notes used
l. vehicle description – vehicle used in the commission of the crime
m. officer's observations – facts such as weather conditions, other conditions at the scene, and the sobriety of the persons interviewed shall be recorded in the narrative
n. information regarding Assault on Law Enforcement Officer – when a law enforcement officer is assaulted, the officer's type of duty assignment at the time of the assault shall be reported in the narrative (i.e., one-man vehicle, two-man vehicle, patrol, plainclothes, etc)
o. information regarding any offense of Rape – the place where the victim encountered the offender prior to the rape (i.e., bar, street, residence) and the marital status of the victim (i.e., married, divorced, single) shall be recorded in the narrative.

6. Crime Scene Search Report

The officer or department member who conducts a crime scene search will detail his efforts and findings in a Supplemental Report. The report will be appropriately marked to identify the case, and cross-referenced to the original report by OCA number. The report should include:

a. the identities of persons involved in the search
b. the role played by each of the participants
c. a description of each item of evidence located,
d. by whom each item of evidence was discovered
e. techniques involved in the development or discovery of evidence
f. what was done with each item from the moment it was discovered until transportation to the office (or to the lab)
g. how each item was handled en route and by whom
h. the time for each development or event during the search

Any diagrams, sketches, tables and measurements, photographer's reports, videographer's reports, field notes, interview reports, or statements obtained at the crime scene will be attached to the report for inclusion in the case file.

7. Supplement Report

a. Department members will use Supplement Reports to update investigative case files and record new or changed information obtained in the course of an investigation. Members will record all supplementary investigative information regarding a crime or investigation case on a Supplemental Report. Department members will complete Supplement reports whenever any of the following apply.

1) Additional witnesses or other involved parties are identified and/or interviewed that were not already identified in a case
2) The crime(s) identified in an original (initial) report has (have) changed due to information gleaned from the investigation of a case. [For example, an amended offense could be an assault changed to murder because of the death of the victim.]
3) The relationship of the victim to the offender is determined to be different from what was originally reported. [For example, if the relationship was previously reported as unknown and the offender is later identified and determined to be a stranger.]
4) The weapon used to commit the offense is different than that previously reported. [For example, if the weapon was originally reported to be unknown and is later identified as a crowbar.]
5) The type of premises where the offense occurred is different from what was previously reported. [For example, if the premise type was originally reported as the victim's residence and is later found to be a business.]
6) The victim information originally reported was incorrect, or information regarding the victim needs to be added or amended (i.e., age, race, sex, contact information).
7) The offender information originally reported was incorrect, or information regarding the offender needs to be added or amended (i.e., age, race, sex, contact information)
8) The investigation determines that additional crimes not previously reported were committed (all required information blocks should be completed)
9) An investigation determines that additional property description information, property quantity, or values not previously reported need to be added to the report file, or this information needs to be amended.
10) Property originally reported as stolen is recovered locally or found by another agency. (Note: When property previously reported stolen is later determined to have not been stolen, such as when the reporting victim later finds the property and tells an officer is wasn't stolen, the recovery should be shown in the

property field and an explanation included in the narrative field).

11) The investigation determines that additional drug description information, drug quantity, drug weight(s) or values not previously reported, need to be added to the report file, or when this information needs to be amended

b. The narrative section of any supplement report shall contain the reporting officer's account of the supplementary information obtained through investigation and (at a minimum) the following:

1) Identifying information (Full name, age, race, sex, DOB, address, phone number, occupation, employer) on additional persons interviewed, if applicable
2) Information of investigative value gleaned from any interview(s) or other investigative steps
3) Observations made by the reporting officer
4) Identification of any assisting officers and the assistance provided (actions taken by other personnel)

c. Whenever the status or disposition of a case is changed as a result of investigative information or action, the investigating or assigned officer will complete a supplement report, and document in the narrative the information which caused the change in status or disposition. Reports can be accessed through the ISD Commander or records personnel.

C. Hit & Run Offenses

Members will complete an incident report *in addition to* the DMV-349 Report of Collision if

1. the incident involves any complaint of personal injury or a fatality, or

2. follow-up information is available (suspect or vehicle description, or other investigative factors, etc.).

When there are no investigative leads evident or available, and there are no persons injured or killed, a Hit & Run may be reported exclusively on the DMV-349.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.03

SUBJECT: Victim / Witness Services

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Victim / Witness Assistance

DISTRIBUTION: All Personnel

Purpose: To describe the services and programs that department members will provide to members of the general public who are victims or witnesses to serious crimes, or who suffer other severe personal hardship as a result of criminally injurious or damaging conduct.

Policy: The Creedmoor Police Department is committed to a policy of working closely with and assisting victims of and witnesses to crimes. A productive relationship between the victim and the Department increases the amount of information available to investigators, keeps the victim informed of actions taken, and adds to the community's confidence in its Police Department. The Creedmoor Police Department and its members will comply with the provisions of the Crime Victims Rights Act [North Carolina Criminal Procedure: Article 46, NCGS 15A-830, 15A-831 (Responsibilities of law enforcement agency); and 15A-825 (Treatment due victims and witnesses)], which specifies the information and procedures that a law enforcement agency must give or make available to the victim of specified crimes. The Department and its members will strive to provide fair and reasonable treatment to victims and witnesses of crimes, pursuant to North Carolina law.

Discussion: A major point of frustration for police and citizens alike is that many crimes, most of them property crimes, give investigators little information which make them solvable. Crimes whose solvability factors are high are assigned for specific follow-up investigation, and crimes whose solvability factors are low may not be immediately assigned. Although all cases are screened for crime analysis information and are enhanced whenever possibilities for new leads appear,

without contact from the Department the victims remain unaware of the Department's efforts and limitations.

The foundation of all interactions between police and victims should be the awareness that it is these citizens whom the officer has sworn to serve. The police approach to the victim affects not only the victim's ability to adjust to the consequences of the crisis, but the willingness to assist with the investigation and prosecution as well.

I. Definitions

A. Crime – Any felony or serious misdemeanor, or any such act committed by a juvenile that, if committed by a competent adult, would be covered by this general order.

B. Victim – Any person who suffers physical, financial or emotional harm as the direct result of a crime committed upon his or her person or property. Also regarded as victims are (1) a spouse, child, sibling, parent, legal guardian of a minor victim, significant other, or other lawful representative, and (2) a spouse, child, sibling, parent, grandparent, significant other, lawful representative or legal guardian of a deceased or incapacitated victim. The elderly and at-risk adults are included.

C. Witness – A person

1. who has been, or is expected to be, summoned to testify for the prosecution in a criminal action, or

2. who, by reason of having relevant information, is subject to being called or is likely to be called as a witness for the prosecution in any such action, whether or not an action or proceeding has been commenced.

D. Offenses covered by Crime Victim's Act of 1998 – See "Attachment A"

II. Treatment of Victims and Witnesses

A. To the extent feasible, and subject to available resources, members of the Creedmoor Police Department shall make a reasonable effort to assure that each victim of a crime, and particularly the victim of a crime covered by the Victims of Crime Act and this General Order:

1. Is provided information regarding immediate medical assistance when needed, and is not detained for an unreasonable length of time before having such assistance administered.

2. Is provided information about available protection from harm and threats of harm arising out of cooperation with law enforcement prosecution efforts, and receives such protection when warranted.

3. Has any stolen or other personal property expeditiously returned when it is no longer needed as evidence, and its return would not impede an investigation or prosecution of the case.

4. Is informed of the procedures to be followed to apply for and receive any appropriate victim compensation or witness fees.

III. Procedure

A. As soon as practicable, and within 72 hours after identifying a victim of any crime covered by the Crime Victim's Rights Act, the initial responding officer shall provide the victim a copy of the "Crime Victim's Rights Act and Domestic Violence Information pamphlet", and case number (if know at time of contact) and information on the following:

1. Information on who the victim should call or contact at the Department for follow-up if he has not been notified of an arrest within 6 months.

2. Information on how to contact the investigating officer to find our whether the accused has been released from custody.

Upon the assignment of the case to another officer for follow-up investigation, responsibility for victim notification and other correspondence is transferred to the assigned officer.

B. If a Creedmoor Police Officer makes an arrest on a warrant from another jurisdiction, and the charges of that warrant include crimes indicated in Attachment A, that officer shall, within 72 hours of the arrest of that person, notify the charging law enforcement agency of the arrest.

C. If a warrant is served by another agency on charges stemming from a Creedmoor Police Department investigation, and the charges are included in those listed in Attachment A, the investigating officer shall, within 72 hours of being notified of the arrest, notify the victim of that crime of the arrest.

D. As soon as practical, after making an arrest or being notified of an arrest for an offense listed in Attachment A, the arresting officer shall complete a CPD Prosecution Report and deliver a copy of the completed form to the District Attorney's office.

E. Victims may indicate whether they wish to receive further notices from the Creedmoor Police Department on the status of their case. If the victim elects to

receive notices, the victim is responsible for notifying the investigating officer of any change of their address or telephone number.

F. Members will refer any witness who makes a request for (1) protection from harm after cooperation with investigative efforts, or after prosecution of an offender commences, or (2) employer intercession services or assistance with loss of pay, to an attorney in the prosecutor's office.

G. Victim Contact Required

1. The Commander of the Criminal Investigations Division will take appropriate measures to ensure that an investigator, or other designee assigned to the Criminal Investigations Division, contacts each victim of a crime, including any unsolved crime for which the case is screened or not assigned for follow-up, within 72 hours of the initial report.

   The objectives of victim contact are:

   a. to assure the victim that the case is receiving police attention;

   b. to gain from the victim any information which the Department does not have, which might assist in producing new leads; and

   c. to gather information which may assist in producing more accurate composites of patterned crimes.

   d. to explain to victims the procedures involved in the prosecution of their cases and their role in those procedures, if not an endangerment to the successful prosecution of the case

2 Contact should be attempted by telephone. However, all unsuccessful efforts to contact the victim by telephone will be followed by written correspondence.

3. Scheduling of line-ups, interviews and other required appearances of victims and/or witnesses should be done at the convenience of the victims and/or witnesses, if feasible.

4. Transportation of a victim and/or witness to the Police Department for interviews, line-ups, etc. may be provided at the discretion of the Commander of the Criminal Investigations Division.

IV. Responsibility

A. The Commander of the Criminal Investigations Division will develop and maintain a coordinated system of notifications and follow-up contacts to crime victims/witnesses for the Creedmoor Police Department. This responsibility will include:

1. Developing and maintaining the ability to evaluate the various components of the Department's victim/witness assistance programs.

2. Utilizing local, county and state resources for crime victims and witnesses.

3. Informing the public and media about the agency's victim/witness assistance services.

B. The Commander of the Criminal Investigations Division shall provide, maintain and make available to victims and witnesses, on a 24 hour basis, information regarding

1. assistance available from the Creedmoor Police Department; and

2. referral services available in the community for medical needs, counseling, and emergency financial assistance.

4. Utilizing local, county and state resources for crime victims and witnesses. The Criminal Investigations Division Commander and his staff will work closely with the District Attorney's Assistant for Administrative and Victim and Witness Services in dealing with victims and witnesses of crime.

5. Working with the public and local media to distribute information on the department's victim/witness services. The Commander of the Criminal Investigations Division will include a report on the efforts of the department's Victim/Witness Services in the Department's Annual Report. The CID Commander will also coordinate with officers assigned to Crime Prevention program duties to distribute information on victim/witness services as part of public appearances and information programs.

Attachment A

Offenses Covered by Crime Victims Act of 1998

Any Class A, B1, B2, C, D, or E felony.

Any act committed by a juvenile that, if committed by a competent adult, would constitute a felony or serious misdemeanor as described below.

A Class F felony, if it is a violation of one of the following:

G.S. 14-16.6(b)	Assault w/Deadly Weapon on Executive or Legislative Officer
14-16.6(c)	Assault on Legislative Officer Inflicting Serious Injury
14-18	Manslaughter
14-32.1(e)	Aggravated Assault on Handicapped Person
14-32.2(b)(3)	Physical Patient Abuse At Facility Causing Serious Bodily Injury
14-32.3(a)	Elderly Abuse by Caretaker Causing Mental or Physical Injury
14-32.4	Assault inflicting Serious Injury
14-34.2	Assault W/Deadly Weapon on Government Officer or Employee
14-34.6(c)	Assault on Emergency Medical Technician/ER Nurse/Doctor
14-41	Child Abduction
14-43.2	Involuntary Servitude
14-43.3	Felonious Restraint
14-190.17	Second Degree Sexual Exploitation of Minor
14-190.19	Participation in Prostitution of Minor
14-202.1	Taking Indecent Liberties w/Children
14-288.9;	Assault on Emergency Personnel (LE, FIRE, EMS, Util Worker Nurses, Doctors during declared State of Emergency
20-138.5	Habitual Impaired Driving

Class G felony, if it is a violation of one of the following:

G.S. 14-32.3(b)	Elderly Neglect by Caretaker Causing Metal or Physical injury
14-51	First/Second Degree Burglary
14-58	Arson
14-87.1	Common Law Robbery
20-141.4	Felony Death by Vehicle

A Class H felony, if it is a violation of one of the following:

G.S. 14-32.3(a)	Elderly Abuse by Caretaker causing Mental/Physical Injury
14-32.3(c)	Exploitation of Elderly by Caretaker
14-33.2.	Habitual Misdemeanor Assault

A Class I felony, if it is a violation of one of the following:

G.S. 14-277.3	Stalking – 2nd Offense in 5 Years
14-32.3(b)	Elderly Neglect by Caretaker
14-34.6(b)	Assault on EMT/ER Nurse/ER Doctor w/Deadly Weapon or Inflicting Bodily Injury
14-190.17A.	Third Degree Sexual Exploitation of a Minor

An **attempt of any of the felonies listed** in this subdivision if the attempted felony is punishable as a felony.

Any of the following misdemeanor offenses when the offense is committed between persons who have a personal relationship as defined in **G.S. 50B-1(b**):

G.S. 14-33(c)(1)	Assault w/Deadly Weapon Inflicting Serious Injury
14-33(c)(2)	Assault on Female
14-33(a)	Simple Assault/Assault & Battery
14-34	Assault by Pointing Gun
14-134.3	Domestic Criminal Trespass
14-277.3	Stalking

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.04

SUBJECT: Death Investigations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Death Investigations

DISTRIBUTION:

Purpose: The purpose of this order is to provide procedures to be followed in a death investigation.

Policy: This department will investigate all reported deaths within its jurisdiction with the intent of clarifying the cause and manner of death.

Procedures:

I. General Procedures

A. In all instances where the possibility exists that a person is injured and in need of medical attention, an investigating patrol officer shall request an EMT unit and have the victim transported immediately to the hospital.

B. The responding officer shall secure the scene, and immediately notify his immediate supervisor, in any case involving the sudden death of any person when the deceased had been in apparent good health, or when any death reported to the department was unattended by a physician. The supervisor will notify the medical examiner of any such death and of any death apparently resulting from

a. an act of violence;

b. poisoning;

c. a traffic collision;

d. suicide or homicide;

e. any suspicious, unusual, unnatural or unexplained circumstances, including death while in police custody.

C. The supervisor will contact the medical examiner, rather than the victim's family physician. This will allow the medical examiner to visit the death scene should he deem it necessary. The medical examiner's phone number shall be maintained in the communications center.

D. Personal property on the deceased will be listed in the narrative of the Investigative Report and receipted by the officer to the ambulance driver transporting the body to the hospital or directly to the medical examiner. A second party must witness the aforementioned receipt.

E. Drugs and medication will be delivered and receipted directly to the medical Examiner by the investigating officer.

F. Should a member of the deceased's immediate family be present at the scene, the personal effects can be inventoried and receipted to that member, except in homicide or suspicious death cases.

G. In order to assist the medical examiner in conclusively arriving at his findings, the investigating officer, where possible, should substantiate the following:

1. The identity of the deceased

2. The person who last saw the deceased alive

3. Where the deceased was found

4. What time the deceased was found and by whom

5. The personal physician for the deceased

6. The possible cause of death

H. The investigating officer’s immediate supervisor will insure proper notification to the deceased's next of kin.

II. Deaths Under Suspicious, Violent, Suicidal or Accidental Circumstances

A. In all cases where an investigating patrol officer has reason to believe a person has died by suspicious or other than “natural” circumstances, the officer shall notify the Shift supervisor. The Shift supervisor will notify the On-call Commander and the Investigations Services Commander.

B. An Investigations Services Division officer will be assigned to assume the investigation of all deaths occurring under suspicious, violent, suicidal or accidental (except auto accident) circumstances. (Section Commanders may contact specialists and investigators as needed to complete on-scene processing for fatal motor vehicle collisions.)

C. The investigating patrol officer will secure the scene and complete the initial investigative report, and witness statements, until the investigator or other specialist arrives. Witnesses will be requested to await arrival of the investigator. The patrol officer will assist the investigator at the scene to assure continuity and completeness of the investigation.

D. The body of the deceased will not be removed or transported to the hospital until photographs have been taken of the scene and the medical examiner has been contacted and afforded the opportunity to view the scene, except as provided above.

E. If, in the opinion of the investigating officer, the continuing presence of the body at the scene provides a hazard to the safety of others or risks the integrity of any evidence associated with the body, the body may be transported to the hospital once it has been photographed, or otherwise referenced.

F. In all cases of death of a criminal nature, a person other than a member of the deceased victim’s family may, and should, make the identity of the deceased if possible.

III. Deaths Under Apparent Natural Circumstances

A. When an investigating officer has reasonable grounds to believe a person has died due to apparent natural causes, he will notify the shift supervisor and the medical examiner. The family should be contacted to ascertain their choice of funeral homes.

B. The investigating officer will complete his preliminary investigation. Final case disposition will be determined based on the medical examiner's choice to examine the body of the deceased, and the findings of such examination.

C. Should assistance or additional follow-up be necessary from the Investigations Services Division, the investigating patrol officer will request such assistance.

D. Personal effects of the deceased will be receipted on a Property Inventory form to a member of the immediate family. If a family member is not available the personal effects will be receipted to the driver of the vehicle or agency that transports the body.

IV. Disposition of Deceased's Property

A. As provided above, personal property of a deceased person, which is not needed for evidentiary purposes, will be receipted on a Property Inventory Form to the driver transporting the body.

B. Should a member of the deceased's immediate family be present at the scene, the personal property shall be inventoried on a Property Inventory Form and receipted to them.

C. Personal property, such as an automobile, shall be released to a member of the immediate family; however, if it cannot be released to a member of the immediate family, it will be inventoried, secured and receipted to the driver for the wrecker service assigned to store the vehicle.

D. Personal property such as the residence of the deceased will be secured by the investigating officer, a member of the immediate family, or responsible party. Upon notification, a member of the immediate family or responsible party will assume responsibility for the structure and premises.

E. Animals belonging to the deceased shall be released to a member of the immediate family. However, if they cannot be released to a member of the deceased's family, they will be released to the Creedmoor Police Department Animal Control Officer and noted on the Investigation Report.

F In cases where personal property, in the opinion of the investigating officer, should be secured by him and where there is no person or family member entitled to take charge of such property, the property will be inventoried, packaged and turned over to Property/Evidence Management Officer.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.05

SUBJECT: Identity Crime

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Identity Crime Reports, Investigation, Prevention

DISTRIBUTION: All Personnel

Purpose: To establish guidelines for reporting and responding to complaints of identity theft, financial fraud, and other crimes related to financial transactions of an illegal nature.

Policy: It is the policy of the Creedmoor Police Department to document and respond to complaints of identity theft, financial identity frauds, as well as other financial frauds occurring within this jurisdiction.

Definitions: Financial Identity Fraud – A person who knowingly obtains, possesses, or uses personal information of another person, living or dead, with the intent to fraudulently represent that the persons is the other person for the purposes of making financial or credit transactions in the other person's name, or for the purpose of avoiding legal consequences, is guilty of a felony punishable as provided in NCGS 14-113.20.

Identity Theft Protection Act of 2005 – Expanded the jurisdiction for the offense of financial identity theft by stating that it is considered to have occurred:

a. In the county where the victim resides
b. Where the perpetrator resides
c. Where any part of the identity crime took place, or
d. In any other county instrumental to the completion of the offense, regardless of whether the defendant was ever actually present in that county.

Procedure:

I. Reporting

A. Sworn personnel will document all reported identity crimes. For those reports where the offense occurred outside the jurisdiction of the Creedmoor Police Department, such as in another city, state or over the Internet, the victim's residence will be used as the location of the incident. Pursuant to NCGS 14-113-21A, a victim of identity theft may contact his or her local law enforcement agency and that agency may take the complaint even though the jurisdiction may lie elsewhere for investigation and prosecution. The law enforcement agency will issue an incident report, and provide the complainant with a copy of the report and may refer the report to a law enforcement agency in that different jurisdiction. A complaint filed or report issued under this section is not required to be counted as an open case for purposes of compiling open case statistics.

B. Recording all relevant information is essential for further investigation to include criminal acts that may have been committed using another person's identity as mandated by state and federal law. Reports should be classified as identity theft if they involve any of the following:

1. Credit card charges, debit card, ATM cards

2. Credit card checks written against their account

3. Credit card accounts opened or account addresses changed

4. Establishment of a line of credit at a business or obtaining a loan at a financial institution

5. Goods or services purchased in the victim's name

6. Computer/Internet related frauds

C. Investigating Officers should fully document the nature of the fraud and other crimes committed in the victim's name. If the elements of any crime exist, reports should also list secondary crime incident offenses such as Financial Transaction Card Theft, Financial Transaction Card Fraud, Forgery/Uttering or Obtaining Property by False Pretense.

D. Officers should obtain all identifying information related to the victim and determine what types of personal identifying information may have been used to commit the reported crimes. Officers should also attempt to determine how the information was obtained (lost items, stolen etc…)

E. The location of the crime should be documented in the report with the financial institution involved and/or related businesses or companies involved.

F. The investigating officer should determine if the victim has filed a report with any other agency and document the information in his/her report.

G. The victim should be requested to provide copies of any affidavits, checks (front and back copies), bank account statements, credit card account statements, and any and all documentation of the case status and assignment.

H. Reports will be forwarded to the Investigative Services Division for review, determination of case status, and assignment. **The Investigative Services Division will also coordinate with other agencies as may be required.**

II. Victim Assistance

A. Employees taking identity theft reports should take all steps reasonably possible to assist the victim in resolving their situation. This includes providing the victims with the following suggestions if applicable:

1. Asking the victim to contact other law enforcement agencies to file a police report when it is determined that the crime occurred within their jurisdiction.

2. Advising the victim to contact the Federal Trade Commission (1-877-IDTHEFT) so that they can receive assistance from trained counselors in resolving credit related problems.

3. Having the victim contact the three (3) major credit reporting bureaus:

   Equifax 1-800-525-6285
   Experian 1-888-EXPERIAN
   Transunion 1-800-680-7289

   Victims may request that a fraud alert be placed on their account and request copies of their credit reports to review.

4. Having the victim contact the Internet Crime Complaint Center 1-800-251-3221 if the crime is computer/internet related.

5. Contacting the Social Security Administration 1-800-269-0271

6. The victim should be advised to consider reporting the loss to each of their financial institutions and close existing accounts and have new accounts open.

B. The Investigative Services Division will review crime reports and conduct follow-up investigations and inquires as needed for clarification and expansion of existing information.

III. Community Awareness

All sworn members of the Creedmoor Police Department are responsible for the prevention of identity crime. Members should endeavor to educate the public when able and the Investigative Services Division shall provide public information on prevention of identity crime.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.06

SUBJECT: Cold Case Investigation

EFFECTIVE DATE: 12/01/2015 **REVISION #/DATE:**

APPROVED: **K. E. King**
Chief of Police

INDEX AS:
Cold Case Files

DISTRIBUTION:

Purpose: To establish policy and procedure regarding the investigation of cold cases

Policy: It is the policy of the Creedmoor Police Department that all homicides and death investigations with suspected criminal involvement will be investigated until solved. Upon being assigned such cases, investigators will investigate all available leads until the case is solved.

I. Procedure:

A. Any homicides, death investigations or major crimes with suspected criminal involvement that has not been solved for a period of at least three years and has been closed to active follow up will be designated as a cold case.

B. A cold case may be held for reasons such as current technology not being able to analyze evidence to form a conclusion, uncooperative witnesses, or lack of leads.

C. Upon receiving a major case, assigned officer will investigate all available leads until the case is solved.

1. If no new information is received after a period of three years, the case will be classified as a cold case and remain open but closed to active follow up until new information is developed.

2. If a new case becomes “cold” while assigned to an investigator, that assigned investigator will remain on the case during their tenure in the Investigative Services Division unless the case is otherwise assigned by command staff.

3. Should the original investigator leave the Investigative Services Division, the case will be reassigned for continued follow up.

D. A cold case file will remain in the Investigative Services Division; the case will be reassigned for continued follow up.

1. Case files will be held in a secure lockable cabinet when not in use. Restricted access to these files will be limited to authorized investigators.

2. Outside access to the cold case files can only occur after the approval of the Investigative Services Division Commander or the Chief of Police.

E. Evaluation Criteria – The Investigative Services Division Commander will assign cold cases to investigators for follow up using the following criteria.

1. Experience of the Investigator

2. Investigator's current caseload

3. New Information and technology available

4. Investigator's area of expertise and training

5. Existing evidence and it's quality

6. Availability of witnesses, suspect(s), and original investigators

7. Age of the case

F. Recording Investigative Action and Activities

1. Annually, at the discretion of the assigned Investigator, or whenever new information or technology becomes available, Investigators assigned to a cold case will review the original case files and determine if there is any new information or technology available that would provide new leads.

2. Investigators will enter any new actions in the case management system case notes and document such actions in the required departmental report format if warranted.

3. If a case is too old to have received an OCA number, one will be assigned to cross reference new reports to the original case.

4. The assigned Investigator will prepare a report prior to the annual review to assist in the Investigative Division Commander's review.

5. The Investigative Services Division Commander will then conduct an annual review of each case and provide a report to the Chief of Police.

6. The Investigative Services Division Commander will maintain a log on each cold case in which new activity is generated by Investigators.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.07

SUBJECT: Field Interviews

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Field Interviews; Field Interview Report

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to establish policy and procedures for conducting and reporting field interviews.

Policy: To control, prevent and gather information to solve crime, the department encourages officers to conduct field interviews. Police officers may stop an individual, request identification and conduct a field interview when the action of that individual creates a reasonable suspicion of criminal activity. What is a reasonable suspicion will depend, in large part, upon the circumstances of a particular situation. Persons stopped by police officers are not required to produce any identification, and may not be detained longer than is reasonable unless a criminal charge is made.

A frisk for weapons may only be conducted if the officer has a reasonable, articulable suspicion that the person has or is engaged in criminal activity or is about to engage in criminal activity. A search for weapons may only occur if the officer is placed in reasonable fear of physical harm. If an officer feels it proper to conduct a field interview, he should be certain to make a record of the circumstances that aroused his suspicions. This will be an invaluable tool in defense against an individual's claim of an improper street encounter or investigation. Keeping a record of suspicious and unusual habits or movements is an asset to investigative and preventive efforts.

Definitions:

Field Interview: A "field interview" is temporary detention of any person for the purpose of investigating an unusual activity that reasonably implies criminal activity. A "field interview" occurs when an officer uses police authority either to compel a person to halt, to remain in a certain place or to perform some act (such as walking to a nearby location where the officer can use a radio or telephone). If the person being stopped reasonably believes that s/he is not free to leave the officer's presence, a "field interview" is occurring. A ‘field interview” also occurs when the officer questions a person during a consensual encounter in a public or private place.

Field Interview Report: A field interview report is an internal administrative report made by field officers to document official contacts with persons under suspicious circumstances or in other specified cases. It provides a means of systematically recording information on persons contacted for the purpose of facilitating the retrieval of that information for use as investigative leads and to support criminal investigations.

Procedure:

I. Field Interview and Field Interview Reports

Field interviews, and the use of field interview reports, serve as

A. A source of information. The field inquiry is based upon the principle that the opportunity to apprehend criminals and to prevent crime increases with the number and frequency of persons interviewed. One way a police officer can expand his power of observation is to obtain information from persons living or working within his patrol area.

B. A means of identifying the suspect. An on-view arrest is not always based upon the immediate recognition of a wanted criminal. Frequently, it is the outgrowth of the action taken by a police officer that stops to question a person who has aroused his suspicions. Information obtained during a field contact may also be used at a later date to identify a criminal.

C. A means of obtaining witnesses. The value of reported field inquiries becomes very pronounced when a crime is committed and there are but few investigative leads. The investigator must then rely on the field interview reports to sift out relevant information. A review of these reports will show if anyone had been questioned in the vicinity and at the proximate time of the crime.

D. A prevention tool. The vigilance of officers may be brought to the criminal's attention. The criminal can also observe the activities of the police and conclude that the possibility of escaping detection and apprehension are not favorable.

II. Field Interview Considerations

A. Caution and courtesy must be balanced. Suspicion, often vague and difficult to describe, serves as the primary motive for taking action. The officer should recognize that many citizens are sensitive to any police contact, that the original suspicion may be unfounded, and that an overly aggressive approach may result in the loss of important support from the person being stopped. The practice of stopping a pedestrian or a motorist to break the monotony of an otherwise dull tour of duty, or for the sake of showing some activity for the record, is not in keeping with the intent or spirit of field inquiries.

B. The unusual or suspicious actions of a person may trigger a field interview. Felony arrests are made consistently by officers who are quick to recognize something unusual in the actions or the appearance of a person or a vehicle.

C. Persons not fitting the place or time should not be overlooked for questioning. Personal appearances, the area, the time of day, the information being sought, and other factors will determine who is to be questioned.

III. Approach Strategy & Limitations

A. As field inquiries may result in an arrest, officers should select the field contact location with care, with consideration for possible escape routes of criminal suspects, the lighting in the area, the safety of bystanders and officer safety. To the extent possible, the officer(s) intending to conduct a field interview should form a tactical plan prior to approaching any suspect. Readiness must be maintained to guard against any violent or evasive action.

B. Any officer who conducts a field stop or field interview will notify the telecommunicator and provide:

1. his location

2. the number of persons being stopped

3. a description of the person(s) being stopped.

C. In determining the method of approaching a person, the officer should consider the purpose of the field inquiry. The officer’s action may vary from an authoritative command of "STOP, Police!" to a diplomatic request for a consensual conversation. Officers working in civilian dress will identify themselves before stopping any person for questioning.

D. The permissible length of time for an investigative stop will depend upon the facts and circumstances of each case, which include;

1. whether an officer diligently pursues a means of investigation that is reasonably likely to confirm or dispel his suspicions quickly

2. how the suspect reacts to the officer's approach, and

3. the officer's need to adjust his response to what is occurring.

B. Officers may use reasonable force to stop a person, but such a stop may be construed as an arrest or seizure, and must be supported by probable cause.

IV. Recording the Field Interview

A. Officers conducting field interviews should make record of each contact on a Field Interview Report, particularly when an officer believes the discussion or information has investigative value to him or other officers. Officers may use this form for several other purposes as well.

1. The officer should indicate the reason for his/her field contact in the drop down box of the electronic version or the narrative block if using hardcopy forms. Other necessary information not specifically requested can be placed in the narrative block.

2. The following factors should be considered when reporting field interviews:

a. the nature of the incident being investigated

b. the area/location of the stop (business/residential, light conditions, surrounding activities);

c. the behavior and condition of the person being stopped (impaired, hostile, physical size/condition.

3. After completing the body of the form, the officer should then write in his/her name and indicate the date and time of the observation(s).

B. If a full field interview is not warranted or justified, the Field Interview Report may be utilized as an observation notice, to report what information is known (or can be determined) without actually stopping the person in question.

NOTE: This form can be used to document the observation of a suspicious (yet unoccupied) motor vehicle.

C. Officers will turn in FI reports to the Patrol Services Commander at the completion of their shift or transmit them electronically. The Section Commander should distribute the report as follows:

1. Patrol “Roll Call/Shift Briefing” Information

2. Criminal Investigations (Original report)

In the event and incident report is completed relating the FI, the FI should be attached to the report.

If the FI remains an independent account, it shall be maintained for 30 days within the Patrol Section. After 30 days, the FI reports will be turned over to the Criminal Investigations Commander. The Investigative Services Commander will maintain all original FI documents for a minimum of five (5) years.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.08

SUBJECT: Eyewitness ID

EFFECTIVE DATE: 12/01//2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:

Eyewitness Identification, Line-ups, Show-ups, Investigations

DISTRIBUTION: All Personnel

Purpose: To help solve crime, convict the guilty, and exonerate the innocent in criminal proceedings by improving procedures for eyewitness identification of suspects.

Discussion: Eyewitnesses frequently play a vital role in uncovering the truth about a crime. The evidence they provide can be critical in identifying, charging, and ultimately convicting suspected criminals. That is why it is absolutely essential that eyewitness evidence be accurate and reliable.

Policy: The Creedmoor Police Department shall follow the **North Carolina Eyewitness Identification Reform Act** specifications when conducting photographic or live "line-ups", or when utilizing a "show-up" process for eyewitnesses of criminal offenses. The text of those statutory guidelines is incorporated into this directive.

Definitions:

The following definitions apply in this Article:

Eyewitness. – A person whose identification by sight of another person may be relevant in a criminal proceeding.

Filler. – A person or a photograph of a person who is not suspected of an offense and is included in a lineup.

Independent administrator. – A lineup administrator who is not participating in the investigation of the criminal offense and is unaware of which person in the lineup is the suspect.

Lineup. – A photo lineup or live lineup.

Lineup administrator. – The person who conducts a lineup.

Live lineup. – A procedure in which a group of people is displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime.

Photo lineup. – A procedure in which an array of photographs is displayed to an eyewitness for the purpose of determining if the eyewitness is able to identify the perpetrator of a crime.

I. Procedure:

A. Eyewitness Identification Procedures. – Lineups conducted by State, county, and other local law enforcement officers shall meet all of the following requirements:

1. A lineup shall be conducted by an independent administrator or by an alternative method as provided by subsection (c) of this section.

2. Individuals or photos shall be presented to witnesses sequentially, with each individual or photo presented to the witness separately, in a previously determined order, and removed after it is viewed before the next individual or photo is presented.

3. Before a lineup, the eyewitness shall be instructed that:

   a. The perpetrator might or might not be presented in the lineup,

   b. The lineup administrator does not know the suspect's identity,

   c. The eyewitness should not feel compelled to make an identification,

   d. It is as important to exclude innocent persons as it is to identify the perpetrator, and

   e. The investigation will continue whether or not an identification is made.

   The eyewitness shall acknowledge the receipt of the instructions in writing. If the eyewitness refuses to sign, the lineup administrator shall note the refusal of the eyewitness to sign the acknowledgement and shall also sign the acknowledgement.

4. In a photo lineup, the photograph of the suspect shall be contemporary and, to the extent practicable, shall resemble the suspect's appearance at the time of the offense.

5. The lineup shall be composed so that the fillers generally resemble the eyewitness's description of the perpetrator, while ensuring that the suspect does not unduly stand out from the fillers. In addition:

   a. All fillers selected shall resemble, as much as practicable, the eyewitness's description of the perpetrator in significant features, including any unique or unusual features.

   b. At least five fillers shall be included in a photo lineup, in addition to the suspect.

   c. At least five fillers shall be included in a live lineup, in addition to the suspect.

   d. If the eyewitness has previously viewed a photo lineup or live lineup in connection with the identification of another person suspected of involvement in the offense, the fillers in the lineup in which the current suspect participates shall be different from the fillers used in any prior lineups.

6. If there are multiple eyewitnesses, the suspect shall be placed in a different position in the lineup or photo array for each eyewitness.

7. In a lineup, no writings or information concerning any previous arrest, indictment, or conviction of the suspect shall be visible or made known to the eyewitness.

8. In a live lineup, any identifying actions, such as speech, gestures, or other movements, shall be performed by all lineup participants.

9. In a live lineup, all lineup participants must be out of view of the eyewitness prior to the lineup.

10. Only one suspect shall be included in a lineup.

11. Nothing shall be said to the eyewitness regarding the suspect's position in the lineup or regarding anything that might influence the eyewitness's identification.

12. The lineup administrator shall seek and document a clear statement from the eyewitness, at the time of the identification and in the eyewitness's own words, as to the eyewitness's confidence level that the person identified in a given lineup is the perpetrator. The lineup administrator shall separate all witnesses in order to discourage witnesses from conferring with one another before or during the procedure. Each witness

shall be given instructions regarding the identification procedures without other witnesses present.

13. If the eyewitness identifies a person as the perpetrator, the eyewitness shall not be provided any information concerning the person before the lineup administrator obtains the eyewitness's confidence statement about the selection. There shall not be anyone present during the live lineup or photographic identification procedures who knows the suspect's identity, except the eyewitness and counsel as required by law.

14. Unless it is not practical, a video record of live identification procedures shall be made. If a video record is not practical, the reasons shall be documented, and an audio record shall be made. If neither a video nor audio record are practical, the reasons shall be documented, and the lineup administrator shall make a written record of the lineup.

15. Whether video, audio, or in writing, the record shall include all of the following information:

    a. All identification and nonidentification results obtained during the identification procedure, signed by the eyewitness, including the eyewitness's confidence statement. If the eyewitness refuses to sign, the lineup administrator shall note the refusal of the eyewitness to sign the results and shall also sign the notation.

    b. The names of all persons present at the lineup.

    c. The date, time, and location of the lineup.

    d. The words used by the eyewitness in any identification, including words that describe the eyewitness's certainty of identification.

    e. Whether it was a photo lineup or live lineup and how many photos or individuals were presented in the lineup.

    f. The sources of all photographs or persons used.

    g. In a photo lineup, the photographs themselves.

    h. In a live lineup, a photo or other visual recording of the lineup that includes all persons who participated in the lineup.

B. Alternative Methods for Identification if Independent Administrator Is Not Used. – In lieu of using an independent administrator, a photo lineup eyewitness identification procedure may be conducted using an alternative method specified and approved by the North Carolina Criminal Justice Education and Training Standards Commission. Any

alternative method shall be carefully structured to achieve neutral administration and to prevent the administrator from knowing which photograph is being presented to the eyewitness during the identification procedure. Alternative methods may include any of the following:

1. Automated computer programs that can automatically administer the photo lineup directly to an eyewitness and prevent the administrator from seeing which photo the witness is viewing until after the procedure is completed.

2. A procedure in which photographs are placed in folders, randomly numbered, and shuffled and then presented to an eyewitness such that the administrator cannot see or track which photograph is being presented to the witness until after the procedure is completed.

3. Any other procedures that achieve neutral administration.

C. Show-up Identification Procedures:

1. Show-ups should only be used when circumstances require the prompt display of a single suspect to a witness (e.g., there is no probable cause for detention long enough to construct a proper lineup or there are public safety concerns).

2. If possible, encourage the suspect to consent to voluntary detainment and brief transport by police vehicle to participate in a live lineup or to consent to being photographed for use in a photo lineup. A written consent that they are a willing participant in the lineup without promises, threats, pressure, or coercion should be signed and dated by the suspect.

3. Show-ups should only be conducted when the suspect matching the description of the perpetrator is located in close proximity in time and place to the crime.

4. A description of the perpetrator should be documented prior to the show-up.

5. If practical, a police unit may transport the witness to the location of the detained suspect to limit the legal impact of the suspect's detention.

6. Show-ups should not be conducted with more than one witness present at a time.

7. Witnesses should be given a cautionary instruction by the person responsible for the show-up process that the individual may not be the perpetrator.

8. If there are multiple witnesses available and one witness makes identification during a show-up, reserve the remaining witnesses for another identification procedure.

9. Words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator should be carefully avoided by all including the person responsible for the show-up process.

10. All identification and non-identification results obtained during the show-up procedure including the eyewitness's level of confidence statement should be documented in writing.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.09

SUBJECT: Interview and Processing Rooms

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Interview Room, Processing Room

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to establish procedures to be used when utilizing Creedmoor Police Department interview and processing rooms. This directive shall apply to both uniformed and non-uniformed sworn employees and is implemented in an effort to provide supervision, accountability, and the safety and security of employees and temporary detainees or witnesses being interviewed.

Policy: It is the policy of this department to provide employees and detainees/witnesses a safe environment in which to conduct both custodial and non-custodial interviews and processing.

Procedure:

I. Weapons in Interview and Processing Rooms

A. In interview and processing rooms, weapons shall be stored in provided lock boxes when conducting in-custody interviews/interrogations or processing individuals.

B. In extreme cases, where the person in custody has voiced or demonstrated the intent to harm the officer, an officer may elect to maintain his/her sidearm if the officer deems it to be necessary for safety.

II. Security Concerns

A. Officers should follow departmental policy, state, and applicable federal law to ensure that the detainee or witness is not armed.

B. Searches of detainees under arrest should be completed prior to the interview.

C. Witnesses, including non-custodial suspects, should be frisked for weapons or searched when circumstances justify such a frisk or search.

D. Video cameras in place may be utilized for the collection of evidence as well as to ensure the safety and security of detainees and witnesses being interviewed or processed.

E. The interview room and the processing (intoxilyzer) room cannot be locked. An officer must be with his/her prisoner continually. No prisoners are to be left unattended at any time within the police facility. Constant monitoring will aid in escape prevention.

III. Conduct

A. No more than two officers should accompany the detainee or witness in the interview room, unless an emergency situation exists. A translator is authorized to be present with the two officers in the interview room when language services are needed. (Both parents/guardians of a juvenile may be present during an interview).

B. In the event that assistance is needed, portable radio transmission or the panic button of the officer shall be the primary source of summoning assistance in an emergency.

C. The officer that is in control of the detainee or witness is responsible for ensuring that the detainee or witness has access to restrooms, water and comfort breaks. Restroom services, water and comfort breaks should be allowed by the officer in control of the detainee when reasonable and should not be restricted for unreasonable periods of time.

IV. Equipment

A. The only equipment authorized to be kept and maintained in the interview rooms are

1. Chairs and tables

2. Electronic audio and video equipment.

B. The only equipment authorized to be kept and maintained in the processing room are

1. Chairs and tables

2. Electronic audio and video equipment

3. General processing equipment (camera and printing materials)

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.10

SUBJECT: Crime Scene Command and Control

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Crime Scene Response; Crime Scene Command; Response to Crime Scenes

DISTRIBUTION: All Personnel

Purpose: To specify duties of officers initially responding to the scene or becoming aware of a crime.

Discussion: Uniformed Patrol officers are usually the first law enforcement persons to arrive at crime scenes or learn of a crime. The guidelines in this General Order are designed to ensure proper initial responses to the scenes of crimes or incidents and thereby permit effective investigations.

Policy: The actions taken by officers initially learning of or responding to the scene of a crime often determine the outcome of the overall investigation. These initial actions include: a proper response; adequate care of the victims of crime; determining the location of the crime scene; establishing the perimeter of the crime scene; determining the nature of the incident; protection and collection of evidence; and the apprehension of perpetrators. Officers will do everything possible to ensure that the community's welfare and safety is restored or maintained.

I. Procedure

A. Authorized Responses

1. Unless performing a supervisory function, officers will respond to the scene of a crime only if specifically dispatched by Communications or authorized by other competent authority. (This provision applies to dispatched calls, not to crimes or crime scenes discovered by or reported

to an officer; the latter information will immediately be reported to Communications.)

2. When receiving information concerning a crime, officers shall determine the location where the crime occurred and respond in a manner that maintains the safety of persons in the area. Officers shall remain alert and, when appropriate, investigate any unusual circumstance which may indicate the presence of the perpetrator or evidence of the crime. This can include but is not limited to:

   a. Suspicious persons or vehicles in or leaving the area.
   b. Darkened side yards or alleyways.
   c. Occupied parked vehicles.

B. Command at the Crime Scene

1. The first officer arriving at the location of the crime is in command unless and until relieved by a superior, by the officer specifically assigned to the call or by personnel from the appropriate investigative unit.

2. The officer intending to assume command will inform the officer being relieved that command is being assumed.

3. Investigators and crime scene technicians may assume functional command of the crime scene area and so remain unless relieved by higher authority.

4. Command and supervision of officers assigned to the perimeter of the crime scene or officers searching for suspects nearby remains with the appropriate patrol supervisors unless relieved by higher authority.

C. Assistance to the Victim(s)

1. The first responsibility of responding personnel is to the victim. The injured must receive the highest priority, even if this permits the suspect to escape.

2. The first officer to arrive will ensure that any victim receives emergency first aid and further medical care as necessary. This task may be delegated to other competent persons, but the responsibility for ensuring that it is done remains with the initial officer.

D. Apprehension of Offender(s)

1. A primary responsibility of all officers is to immediately identify, locate and apprehend criminals. However, the necessity for immediate pursuit

must be weighed against the welfare of the victim(s) and the need to conduct a more systematic investigation. Circumstances which may or may not justify immediate pursuit include the following examples:

a. Identity Known

When the identity of a suspect is known and an immediate pursuit is possible, officers should consider the effect upon the total investigation. An immediate pursuit may not be appropriate if the preliminary interview, crime scene protection or preliminary investigation processes would suffer. When such circumstances are present, officers may delay apprehension until a more appropriate time.

b. Identity Unknown

When the identity of a suspect is unknown but an officer is aware of the suspect's actual or probable location, an immediate pursuit may be appropriate, consistent with the victim's welfare and protection of the crime scene.

3. Officers should evaluate the effect of a pursuit upon the preliminary interview and investigation, especially the process of identifying witnesses to the crime.

4. Imminent Danger to the Public

An immediate pursuit and apprehension would be appropriate whenever an officer determines that a suspect's behavior, if allowed to continue, would jeopardize the immediate safety of other persons.

5. Justification for a decision as to whether or not to immediately pursue is limited to facts known to the officer or perceived by the officer at the time the pursuit decision is made. Facts unknown at the time cannot be considered in later determining justification for actions taken.

E. Determination of Nature and Circumstances of Incidents

1. The first officer arriving at a crime scene is responsible for conducting a preliminary interview of appropriate persons at the scene. The purpose of preliminary interviews is to obtain as much information as quickly as possible. Persons to be interviewed include the victim, the person reporting the alleged crime and any other witnesses to the incident. When practical, the name, address and telephone number (both residence and business) of each person interviewed will be obtained at the time of the interview.

2. The order of interviews will be determined by the circumstances of the situation, as numerous conditions may affect the sequence. As a guideline, officers should, when possible, interview witnesses in the order of their closeness to the crime. In other words, start with the victim/complainant; next, the eyewitnesses; finally, all others having information. In this initial stage, and if the other witnesses would be available the next day, it may be preferable to record only their names, addresses and telephone numbers for later interviewing.

3. Examples of information to obtain or determine include the following:

    a. The existence of a criminal act and circumstances (elements).

    b. Assistance required.

    c. The description of suspect(s):

        1) Sex, Facial Hair, Glasses, Type/color of clothes

        2) Name, Age and Address

        3) Race

        4) Height

        5) Weight

        6) Hair color and length

    d. The description of vehicle(s), if any, used by suspect(s):

        1) Make and model

        2) Body style

        3) Color

        4) Peculiarities (multi-colored, missing parts, observable damage, etc.)

        5) License plate number

    e. The direction in which the suspect(s) fled.

f. The weapons used and whether it is still in the possession of the suspect(s).

g. The proceeds of the crime in possession of the suspect(s).

h. Any other information necessary to assist in the immediate apprehension of the suspect(s).

4. Officers should not rely on their own memories, but should write down all useful information. In addition, officers should record facts which they observe that could assist in establishing the elements and circumstances of the incident.

F. Notify Communications

As soon as possible after arrival, officers will notify Communications of any information which may assist in the apprehension of the suspect(s).

G. Establish Perimeter and Protect Crime Scene

The confusion and excitement immediately following a crime can easily destroy or alter evidence necessary for a successful investigation. To prevent destruction or alteration, officers will follow these procedures:

1. When practical, officers assigned to the initial report of a crime will determine the location where the crime occurred and take appropriate measures to ensure that the area is protected. Officers will protect the scene to ensure that physical evidence remains in the condition in which it was left by the perpetrator. Protecting the scene may require closing the perimeter of the crime scene area or securing a structure. The extent of protection necessary will be established by:

   a. observing the entire scene, and

   b. determining the extent of the area where items of evidential value may be.

2. All persons, whether citizens or police, whose duties and responsibilities do not require their presence at the crime scene will be excluded from the area being protected. Suspects or witnesses, once they have been removed or have left, will not be allowed to return to the protected area (unless authorized by the on-scene supervisor).

3. The officer protecting the crime scene will maintain a crime scene log (CPD Form 07) of all persons, including police officers, who enter the protected area.

4. Protection of the crime scene will continue until photographs, sketches and collection of evidence are completed, or until an assigned investigator indicates that protection is no longer necessary.

H. Record Additional Information

As soon as practical, the following additional information will be determined and recorded by the first-arriving officer:

1. Time and arrival on the scene and how summoned.

2. Location of scene.

3. The weather conditions.

4. The approximate time the crime occurred and was discovered.

5. If at night, note the lighting conditions and any artificial lights and their location.

6. The identities of the other officers present, including I.D. numbers and details of their participation in the event.

7. Any spontaneous or chance remarks relevant to the case.

8. Location of obvious physical evidence in order to later indicate the presence of such evidence to officers performing further investigative tasks.

9. Further descriptions of suspect(s) and vehicle(s) involved.

Officers should ensure that such information is properly documented (in written report or other appropriate record) for later use in the case investigation.

I. Follow-up Personnel to be Briefed

Officers initially responding to the scene of a crime will inform any follow-up investigator summoned to the scene or assigned to investigate of witnesses detained, evidence found, and all other information regarding the case which may be helpful in successfully investigating the crime and apprehending the suspect(s).

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.11

SUBJECT: Crime Scene Assessment and Processing

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Crime Scene Assessment; Crime Scene Processing;

DISTRIBUTION: All Personnel

Purpose: To specify procedures concerning processing of crime scenes in preparation for the collection of physical evidence.

Policy: It is the policy of the Police Department to evaluate and search all crime scenes for the presence of physical evidence. Any item at the crime scene that can be used to ascertain what in fact occurred constitutes physical evidence. The process of collecting physical evidence will include photographing and sketching the scene, recording and measuring the location of physical evidence and properly collecting any evidence found.

I. Definitions

Physical Evidence - anything that, when presented in a court of law, will assist in determining the truth about a fact in question. Physical evidence is also any object or fact which may indicate a crime was committed or anything which may connect a particular person to the crime scene.

II. Procedure

A. Preliminary Crime Scene Assessment

1. To ensure that the collection of physical evidence is both organized and effective, a preliminary assessment of the crime scene area will be conducted before actual collection begins.

2. The purpose of the preliminary assessment is to discover items which have evidentiary value and then determine the priority and method of collection.

3. Responsibility for this task is to be designated or assigned by the officer-in-charge at the scene. Some tasks may be delegated to other officers, but those officers will report their findings to the primary search officer prior to collection.
Serious or complex cases may require that the department's crime scene technician be called to assist or handle processing of the scene.

4. The preliminary assessment involves, but is not limited to the following tasks:

   a. Identify the Area(s) to be Searched

      Searches are not confined to the immediate area of the crime, but also include the approach and exit or flight areas. A fleeing criminal may accidentally drop some item of physical evidence during the attempted escape. The nature of the crime and eyewitness statements should be considered when making this decision.

   b. Identify Areas to be Photographed & Sketched

      Rules of evidence require that the crime scene be reproduced in court with a reasonable amount of accuracy. Photographs and sketches enhance the credibility of the evidence and serve to support testimony of witnesses and verbal testimony of others. Photographs and sketches of the crime scene will be made with that objective in mind.

   c. Determine an Appropriate Search Method

      Methods of searching vary, but as in all phases of an investigation some system is required. Before conducting a search, an investigator should decide on a plan for searching: clockwise, counter clockwise, dividing the scene into specific areas, etc.

   d. Determine a Logical Starting Point

      Usually it is wise to conduct an outside search first because of the difficulty in protecting such an area. Elements to consider are the nature of the crime scene, the search method to be used, and the number of personnel involved.

The officer in charge of the preliminary assessment will ensure that a record of the assessment is maintained. This record will include the names of the officers involved, what was determined and who made any determination.

B. Use of Assessment Record
The officer in charge of the area to be searched will, when appropriate, refer to the assessment record and determine that all tasks identified are being performed.

C. Crime Scene Photographs

1. Searches should not generally begin until the crime scene area is photographed. The purpose of crime scene photography is to provide a permanent photographic record of facts and to allow the viewer to obtain a better understanding of the crime. When appropriate, the following types of photographs will be taken:

   a. General View - pictures of the terrain adjoining the crime scene and/or adjacent neighborhood. Such pictures help to depict the scene of the crime and its surroundings. The general view photograph is used to orient the court or jurors to the locality in question.

   b. Medium View - taken from a distance of 10 to 20 feet from the area being photographed. Medium view photographs should show specific objects and contain sufficient details to associate it with "General View" photographs. To adequately determine which specific objects to photograph, a preliminary visual search of the crime scene area may be necessary.

   c. Close-up View - photographs of individual items and/or small sections of larger areas taken from one to five feet away. These photographs usually include some identifiable object or characteristics found in the "Medium View" photograph.

2. Unless forensic technicians are called to assist with photographs, any officer assigned by the officer-in-charge may photograph the scene. However, the experience necessary and the nature of the area to be photographed, as well as the nature of the offense, will be considered when making such an assignment.

3. Measuring Devices

   Rulers, yardsticks and other measuring devices are commonly used in crime scene photography to demonstrate relative size and relationships. Nevertheless, the use of such devices in every photograph may cause admissibility problems. Therefore, a minimum of two photographs of each

scene shall be taken -- the first photograph without measuring devices and the second with measuring devices.

4. Documenting Photographs

Crime scene photographs, like any other evidence, will be correctly and completely identified and documented. The officer taking the photographs will record the following information:

a. Subject being photographed.

b. Point from which each photograph is taken (include measurements)

c. Time and date photographs are taken.

d. Name of person taking the picture(s).

e. Name of witnesses, if any.

f. Brief statement as to circumstances.

The officer taking the photographs will then prepare a synopsis report detailing his activity and describing in general terms any photographs taken at the scene.

D. Initial Search

The purpose of a search at a crime scene is to discover any physical evidence which will enable the officer to determine the facts of the crime, identify the perpetrator and aid in the arrest and conviction of the criminal or the exoneration of an innocent person. Only those officers assigned by the officer in charge of the search area will conduct the initial search.

1. Determine if a Specialist is Required

a. In order to collect certain evidence effectively, specialized procedures may be required. The nature of the evidence to be collected and the gravity of the crime should be considered when making this decision.

b. Once the scene has been evaluated and it has been determined that a specialist is required, the scene should be protected but left undisturbed. All evidence should be contained and preserved in its original condition and location. The officer in charge of the scene will be responsible for showing Crime Scene Technician(s) any items of evidence that warrant photographs and/or collection.

2. Assign Recording and Collecting Officers

   The officer in charge of the area to be searched will assign one officer, or two officers working together, to actually record and collect evidence. This establishes the chain of custody, concentrates the responsibility for evidence in one or two persons, prevents loss of evidence, increases efficiency, and reduces the number of officers who will have to appear in court to testify. The search record will indicate the name of the officer locating the evidence, the location, the time of discovery, a description of the item found and the condition that the item was in at the time of discovery.

3. Locate Evidence

   Officers will look for, determine, and make note of all items which could be of value as evidence. Officers performing this task will notify the recording and collection officer(s) as each item of evidence is located.

4. Determine Order of Collection

   Elements to consider include the fragility of particular evidence and/or the possibility of destruction during the collection process. Examples of evidence which should be collected first are fingerprints, footprints and tire tracks.

All officers assigned to search will use the same techniques of search unless directed otherwise by the officer in charge of the search area.

E. Crime Scene Sketches

1. When appropriate, a sketch will be made to depict the location of all evidence found and collected. Sketches will be made prior to actual collection. Officers will use one method for all measurements and decide what is to be sketched before starting. The following sketches should be made:

   a. Sketch of Locality - This type of sketch is of the immediate area in which a particular item of evidence is located.

   b. Sketch of Details - This type of sketch shows the specific location of a particular item of evidence and its relationship to the closest objects depicted in the "ground" type of sketch.

c. Officers performing the sketching process should sketch only the essentials, such as the item of evidence and its relationship to other objects. Sketches will include those items or objects which have been photographed.

2. Documenting Sketches

The following information will appear on each sketch made:

a. Offense number.

b. Compass direction (orientation).

c. Names of streets and/or landmarks.

d. Title (brief description of area).

e. Date and time sketch made.

f. Sketcher's name.

3. Responsibility for Sketches

The officer in charge of the area being searched is responsible for ensuring that appropriate sketches are made. This task may be delegated to any officer at the crime scene. If a specialist or investigator has been called to the scene it will be their responsibility to complete a sketch as part of protocol for overall crime scene processing.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.12

SUBJECT: Collection and Preservation of Evidence

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Evidence Collection; Chain of Possession; Marking Evidence; Evidence Tag; Labeling Evidence

DISTRIBUTION: All Personnel

Purpose: To specify procedures concerning initial collecting, marking, and placing items of physical evidence in official custody.

Discussion: Once the preliminary assessment, photographs, initial search and sketches have been completed, the actual recovery and marking of evidence will be conducted in accordance with the following procedures.

Policy: Members of the Police Department will collect, and preserve all evidence for presentation in court, in accordance with the following procedure, when applicable. The process of collecting physical evidence will include evaluating the crime scene, photographing and sketching the scene, searching for evidence, and properly collecting the evidence found.

Procedure

I. Organization and Administration

A. A Forensics/Evidence Specialist shall be available within the department under the direct command of the Investigative Services Division Commander. This section shall consist of one or more officers assigned at the discretion of the Chief of Police.

B. The Forensics/Evidence Specialist Section will provide 24 hour crime scene processing service to departmental personnel or other governmental law enforcement agencies for the following purposes:

1. To establish, record or support the elements of a crime through the following:

    a. Photography

    b. Lifting, taking, classifying and identifying fingerprints

    c. Diagramming and sketching crime scenes

    d. Evidence searches, collection, processing, custody control and storage and submission to laboratories

2. To identify criminal perpetrators or eliminate criminal suspects through fingerprint collection and classification, chemical analysis, etc.

C. Forensics/Evidence Specialists shall respond (normally within one (1) hour or as soon as possible) of any authorized request for service.

D. Forensics/Evidence Specialists shall not respond to the requests of other governmental law enforcement agencies outside the territorial jurisdiction of the Creedmoor Police Department without authorization.

E. The on-call Forensics/Evidence Specialist must be notified within one (1) hour of the incident requiring assistance. The on-call Commander shall authorize the services of the Forensics/Evidence Specialist.

1. The officer in charge of the scene will be responsible to secure the scene and ensure the protection of all evidence until the arrival of the on-call Forensics/Evidence Specialist.

2. If the officer in charge of the scene is unsure of how to proceed in a given circumstance, he should request guidance via phone conversation with the on-call Forensics/Evidence Specialist to receive guidance concerning appropriate procedure.

3. The on-call Forensics/Evidence Specialist may give specific instructions to be followed until arrival. The officer in charge of the scene should ensure that these instructions are followed.

4. When no Creedmoor Police Department Forensics/Evidence Specialist is available, such assistance may be requested from the NCSBI or any other agency via mutual aid.

F. When the Forensics/Evidence Specialist arrives at the crime scene, they shall consult with the officer in charge, who shall thoroughly brief them about the incident and make specific crime processing requests.

G. After consulting with the personnel in charge of the scene, the Forensics/Evidence Specialist shall assume complete control and responsibility for processing the crime scene.

H. Forensics/Evidence Specialists shall follow the guidelines established in the Creedmoor Police Department Operations Manual and other text books, manuals and periodicals, etc., to include:

1. The North Carolina State Bureau of Investigation Evidence Guide

2. Advances in Fingerprint Technology

3. Technical Notes on Chemical Processing for Latent Prints

I. It is essential that the prosecutor and the judges of the court are apprised of latest information concerning the abilities of the investigators and the laboratory in developing information for the prosecution. The responsibility of good liaison lies with the Creedmoor Police Department Forensics/Evidence Specialist to ensure accurate and up-to-date information is disbursed to the appropriate offices/officers. It is imperative that the Forensics/Evidence Specialists be acutely aware of which cases are immediately pending in order to be properly prepared for trial. In order to accomplish this mission, the Creedmoor Police Department Forensics/Evidence Specialist personnel will meet with the District Attorney's Office and the Courts as follows:

1. The Forensics/Evidence Specialists responsible for an upcoming case will coordinate with the District Attorney's Office as needed to ensure that all court exhibits, evidence, and analysis are complete and ready for presentation at trial.

2. If no cases are pending, the Forensics/Evidence Specialists will meet with the District Attorney's Office periodically to maintain good liaison and information exchange.

3. The Forensics/Evidence Specialists will meet with Supervisors, Police Chief, District Attorney's Office and the Courts as requested or needed in order to keep all necessary persons apprised of new technology, information and techniques in the field of identification and crime scene processing.

II. Responsibility of the First Officer on a Crime Scene

A. Normally, the first officer on a crime scene will be a patrol officer. The first officer's responsibilities are:

1. If an injured person is on the scene, arrange for medical attention, identification and removal ensuring that the scene is disturbed only to the extent necessary to have medical aid rendered and/or a deceased examined. Consideration should be given to providing a searched pathway to the victim/deceased.

2. To record the date, arrival time and weather conditions at the scene.

3. If the scene is not fully protected, ensure that it is protected by:

    a. Using other police officers or responsible individuals to keep curious persons away from the scene and to keep witnesses, suspects and victims from disturbing the scene.

    b. Cordon off the crime scene area (with crime scene tape if possible) and/or set up roadblocks to reroute traffic.

    c. Record/document all entries of person(s) into and from the crime scene.

    d. Take other action as necessary to prevent any disturbances of the scene until a complete and through examination can be made.

4. Determine who is going to be needed for the processing of the scene (shift personnel, Investigations personnel or Forensic/Evidence Specialist.)

5. If it is a serious crime (i.e., rape, homicide, etc.) maintain security/control of the scene and arrange for the notification of personnel from the Forensic/Evidence Specialist Section to respond to the scene to handle the processing.

6. Perform other responsibilities as called for in General Order 300-17 (Crime Scene Assessment and Processing).

A. Chain of Possession

A formal chain of possession (also known as a "chain of custody") will be established and recorded for each item of physical evidence. To ensure property is not misplaced, damaged or stolen, and to ensure evidence is admissible in court, the collection of evidence will be assigned to a limited number of personnel.

B. Collection and Marking - General

1. The recording and collection officer(s) will refer to the "Search Record" developed during the initial search and, in the presence of the officer

locating the evidence, proceed to take physical custody of each item of evidence found.

2. The officer collecting the evidence will do so in a manner that ensures that no item of evidence contaminates another item.

3. The time of collection will be recorded on a "Search Record" log. As each item of evidence is collected, the officer collecting the evidence will mark the evidence with some distinguishable symbol. If it is not possible to mark an item of evidence, it will be appropriately packaged, marked and/or and tagged with the collecting officer's marks.

4. Degree of Marking

   Each article will be individually evaluated for the degree of marking required. Every identifying mark will be made so that it neither destroys the utility of the item as evidence nor seriously reduces the market value. The mark should not be easy to remove or alter.

5. Unique Marking

   Officers will use distinctive marks. As an example, the initials of the officer and the date may be used. Marks easily duplicated or in common usage will not be used. (Check marks or crosses are examples of common usage marks.)

6. Receipt for Evidence and/or Property Form

   All evidence and/or property seized or collected by Creedmoor Police Department personnel must be submitted to the Forensics/Evidence Specialist Section along with a completed Evidence and/or Property Form.

7. Any time an item(s) listed on the Creedmoor Police Department Evidence Form is transferred from one individual to another, the record of the transfer should be prepared to include the following:

   a. Date and time of transfer

   b. Name of receiving person and functional responsibility

   c. Reason for transfer

   d. Name and location of the laboratory, synopsis of the event and examinations desired when transferred to a laboratory not within the agency.

C. Collecting and Marking Certain Evidence

Certain items require special collection and marking procedures because of their physical characteristics or because of special requirements for evidence. To the degree possible, items listed below should be treated as specified.

1. Cartridges - Cartridge cases will be placed in a sealed envelope or plastic vial, preferably packed in cotton or similar substance, and the envelope or vial properly marked.

2. Live Cartridges

   a. Live cartridges will be packaged either in a vial, an envelope or other means that will render them safe from accidental discharge.

   b. At no time will live cartridges be packaged loose in the same container with a hard object such as a firearm or other metal object that could cause accidental discharge.

3. Documents

   a. Documents will not be marked in any way by anyone other than the specialist conducting the scientific examination. Any marking by the specialist on documentary evidence will be done in the presence of the officer submitting the documents whenever practical.

   b. Documents will be placed in transparent plastic bags, and appropriately marked.

4. Fingerprints

   The methods used to preserve fingerprints will be the responsibility of the officer assigned to perform this function. The officer in command will evaluate the expertise of the officer intending to lift the prints in relation to the complexity of the task and will decide whether to request a specialist, submit the item containing the prints to the Crime Lab, or perform the "lifting" process at the scene. Items containing suspected fingerprints, which are not processed at the scene, will be packaged to protect against friction, and the package marked.

5. Firearms

   a. Firearms or other weapons will not be touched before exact location is recorded by photographs and sketches. Notes will be

taken in detail as to the condition of the weapons and the position of the safety.

b. When moving the firearm, the officer should touch only the trigger guard and the knurled portion of the handle.

c. Identification of the weapon should include the brand, model, serial number and barrel length.

d. Do not etch initials for identification; use a tag for identification, even if there is no serial number on the firearm. Use extreme caution in handling a loaded firearm.

6. Fired Bullets/Projectiles

Fired bullets, or projectiles, will be placed in a container and packed in cotton or similar substance and the container will be securely sealed.

7. Footprints, Tire Tracks or Toolmarks

These items will be covered and preserved in such a manner so as not to alter them until they have been properly preserved or collected.

8. Liquor and Other Fluids

Liquor and other fluids that are to be submitted to the laboratory for chemical analysis will be poured into a clean container and stopped with a cork or a cap. Liquor not to be submitted to the laboratory will be destroyed at the scene and the empty bottles held. If the liquor is over 12% alcohol, then a sample vial will be completely filled and secured; otherwise, the liquor may chemically decompose by the time it is presented in court for evidence.

9. Narcotics

Narcotics and suspected narcotics will be separated from other evidence, packaged and sealed.

10. Odors and Volatile Fluids

When preserving an odor or volatile fluid, articles impregnated with the substance will be placed in an airtight container as soon as possible. The container will be marked and tagged. The tag will indicate that the package contains material impregnated with a volatile fluid.

11. Poisons

Poisons or poisonous fluids will be placed in nonmetallic containers and marked or tagged.

12. Removable Articles

Any article of evidence for which it is possible, and desirable, to remove will be handled with the utmost caution to prevent any alteration, contamination or destruction. It will be tagged for identification.

13. Scrapings and Stains

a. Blood, semen and saliva will be removed from the object of concern only by a specialist, unless an officer has been assigned to collect the scrapings. The scrapings, especially blood, will not be placed in plastic containers because decomposition would take place.

b. 85% of the population secretes their blood group factors through other physiological fluids, including perspiration, saliva, semen and urine. If the officer touches the stain or scraping, contamination will probably occur.

c. Sample size is of great importance. As much of the scraping as possible will be taken.

d. A background control standard of the object upon which the stain has been found must be taken. As an example, a small portion of the upholstery of a chair or a piece of the woodwork will suffice. The standard should be marked and sent to the laboratory with the section bearing the stain. Care will be taken to ensure that the stained section is not contaminated by the standard sample.

e. Semen stains should be treated the same as blood. If semen is not to be taken directly to the laboratory, then it will be allowed to dry at room temperature. Semen exhibits a bright white-blue color when subjected to ultraviolet radiation. Suspected semen stains will, when possible, be packaged in a flat, unfolded position.

14. Glass

Fragments of glass will be gathered, and placed securely in a non-plastic container to help preserve fingerprints. Glass should be picked up around the outer edges with tweezers, when possible. It is extremely important to obtain all pieces of glass, especially at the scene of a possible vehicular

homicide, vehicular assault or other case involving a vehicle with possible damage.

15. Trace Items

Trace evidence is any item that is microscopic in size.

a. Hair

Samples of hair should be taken at the scene of a major crime if possible. Comparison hairs from the head, body or genital areas should be taken from the victim and suspect and placed in clean paper containers and marked. Hair will be taken by running a clean comb through the patch of hair. The whole hair, including roots, will be taken. Approximately 20-50 whole hairs are needed. Clipped hair is unacceptable. Hair samples will be taken from females either by a female officer or at the hospital by medical personnel.

b. Paint

Paint chips should be collected and placed in a clean paper container and marked. Collection of chips rather than powder is preferred. As much paint as possible should be taken from the bumper of an automobile in major crimes. Comparison paint should be taken.

c. Fibers

Traces of fibers that cannot be transported should be photographed or sketched. If transportable, the fibers should be picked off with tweezers or forceps and placed in a glass vial. Plastic is not advised since static electricity will cause fibers to adhere to the surface of the bag or vial. Since fibers easily become airborne, it is poor procedure to take clothing of the victim and the suspect while they are in the same room. All fibers taken will be appropriately packaged and the package marked.

d. Sand and Soil

Sand and soil samples will be taken from the clothing or the body of the victim if possible. Comparison samples of all nearby soil will be taken. All soil or sand will be placed in clean glass vials and marked. Samples of soil around a footprint or track should be taken at ordinal compass positions several inches from the footprint.

D. Responsibility for Requesting Laboratory Examinations

The initial reporting officer shall be responsible for requesting a laboratory examination, to the forensics specialist, if needed, on all cases that do not require further follow-up by an investigator. If the case is a major crime scene or one that is going to require further follow-up, the Forensic/Evidence Specialist or the investigator assigned the case will assume the responsibility for requesting laboratory examinations.

E. Special Handling Procedures for Controlled Substances

1. Evidence in the form of a controlled substance shall be gross-weighed and properly sealed in an approved container by the submitting officer prior to placing the evidence into the custody of the property custodian. Items such as capsules and pills will also be counted.

2. "Gross weight," means the weight of the controlled substance plus its original container, if any. If it becomes necessary to use an additional container or sealing material to maintain sample integrity and/or more accurately weigh the controlled substance, then the term "gross weight" shall refer to the controlled substance, the original container, the additional container, and any sealing materials used. The gross weight and quantity of those items shall be recorded on the appropriate laboratory request form and the Property form.

F. Collection and Preservation of Evidence in Sexual Assault Cases

The following steps will be taken in sexual assault cases to collect and preserve evidence:

1. General Rule

The general rule to use in the collection of evidence in sexual assault cases is that any item, with which the suspect may have come in contact, should be taken as evidence if it is probable that the suspect may have left behind a sample of his blood, urine, semen, hair or other items from his person which may lead to identification as a suspect.

2. Evidence to Include

Items of evidence collected from victims in sexual assault cases are extremely important, and include, but are not limited to the following:

a. A "rape kit" from the hospital where the victim was examined.

b. Items such as bed sheets, pillow cases, blankets, rugs or other readily moveable items at the location where the sexual assault occurred.

c. Victim's clothing.

d. Suspect's clothing, if available.

e. Any object which the suspect may have touched and left fingerprints.

3. “Rape Kit”- “Sexual Assault Kit”

a. When the investigating officer receives the "rape kit" from the hospital where the examination of the victim is performed, it should include the following items (exact contents of the kit may vary to some extent, depending upon the circumstances of the case):

1) 10 cc's of whole blood.

2) Saliva samples.

3) Head hair pluckings.

4) Pubic hair combings.

5) Pubic hair pluckings.

6) Vaginal smears and swabs.

7) Fingernail scrapings if appropriate.

8) Examination table paper.

c. These items, after collection from the victim by the hospital personnel, should be retrieved by the investigating officer who, in turn, should see that they are placed within the evidence refrigerator.

d. Rape kits should be refrigerated as soon as possible after the examination, as the serological samples collected are subject to rapid deterioration.

4. Sheets, Pillowcases, Blankets, Rugs, Padding, etc

a. In collecting items such as sheets, pillowcases, blankets and rugs, extreme care should be taken not to shake the items so as to dislodge any foreign hairs that may have been deposited by the suspect.

b. Should any of these items contain bloodstains or semen stains, they should be dry prior to any packaging. If they are not dry at the time they are collected they should be placed on clothes hangers. When satisfactorily dry, the items are to be put in paper bags to minimize the retention of any moisture and then placed into evidence.

5. Victim's Clothing

As soon as possible after the assault, the clothing worn by the victim should be retrieved as evidence and (after drying, if necessary) put in paper bags and then placed into evidence.

6. Suspect's Clothing

The clothing of the suspect, if available, should also be taken into evidence and handled in the same manner as the victim's clothing.

7. Suspect In Custody

If a suspect has been arrested and is in custody for the assault, the suspect should be taken to the Hospital for collection of the appropriate samples for the "rape kit" which is prepared on the suspect.

For both the victim and the suspect, the collection of the "rape kit" should be conducted at a hospital or medical facility if at all possible. The only deviation from this should be if the victim has previously reported the assault to another hospital or if the suspect is transported to another hospital for other medical reasons.

8. Photographs

Photographs**,** whether taken by department personnel, including Forensic/Evidence Specialists, should be treated as evidence in criminal investigations and (when applicable) motor vehicle collision investigations.

a. If photographs are taken with film cameras, the film roll should be secured in a film canister and submitted to the Forensic/Evidence Specialist as evidence. The canister should be packaged and

labeled by the officer taking the photographs. The package should be labeled with the following information:

1) Type of camera used

2) Type of lighting (existing or flash)

3) Type of film

4) Date and time

5) Case Number (OCA)

6) Location

7) A brief description of the object in the photo

b. When possible, film will be forwarded to the NC State Bureau of Investigation Laboratory for development and processing. (NOTE: Comparison photos should be submitted using SBI Form 5. If the nature of a case requires that photos be processed quickly, the Forensic/Evidence Specialist may have the photos developed locally. However, developed photos and negatives should be submitted as evidence in the case.

c. Videotapes of crime scenes taken by officers, surveillance videos, or videotapes seized as evidence shall be packaged, labeled and submitted as evidence. (Video cameras may be used for documentation of the scene and evidence; however, still photography must accompany the video. Videos cannot replace still photography, as videos are not readily acceptable in most courts.)

d. Photos taken with a Polaroid or instant camera in conjunction with an investigation should be packaged, labeled and submitted as evidence.

e. Photos taken with a digital camera in conjunction with an investigation shall be saved onto a digital storage device or disk, packaged, labeled and submitted as evidence.

f. All photos, exposed film rolls, proofs, photographic negatives, Polaroids, video tapes or digital photos taken as evidence in a criminal investigation or for any law enforcement purpose must be submitted into evidence, and the Forensic/Evidence Specialist will submit same for processing / development. In the case of

emergency or time-sensitive situations in which the need for photograph development is immediate, officers may have film developed locally with the permission of the Division or On-Call Commander.

g. No exposed film rolls, proofs, photographic negatives, Polaroids, or video tapes taken as evidence in a criminal investigation or for any law enforcement purpose are to be stored in a case file or in an officer's file, locker or vehicle.

G. Evidence Tagging/Labeling

1. Tagging or Labeling of evidence is distinguished from marking by being less permanent. It does not harm the commercial value of property. Tagging and labeling are also convenient methods of identification for large items and for very small items that have been placed in containers.

2. Information on Tags/Labels

When officers tag or label evidence or containers of evidence, the date, location, offense number, a short description of the item and the officer's initials will appear on the tag. The officer may place additional pertinent data about the case so it can be referred to in court. The officer must take care not to include information which would make the evidence or tags inadmissible in court, such as suggesting a particular test.

3. Labeling for Fingerprints

Evidence which is not fingerprinted at the scene will be placed in an appropriate container and the container will be tagged or labeled "FOR PRINTS" written on the tag or label in letters large enough to be easily noticed.

H. Transportation of Evidence

1. As all evidence will have to be transported one or more times, it will be packaged so that it will not be harmed or destroyed in transit.

2. Shipment of Evidence

When shipment of evidence becomes necessary, correspondence documentation will be sent giving full information about the case, examinations required, and facts concerning the evidence that may have a bearing on the examination results. Evidence examination requests will

specify the examination analyses requested. Mode of shipment may vary according to size, type or perishability.

I. Procedures for Processing Recovered Stolen Vehicles

1. The owner should be notified of a recovery if the Creedmoor Police Department is the reporting agency. If another law-enforcement agency reported the vehicle stolen, the recovering officer should notify the reporting agency. The condition(s) of release should be included in the notification. This is the responsibility of the recovering officer.

2. A chain of custody of the vehicle and its contents must be maintained from its point of recovery to its release to the owner or other proper authorities. The vehicle should be completely inventoried and a CPD Vehicle Impoundment Record and/or Property Report completed on the vehicle and its contents.

3. The processing of the recovered vehicle and its contents should be treated as any crime scene and processed in accordance with instructions in this General Order as well as General Order 4.11 (Crime Scene Assessment and Processing).

4. A Creedmoor Police Department Investigative or Supplemental Report reflecting the recovery of the vehicle and actions taken must be completed. If another law-enforcement agency reported the vehicle stolen, the recovering officer shall file an Investigative Reporting indicating the recovery. If the Creedmoor Police Department is the reporting agency, the recovering officer shall file a Supplemental Report utilizing the initial OCA number.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.13

SUBJECT: Evidence Custodian and Property/Evidence Room Procedures

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Evidence Custodian; Evidence Submission; Property Submission; Property/Evidence Management; Evidence Packaging; Personal Property; Release of Property; Disposition of Property; Disposition of Evidence; Evidence Disposition

DISTRIBUTION: All Personnel

Purpose: To outline essential procedures for personnel submitting items to or signing items out from Property/Evidence Management.

Policy: The Department strives to maintain property in the same condition as received and to preserve the integrity of items that are held for presentation in court. A goal of the Department is to safeguard and properly dispose of all property coming into its custody. Every reasonable effort will be made to return property to its rightful owner, when appropriate.

I. Procedure

A. Possession by Employees

1. All items of evidence, personal property or found items shall be disposed of in accordance with the provisions of this order.

2. Members will submit all evidence and other found or seized property to Property/Evidence Management before going off duty.

3. Employees shall at no time keep or convert for their own use any evidence, found or seized personal property, or lost and found items, and shall not delay their submission of such items to the Custodian's Office.

B. Submission of Property & Evidence

1. Temporary evidence storage lockers are provided and will be the usual channel for submitting evidence or property to the Custodian's Office.

2. The following items will NOT be stored in temporary lockers, but must be delivered to the Property/Evidence Custodian;

   a. Evidence which does not fit into the evidence storage lockers at the station.

   b. Volatile fluids.

3. Any item of property or evidence that is submitted for storage must be accompanied by the proper paperwork as outlined in this procedure and departmental policy.

4. Identification Marks

   All physical evidence must be carefully identified and suitably marked for identification as soon as possible after it is collected to assure that it can be definitively identified in court.

5. Packaging of Property and Evidence

   a. Items of property and evidence should be placed in an appropriately sized evidence container and be labeled or have an evidence tag attached. Articles that should be protected, such as clothing, should be placed in a bag and tagged.

   b. Items which are to be laboratory-processed should be packaged in separate containers to help assure the integrity of the item and to prevent possible contamination.

   c. To provide protection for articles needing processing for latent evidence, all such articles should be packaged in a paper bag, whenever possible.

   d. Any questions concerning processing and packaging of evidence for laboratory analysis may be referred to the department’s Evidence Custodian.

6. Preparation of the Chain of Custody Form

    a. All spaces on the Chain of Custody Form shall be completed if the information is known. If information is unknown, make the appropriate notation.

    b. A separate Chain of Custody Report must be prepared for each item of property with a different case number.

    c. A Tag number for each item of evidence will be recorded on the Chain of Custody Report, and should correspond to the next sequential number available on the Property/Evidence Log.

    d. If an item may be released after processing, make such a note on the Chain of Custody Report. Be sure that ownership of each item is noted on the Chain of Custody Report form.

    e. All wet or bloody articles shall be hung to dry prior to packaging.

    f. All requests for lab processing will be submitted with all evidence to be processed, and this shall be the responsibility of the case investigator.

C. Evidence Withdrawal Procedures

1. Evidence may be withdrawn from the Evidence Unit for these reasons:

    a. Analysis by the Crime Laboratory.

    b. Examination by members of a concerned investigative unit within the Police Department.

    c. Presentation in court.

    d. Release to another law enforcement agency.

    e. Analysis or examination by an authorized outside agency.

    f. Showing to a victim, witness or other person related to the investigation.

    g. Release to rightful owner.

4. Evidence may not be withdrawn for any other purpose except with the written consent of the Chief of Police or a Division Commander in the investigating officer's direct chain of command.

5. Those authorized to withdraw evidence for allowed purposes include: the officer originally placing the item in evidence, the investigator(s) assigned to the case, attorneys or investigators assigned to the district attorney's office, and supervisors in the investigating officer's direct chain of command.

6. The person withdrawing evidence from Property/Evidence Management is responsible for returning the evidence and/or completing the necessary paperwork, documenting the location of such evidence, if it is not returned within the required time.

7. Any evidence withdrawn from Property/Evidence Management must be returned within twenty-four (24) hours, unless:

    a. The Court retains the evidence.

    b. The evidence is returned to the owner. A receipt for the return of property will be submitted to the Evidence Custodian without delay. The signatures of the officer releasing the evidence and the owner accepting the property must appear on the receipt.

    c. The evidence is permanently retained by an outside law enforcement agency. A receipt for return of property will be submitted to the Evidence Custodian without delay. The signatures of the officer releasing the evidence and the person accepting the property must appear on the receipt.

    d. The item(s) are signed out for forensic analysis.

D. Viewing of Evidence by Defense Attorneys

1. The Evidence Custodian will allow defense attorneys or their investigators to view evidence only with prior oral or written authorization by the prosecuting attorney handling the case. Oral approvals will require direct conversation in person or by telephone between the prosecuting attorney and the Evidence Custodian.

2. Defense Attorneys will not be permitted to enter secured areas where property or evidence is stored.

E. Disposition of Evidence

1. Release of any property being held as evidence will require written authorization.

2. The Evidence Custodian will honor all valid court orders for the release or destruction of any evidence held by the Police Department. If there appears to be any conflict between any court order and the prosecution status of the case, the Evidence Custodian will contact a member of the District Attorney's staff.

3. The prosecuting attorney may authorize release of evidence no longer needed in the adjudication process, and should provide notice to the Evidence Custodian of this decision.

4. A supervisor in the investigating case officer's chain of command may authorize the release of evidence.

5. The officer placing evidence into Property/Evidence Management OR the investigator assigned to the case may authorize release of evidence no longer needed for the adjudication process.

6. Personnel requesting release of any item of evidence should obtain a copy of the Chain of Custody Report for that item. A Property/Evidence Management "Authorization to Release/Dispose of Property or Evidence" must be completed, including the RELEASE disposition, the name and address of person(s) to whom the evidence is to be released, and the officer's signature, employee ID number, and the date.

7. The completed release form will be returned to the Property/Evidence Custodian.

8. Evidence or other property that can be returned to its rightful owner should be photographed and released as soon as possible. An identifiable photograph of the property being released shall be kept with the case file.

9. As soon as the release of any item being held as evidence is authorized, the item is reclassified as personal property. The Evidence Custodian may dispose of personal property in accordance with statutory authority.

10. The Evidence Custodian will notify the officer or investigator, by a Property/Evidence Management "Inquiry Request Form", of evidence that has been held for seven months or longer. It is the responsibility of the officer or investigator receiving the notice to determine the status of the case captioned on the request.

11. Each officer is required to review the items he/she has in evidence annually prior to receiving their annual performance evaluation. Prior to receiving the evaluation the employee must show their supervisor written proof from the evidence custodian that this task has been completed.

12. Officers/investigators must return the Inquiry Request Form and any signed "Authorization to Release/Dispose of or Hold Evidence" to the Evidence Custodian within ten (10) days of receipt. The Authorization to Release/Dispose form will include the name and ID number of the officer completing the form as well as the case OCA number for the item of evidence.

13. All authorizations to release evidence or other property must include the name and complete address of the person to whom the property is to be released. Whenever possible, the officer/investigator authorizing the release is responsible for notifying the owner that an item is ready to be picked up, and for instructing the owner to call the Evidence Custodian for an appointment to pick up the property.

14. Officers/investigators will complete the "Authorization to Release/Dispose of Evidence" for all property not being held for evidence or court presentation. Items of contraband (such as illicit drugs or illegal weapons) which are not needed for the adjudication process will be noted as "DESTROY." The Evidence Custodian, in accordance with provisions of law and Department Procedure, will determine final disposition of the evidence.

F. Personal Property

The following provisions shall apply to the Department's handling of personal property:

a. Officers, when coming into the possession of another's personal property, will attempt to determine the identity of the rightful owner, return the property and obtain a signature upon a receipt for its return.

b. Personal property shall be properly tagged, packaged and identified as personal property.

c. Personal property shall then be submitted to the Property/Evidence Custodian in accordance with this procedure.

G. Found Items

1. Found items shall be properly tagged, packaged and marked, and shall be handled in the same manner as personal property, with the exception of found bicycles.

2. Found bicycles will be taken to the station. A Chain of Custody form will be completed. The Evidence Custodian will assume responsibility for transporting and storing bicycles.

3. Personal property to be held as evidence shall be clearly identified as evidence by the collecting officer.

H. Release of Personal and Found Property

1. The Evidence Custodian may release personal property to its owner during posted office hours without additional paperwork from the officer who placed it in Property/Evidence Management.

2. Personal property may be retrieved by persons other than the owner upon presentation of a notarized letter authorizing the release of the property.

3. Unclaimed property may be released to the finder in accordance with the provisions of law.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.14

SUBJECT: General Investigative Fund

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
General Investigative Fund

DISTRIBUTION:

Purpose: To provide a system for the disbursement and/or reimbursement of funds for expenditures which are directly related to investigation of criminal activity by the department.

Procedures:

A. The Creedmoor Police Department will maintain an investigative fund. This fund shall be used to provide for necessary investigative operations.

1. The Investigative Fund may be used for the following:

a. Informant payments

1. There must be reasonable expectation that the information obtained will lead to the prevention of a criminal activity, seizure, and/or substantiation of an existing case.

2. Payments to informants will be made after the information is obtained and proven to be of value.

b. Purchasing contraband as evidence

c. Emergency use of a motel/hotel to ensure the safety of an informant or witness.

d. General investigative expenses

1. Food, drink, meals, and miscellaneous expenses are authorized only when they are directly related to a covert operation or necessary to maintain the clandestine nature of the operation.

2. Rental of car, facilities, or equipment necessary to conduct a covert operation or surveillance which is directly related to a specific case or which is previously approved by the Chief of Police.

e. Official travel for the purpose of:

1. Extraditions

2. Information/evidence gathering as it relates to an existing case and when such information/evidence will yield a reasonable expectation of seizure or success.

3. Testifying out of county or state when time constraints prohibit applying for travel funds.

f. Purchasing of illegal controlled substances as evidence.

g. Other related investigation expenses as authorized.

B. This fund is under the control of the Chief of Police; however, the Division Commanders may have controlled access as provided for by the Chief of Police.

C. All requests for disbursements from this fund will be made to the Investigative Services Division Commander. The requesting officer must fill out the Investigative Fund Payment Voucher Form (CPD # 35) to the Criminal Investigations Division Commander for authorization. If the request is authorized, the Investigative Services Division Commander will make all the necessary disbursements from the fund and record the transaction in a designated ledger. The Investigative Services Division Commander will maintain each submitted CPD # 35 in a secure file.

D. Ledgers are under continuous review by the Chief of Police and are subject to spot audit at anytime.

E. Any disbursements in excess of **$250** must be approved by the Chief of Police.

F. Any officer receiving disbursements is held fully accountable for all such monies. The responsible officer must submit receipts or other expenditure documentation to the Investigative Services Division Commander within fourteen days after the

disbursement has taken place. If receipts or other expenditure documentation cannot be produced, the officer who received the disbursements is responsible for remitting any of the monies unaccounted for, and will be subject to disciplinary action.

G. When closing out a transaction, the bottom section of the initial CPD #35 will be filled out by the Investigative Services Division Commander and placed back into the secure file. The appropriate notation will also be made on the respective fund ledger indicating that the transaction has been closed out and all disbursed funds are reconciled.

H. Reimbursements of monies will not be made for investigative expenditures that are not pre-approved.

I. The investigative funds will be audited quarterly by the Division Commanders and the quarterly audits will be reviewed by the Chief of Police.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.15

SUBJECT: Handling Confidential Sources of Information

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Handling Confidential Sources of Information; Informants; Informant Anonymity; Reliability of Informants;

DISTRIBUTION: All Personnel

Purpose: The Creedmoor Police Department recognizes the importance of confidential sources of information. Such sources are prerequisite to the successful solution of many crimes, as well as being important in other areas of investigation. They may provide information that result in the prevention of violence or disruption of public order.

Policy: The courts have long upheld the use of confidential sources as legitimate and necessary tools for law enforcement to solve crimes and prevent criminal activity. Each police officer should be cognizant of the role of the confidential source and the need to use the source properly.

Definitions:

Confidential Source - any person who discreetly provides valid, reliable information voluntarily

Informant - a confidential source who:

a. Provides information in exchange for monetary or other lawful consideration and/or,

b. By virtue of providing information is directed by the contact office to perform certain lawful acts or,

c. By his position or knowledge is solicited by the police department to provide information to which he has access.

Contact Officer - a police officer that maintains the ongoing professional relationship with a confidential source.

Entrapment - activity on the part of a police officer or on behalf of his agency that includes or lures an otherwise innocent person to commit a crime that he did not contemplate committing. It is the implanting of criminal intent in the mind of the person: Acts of persuasion, coercion, trickery, or fraud carried out by law enforcement officers or their agents to induce a person to commit a crime which he would not otherwise commit.

Procedures:

I. Required Records and Reports

A. Upon developing a confidential source with the intention of future use, an officer should complete a Confidential Informant Packet for that source. The file should contain all biographical data, criminal history, and other information relating to the informant.

B. After an officer has developed an informant whom he intends to use again, he shall explain the terms of the Special Consent Form (CPD 36) and Confidential Informant Agreement (CPD 36a). Special attention should be given to entrapment and its definition. The contact officer should sign and date the Special Consent and Confidential Informant Agreement form when the explanation is made. The Special Consent Form must be signed. The Special Consent form and the Confidential Informant Agreement form shall be maintained in a secure location and access shall be rigidly controlled.

C. Each time an informant receives funds from a contact officer; he will complete an **Informant Payment Voucher (CPD Form36p)** and forward it to the Investigative Services Division Commander, who shall maintain a secure master file for information concerning informants and these forms. Access to this file shall be strictly controlled and the records should be maintained in a secure area.

II. Informant Handling Procedures

A. The contact officer should meet personally with an informant of the opposite sex only in the presence of another officer. The contact officer's supervisor may grant an exception if in the best interest of the Department.

B. In situations where the use and/or role of the informant are questionable, the contact officer will seek guidance from his supervisors or the District Attorney.

The contact officer will not make promises to an informant that he cannot keep. Only the District Attorney may authorize and make any agreement regarding a pending criminal charge against an informant.

C. Care must be utilized in all circumstances, especially when activity involving an informant may create a life-threatening situation. In those cases, except in an exigent circumstance, approval shall be required from the Commander of the Investigative Services Division, who, as a policy, should obtain guidance from the District Attorney. In an exigent circumstance, the Commanding Officer shall be notified as soon as possible.

D. Information may be accepted from any source; however, at no time will any person under the age of sixteen (16) years of age be used as an informant for this Department unless first approved by the Chief of Police.

E. If it is known that an informant is on supervised probation or parole, the contact officer will coordinate with the informant's probation officer to ensure that using the informant does not interfere with conditions of the probation of parole. The contact officer should attempt to determine whether or not another law enforcement agency and/or other law enforcement officer is using the informant to prevent duplication of efforts.

F. Informant anonymity

1. All informant identification data will be confidential and remain secured in a locked file maintained by the contact officer.

2. Informants are to be admonished by their respective contact officer:

a. Against disclosure of his/her association with the Creedmoor Police Department except as may be required in a court of law; and,

b. Against the carrying of any documents or equipment that identifies him/her with a law enforcement agency.

3. Personnel of the Creedmoor Police Department will take every reasonable and legal measure to ensure the anonymity and safety of confidential informants.

III. Reliability of Informant and Information

A. The contact officer should attempt to establish the credibility and reliability of information of an informant.

B. Methods include, but are not limited to, assessing any information previously provided, checking with other law enforcement agencies for which the informant provided information, surveillance, or the use of controlled test situations.

IV. Payments to Informants

A. Payments to informants for information may be made from the Creedmoor Police Department Investigative Fund which is paid out of the Investigative Divisions Special Operations line item account.

B. Procedures should be followed as set forth in General Order 4.14 (General Investigative Funds).

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.16

SUBJECT: Intelligence Information

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Intelligence

DISTRIBUTION: All Personnel

Purpose: To establish a policy for the gathering, analysis, and dissemination of intelligence information.

Policy: It is the policy of the Creedmoor Police Department to maintain a viable intelligence network. Intelligence may be collected either to identify crimes or events that would otherwise not be identified (because of their hidden nature) or to predict offenses and events that are likely to occur at a prearranged future time. Under the guidelines of this order, the intelligence function will support departmental operations and provide for coordination with all federal, state and local law enforcement agencies.

Definitions:

Criminal Intelligence- information or knowledge about persons or organizations engaged or contemplating engagement in illegal activities. Criminal intelligence may relate to tactical as well as strategic matters.

Strategic intelligence- information concerned with anticipating and thwarting major moves on the part of highly mobile, influential interstate criminal organizations.

Subversive intelligence- the assembly, analyses, and dissemination of information about those individuals or groups whose interest is the overthrow of the democratic process either by covert subversion or overt revolution and rioting. This includes information on communist and fascist groups, militant organizations of both extreme political right and left, and racial supremacist groups – from both the majority and the minority

General Procedures:

I. The intelligence function is an activity or process principally concerned with collecting, organizing, interpreting, disseminating and utilizing information related to criminal activity or events which pose a threat to the community in such areas of concern as organized crime, vice, terrorism, subversive activities and civil disorders. Departmental personnel and equipment will only be used, in conjunction with intelligence gathering activity, in full compliance with all laws and with the advance approval of the Chief of Police or the Commander of the Investigative Services Division.

II. The Commander of the Investigations Division is assigned the overall responsibility for the Department's Intelligence function, and in turn will function on a part-time basis as the primary contact point for the collection, processing, dissemination, and utilization of intelligence. Departmental employees will report any information of intelligence nature directly to the Commander of the Investigative Services Division. Such reports may be oral or written and will be kept strictly confidential.

III. Criteria and Limitations

A. Criteria for Gathering Investigative Information

1. Information will be gathered relative to intelligence and investigative objectives, and will be used only in support of legitimate law enforcement purposes. No file shall be established or maintained except under the following conditions:

a. Information may be gathered relative to crime figures and criminal operations in order to identify crime patterns, conspiracies, criminal associates or to develop probable cause relative to criminal acts and threats of same; and,

b. Information may be gathered on violations of law, events, or conditions occurring in other jurisdictions which may have a threatening effect on life and property within the City of Creedmoor.

B. Limitations to Information Gathering

The Department prohibits the gathering of information, for intelligence purposes, that does not meet established criteria. Specifically, information shall not be gathered or retained purely for the purpose of curiosity or personal interest. Information shall not be gathered merely on the basis of any individual's religion and/or political affiliations or the fact that the person(s) supports unpopular causes, or merely on the basis of a person's ethnicity or race. Information gathered should be limited to criminal conduct or related to activities that present a potential threat to the community.

IV. Duties and Responsibilities

The intelligence process, in order to be effective, must be carried out by every member of the department. Accordingly, each officer will fulfill the following responsibilities:

A. Line Officers

1. Know the areas of intelligence interest to the department;

2. Collect and refer information to the Commander of the Criminal Investigations Division;

3. Develop and maintain sources of information.

B. Section Commanders & Supervisory Officers

Review reports and investigations for intelligence information of possible value.

C. Command Staff

Staff-level officers will maintain liaison with the Commander of the Investigative Services Division:

1. Receive regular briefings & remain current on persons and locations of intelligence interest to the Department;

2. Provide information to the Commander of the Investigative Services Division; and,

3. Request information from the Commander of the Investigative Services Division concerning specific investigative needs.

V. Type and Quality of Information

The types/quality of information that may be included in the system will be classified into the following descriptive categories:

A. Reliable - Prior information has been found to be consistently accurate.

B. Fairly Reliable - Information from source occasionally found to be unreliable.

C. Unreliable - Information in the past has proven to be incorrect.

D. Reliability Unknown - First time source provided information, not documented, sources of information unknown.

VI. Reporting and Records

A. Intelligence information will be committed to writing as soon as it is received, and forwarded to the Commander of the Investigative Services Division for evaluation.

B. The Commander of the Investigative Services Division will evaluate and index all intelligence reports, and periodically review and analyze intelligence for dissemination to other Department units, persons or agencies on a “need to know” basis only.

C. The Commander of the Investigative Services Division will securely maintain a confidential master file containing all current information on each subject of intelligence interest. This should reflect family background, aliases and nicknames, criminal records, business records, employment records, known associates, vehicles, residences, financial transactions, and any other available information, including current photographs. Intelligence files will be organized according to the particular type of activity for which the subject of intelligence is under investigation.

D. Source Control File

The Commander of the Investigative Services Division shall maintain a source control file containing the name and complete background information for each confidential source of information, including current photograph. The reliability of the source and the identity of the officer(s) working the source will be included.

VII. Purging of Intelligence Data Files

A. All intelligence files will be reviewed every three years by the Commander of the Investigative Services Division, and all out of date or incorrect information shall be purged.

B. Each review shall consider at least the following:

1. Continued usefulness of the information - whether information remains current

2. Reliability of the information

3. Relevancy of information to police needs.

C. All records and reports that no longer are necessary will be removed from the secure files and destroyed.

VIII. Informant Anonymity

A. All informant identification data will be confidential and remain secured in a locked file maintained by the Commander of the Investigative Services Division.

B. Informants are to be admonished of the following by their respective contact officer:

1. Against disclosure of his/her association with the Creedmoor Police Department except as may be required in a court of law; and,

2. Against the carrying of any documents or equipment that identifies him/her with a law enforcement agency.

C. Personnel of the Creedmoor Police Department will take every reasonable and legal measure to ensure the anonymity and safety of confidential informants.

IX. Specialized equipment to support the intelligence function:

The Commander of the Investigative Services Division will make available any specialized equipment to support intelligence functions. Prior to loan of this equipment to any officer of this department, the Commander of the Investigative Services Division will ensure that its use is appropriate, legal, part of an approved plan, and that the officer operative(s) knows how to use and care for it.

X. Secure area for storage of intelligence files:

A. The Commander of the Investigative Services Division will maintain a separate, secure file in which current intelligence information and active files pertaining to intelligence is maintained.

B. This secure file shall remain separated from central departmental records.

XI. Exchange of Intelligence Information:

The Commander of the Investigative Services Division will retain membership with the North Carolina Criminal Information and Exchange, and will designate at least one alternate to attend meetings and training events in his absence. The SBI intelligence file will also be utilized for the purpose of exchanging intelligence information with federal, state, and local law enforcement organizations.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.17

SUBJECT: Syndicated Criminal Activity
(Narcotics, Organized Crime and Vice)

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Syndicated Criminal Activity

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to establish the commitment and responsibilities of the Creedmoor Police Department for the investigation and suppression of Syndicated Criminal Activity.

Policy: The Investigative Services Division shall have primary responsibility for the investigation of syndicated criminal activity. As workload and personnel permit, the Investigative Services Division may be assigned investigations of certain organized criminal activity, with the Patrol Division (and any other departmental divisions) providing assistance as necessary. All departmental units shall coordinate their efforts in both the exchange of information and in actual operational activities.

Defined: Syndicated criminal activity is that which is carried out by groups or associations of persons engaged in or promoting such enterprises as theft, fencing, vice activity, supplying illegal materials or substance, or any offense for profit.

I. Function and Objectives:

A. Function

1. The Investigative Services Division shall be responsible for the enforcement of vice laws, investigations of vice activities of an organized or commercial nature, such as gambling, prostitution, pornography and ABC law violations.

2. Although the Investigative Services Division does not maintain a specific organized crime control component, the function is performed (and investigative assignments made) as determined necessary and appropriate by the Commander of the Investigative Services Division.

B. Objectives

1. The Creedmoor Police Department shall work to suppress illegal vice and narcotics activity through the following means:

(a) Active investigation and enforcement of narcotics laws and ordinances

(b) Vigorous prosecution of narcotics offenses, particularly those of an organized nature

(c) Providing current and meaningful information to operational units/components of the police department and other law enforcement agencies.

(d) Providing the public with information concerning illegal narcotics activity.

2. It shall be a functional objective of the Investigative Services Division to investigate all reports of organized crime to the fullest extent possible. This may be accomplished through:

(a) Active investigation performed independently by the Creedmoor Police Department

(b) Requesting necessary assistance from other investigative agencies such as the SBI and FBI.

(c) Vigorous prosecution of organized crime offenses.

(d) Providing the public with information concerning organized crime for the purpose of increasing awareness

II. Division of Responsibilities

A. The Investigative Services Division will direct investigative and enforcement activity toward:

1. Predatory Criminal Activities

a. Burglary

b. Robbery

c. Fencing

d. White Collar Crime

e. Related Offenses

2. Other Organized Criminal Activity

a. "Loan Sharking"

b. Firearms offenses

c. Related Offenses (extortion, bombing, bribery, etc.)

B. The Drug/Vice function will direct investigative and enforcement activity towards

1. Illegal sale and distribution of controlled substances

2. Illegal gambling operations

3. Illegal sale and distribution of liquor

4. Prostitution

5. Pornography

The purpose and need of an investigation shall be clearly established prior to initiation of any police activity.

III. Criteria for Investigation

A. The principal criteria for investigating syndicated criminal activity is that a legitimate and reasonable cause exists to believe that the individual or organization is or may become engaged in illegal activity.

B. It is imperative that reliable sources of information be identified and effectively utilized in the investigation of syndicated criminal activity. These sources can include informants, other witnesses, authorized undercover officers and agents, and technical surveillance methods.

C. Investigative data may be used only for legitimate law enforcement purposes.

1. The Commander of the Investigative Services Division must be kept continuously informed by investigators as to the acquisition of new data.

2. Information regarding narcotics and other related syndicates will be forwarded to the attention of the Investigative Services Division Commander.

D. The use or employment of extraordinary undercover and/or surveillance equipment (e.g. bionic ears, wire devices, etc.) must be approved by the Chief of Police.

1. Requests for such equipment will be made to the Investigative Services Division Commander, who will make the appropriate requisition, acquisition and distribution arrangements if the request is approved.

2. Approval of such requests is dependent upon the necessity of the equipment for the achievement of legitimate police objectives.

E. Whenever a member of this department receives a complaint or information/intelligence concerning syndicated criminal activity, the information received shall be immediately recorded in an information report. It shall then be promptly forwarded to the Investigative Services Commander for review.

1. If the Investigations Commander determines that there is a need for active investigation of a complaint, then an investigator will be assigned to the case. The Investigations Commander will determine whether or not a complaint will be investigated based on the following criteria:

   a. Validity of the original investigation

   b. Criminal nature of the complaint or violation

   c. Importance of the problem

   d. Quality of information available

   e. Resources necessary to conduct the investigation

   f. Operational problems that exist (or may arise)

2. The Investigations Commander, will maintain a record/log of investigation assignments and their status.

3. Upon making a case assignment concerning syndicated criminal activity, the Investigations Division Commander will initiate or cause to be initiated an intelligence file, documenting only the basic information

necessary to substantiate the crime(s) to be investigated. Sensitive information should only be recorded on subsequent supplemental reports and informal memos.

4. The Investigations Commander shall store intelligence files in a secure , locked storage cabinet (apart from the central records system) as long as the case is under active investigation.

5. Assigned investigators will continuously submit supplemental reports and memos to the Investigations Commander on matters pertaining to the investigation. These reports shall include the investigative efforts (e.g. informant contacts, interviews, surveillance, undercover buys, etc.) being made by the assigned detective.

6. At the end of thirty (30) days (if not already cleared), the case file will be reviewed by the Investigations Commander. An additional time extension (as appropriate) for the investigation will be granted if further inquiry is deemed necessary. Otherwise, the case will be made inactive.

7. Assigned investigators will submit supplemental reports to the Investigations Commander at the completion of an investigation indicating final conclusions.

8. Upon completion of an investigation, the Investigations Commander will forward any arrest reports related to the case to the records division for central filing. All sensitive information will remain in the investigative unit's confidential file for security purposes.

IV. Methods of Investigative Operations

A. Surveillance Operations

1. Prior to an officer conducting a surveillance operation, the unit supervisor will discuss with the officer(s) the following as is necessary:

a. Identification of suspect(s) and/or victims

b. Analysis of crime complaints (e.g. drug sales, etc.) for substantiation

c. All pertinent information (e.g. suspect's habits, associates, vehicles, and methods of operation, etc.) developed with regard to suspect(s)

d. The geographic target area

e. Operational procedures for observation, arrests, and “tails”

f. Necessary expense funds

g. Means of communication

h. Necessary equipment and/or vehicles

i. Provisions for relief (if needed)

j. Legal ramifications of the operation

2. Electronic surveillance will be conducted only in the strictest conformity with court authorized warrants and within the provisions of the rules and procedures of this department. Electronic Surveillance may not be conducted without prior authorization from the Chief of Police.

3. Photographic surveillance will not be conducted without prior authorization of the Investigative Services Division Commander. Photographic surveillance shall be done only in accordance with established departmental procedures.

a. Photographic surveillance may be approved in the following instances:

1. To identify persons who, either as individuals or as members or associates of groups or organizations, are involved or suspected to be involved in syndicated criminal activity.

2. To provide evidence of such violations of law or to illustrate the testimony of the surveillance officer.

b. All surveillance photographs will be reviewed periodically to ensure compliance with procedures. Photographs found to be no longer in compliance or outdated will be destroyed.

B. Undercover Operations

1. A sworn law enforcement officer will be used to infiltrate a criminal enterprise or group only upon approval of the Chief of Police.

a. The operative officer must receive briefing and/or training necessary to prepare him/her for the responsibilities of an assignment.

b. The operative officer shall keep the unit supervisor informed of the progress of the undercover investigation on a daily basis.

c. An undercover officer will submit daily reports of his/her activities when possible.

d. An undercover officer will prepare expense vouchers on all expenditures of departmental funds. These shall be submitted to the unit supervisor.

2. Prior to an officer beginning an undercover operation, the unit supervisor will discuss with him/her the following as necessary:

a. Identification and analysis of suspect(s)

b. Making contacts with suspect(s)

c. Surveying and analyzing the geographic target area

d. Preparation of false identity (only upon written approval by the Chief of Police) and appropriate cover story if necessary

e. Maintaining confidentiality of identity

f. Methods to ensure that the undercover officers' presence in the neighborhood is not unusual

g. Necessary expense funds

h. Necessary equipment and/or vehicles

i. Means of routine and emergency communication with other officers

j. Operational procedures for effecting arrests

k. Procedures for back-up security if necessary

l. Procedures to be used for maintaining close supervision of operative officer

m. Legal ramifications of the operation, including special emphasis on arrest procedures and entrapment as a defense.

C. Informants

1. Investigators will actively seek out informants recognizing that they are essential to the success of an investigative function.

2. Informants not already associated with a person or persons involved in criminal activity will be used to infiltrate an enterprise only with the approval of the Chief of Police.

3. Informant contacts will be governed by established departmental procedures (General Order 300-26, Handling Confidential Sources of Information).

D. Decoy Operations

1. Prior to assigning an officer to participate in a decoy operation, the unit supervisor will discuss with him/her the following as is necessary:

   a. Analysis of total situation, including victims, crimes, and geographic locations.

   b. Methods of disguise so as to resemble victims

   c. Back-up officers for security

   d. Operational procedures for observation and arrest

   e. Means of routine and emergency communication with other officers

   f. Familiarization with other participating personnel

   g. Provisions for notification of patrol of patrol supervisor in charge of target area so that he/she will be aware of operation.

   h. Procedures to be used for maintaining close supervision of operative.

   i. Legal ramifications of the operation, including special, emphasis on arrest procedures and entrapment as a defense.

E. Raid Operations

1. Prior to conducting a “raid”, authorization must be granted by the appropriate Division Commander or on-call Commander

2. A raid of a premise or other area will only be made to accomplish a legitimate police objective and will be performed in strict accordance with all applicable laws.

3. A police supervisor will be designated to coordinate and control the raid.

4. A specific strategy for approaching, entering, securing, and leaving the target premises must be determined prior to conducting the raid. This will also include methodology for systematically searching the premises for and seizing evidence and/or contraband.

5. Specific responsibilities of each officer present during the raid should be predetermined to include provisions for making arrests and handling arrestees.

6. Force will only be used to the degree sufficient to overcome resistance or to protect oneself or another.

7. All necessary equipment should be checked to make sure it is in proper working order prior to the beginning of an operation.

8. A specific radio frequency will be designated for use by the involved personnel, along with any other special communications necessary.

9. If determined to be necessary, other support agencies (such as EMS and/or the Fire Department) will be notified to be on stand-by in case of emergencies.

10. All raids will be appropriately documented in a Tactical Operations Plan (CPD Form TAC-1). The supervisor in charge will designate which officer is responsible for this. Other forms of departmental documentation may be necessary as required by the situation.

11. Supervisors shall conduct a debriefing and/or critique of the event as is necessary.

IV. Maintenance of Investigative Files & Information

A. All investigative information retained by investigators of syndicated activity will be assigned an administrative file number and placed in secure files. All active files concerning syndicated criminal activity will be maintained separately from other information files.

B. Syndicated criminal files will be marked CONFIDENTIAL when the information contained therein:

1. Is received from an informant whose identity or safety may be compromised by its release.

2. Contains reference to other covert police operations.

3. Is received from another agency that prohibits secondary dissemination.

4. Is unsubstantiated and might cause a person or persons named embarrassment.

C. Purging

1. The Investigations Commander will periodically review all syndicated criminal files.

2. Each review shall consider at least the following:

    1. Continued usefulness of the information

    2. Whether information remains current

    3. Reliability of the information

    4. Relevancy of information to police needs

3. Information and files may be destroyed only upon authorization by the Investigations Commander.

C. Security

1. Security of the syndicated criminal files is the responsibility of the Investigations Commander, respective to areas of investigative concern. These files must be protected to prevent access by unauthorized persons.

2. Investigative files will be secured in files with locking devices and will remain locked when not in use.

3. All investigative information will be properly maintained and not left in a position that would allow access to unauthorized person(s).

E. Dissemination

1. Inter-Departmental Dissemination

a. Information not of a sensitive nature shall be distributed freely to other departmental members.

1. The Investigations Supervisor/Commander shall publish bulletins containing special alerts and other information that may contribute to the success of the departmental mission.

2. Tactical and/or strategic investigative information will be forwarded to the personnel affected.

b. Syndicated criminal information will be distributed to departmental members after due consideration of the following factors:

1. The establishment of a need to know

2. The compelling nature of the officer's investigation; i.e. homicide investigation, armed robbery, etc.

c. Release or Reproduction of Files

Syndicated criminal files shall not be released or reproduced without prior approval of the Investigations Commander.

2. Extra-Departmental Dissemination

a. Dissemination of syndicated criminal information may be made to other law enforcement agencies in an effort to establish good working relationships with a cooperative spirit. The requesting agency shall establish a “need to know” prior to dissemination.

b. Syndicated criminal files will be released or reproduced for an outside law enforcement agency only upon the approval of the Chief of Police. Secondary dissemination is generally prohibited.

3. All syndicated criminal file documents reproduced and disseminated shall bear a stamp prohibiting their secondary dissemination and use for other than official law enforcement purposes.

4. Each dissemination of syndicated criminal information shall be recorded in a file log by the releasing authority. This documentation shall include:

a. Date of release

b. Requesting agency (if dissemination is being made to an outside agency)

c. Type of information released

d. Justification of need

e. Signature of releasing authority

F. Receiving Syndicated Criminal Information from Other Agencies

A record of syndicated criminal information received from other law enforcement agencies will be kept by the Investigations Commander as determined to be necessary.

VII. Review and Status Reports

A. The Investigations Commander shall perform a periodic review of the Organized Crime Control functions and activities performed.

B. Following each such review, the Investigations Commander will submit a written status report to the Chief of Police summarizing the findings of the review.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 4.18

SUBJECT: Pharmaceutical Drug Disposal Program

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Pharmaceutical Drug Disposal Program, Medicine drop box, Pill collection box

DISTRIBUTION: All Personnel

Purpose: The Creedmoor Police Department recognizes the value of cooperation with a pharmaceutical drug disposal program that provides a safe and efficient means for the collection and proper disposal of unneeded pharmaceutical drugs and over-the-counter medications.

The intent of the Operation Medicine Drop Permanent Collection Box Program is to provide citizens a convenient and safe way of disposing unneeded and unwanted medications from their homes, thereby reducing the possibility for accidental or intentional misuse. This program also provides an environmentally safe alternative to disposing of medications in community landfills and sewer systems.

Policy: The Creedmoor Police Department will utilize a steel mailbox style collection box in which citizens may deposit unused pharmaceutical medications. The box will be located in the front lobby of the Creedmoor Police Department located at 111 Masonic Street. This area is open to the public during business hours and is monitored by video surveillance 24 hours a day 7 days a week. The box will be secured by a keyed lock. The key for the collection access door of the box will be maintained by the evidence technician and/or with the assistance of a departmental liaison.

I. Departmental Functions:

The Creedmoor Police Department Forensics/Evidence Custodian or designee will be responsible for the collection and the destruction of all pharmaceutical drugs placed in the collection box.

A. A designated member accompanied by a Division Commander shall collect deposited drugs monthly. Once collected, both officers shall initial the evidence form documenting the number (or amount) of bottles and/or dosage units that are collected.

B. At the first collection of the calendar year the designated Forensics/Evidence Custodian will generate a found property report that will stay open through the calendar year for the collection of disposed medications.

C. Each time a collection is made, a supplemental narrative will be generated with the date, time, officers collecting, and the number (or amount) of bottles and/or dosage units shall be documented in the narrative.

D. Each time a collection is made a new evidence sheet will be generated and added to the previous ones.

E. Drugs collected from the box shall be packaged in accordance with department policy.

F. Drugs collected from the box will be held in the evidence room until turned over to the State Bureau of Investigation or properly destroyed.

G. Only a sworn law enforcement officer authorized to have access to the evidence room may collect items from the collection box.

II. Drug Enforcement Administration (DEA) Conditions:

A. In each instance in which a controlled substance is collected, a duly authorized and certified law enforcement officer who is a full-time employee of the Creedmoor Police Department shall be responsible for supervising the collection. If necessary, another fully authorized and certified law enforcement officer may be substituted for the first officer during the course of the event.

B. Starting when any controlled substances are first collected and continuing until the controlled substances are turned over for destruction (set forth below in paragraph D), the following shall occur:

1. The law enforcement officer referred to in paragraph (A) above shall at all times have sole control over, and sole possession of all controlled

substances collected and the box in which the collected controlled substances are stored and

2. At no time shall anyone other than the law enforcement officer referred to in paragraph (A) have access to the box or the collected controlled substances other than for the purpose of depositing controlled substances into the box.

C. Only pharmaceutical substances may be collected and stored in the box. Illicitly manufactured controlled substances (such as marijuana, heroin methamphetamine MDMA and LSD) may not be collected as part of this program. In the event a person seeks to turn in an illicitly manufactured controlled substance, the law enforcement officer shall follow the standard procedures implemented by the Creedmoor Police Department for the collection and handling of illegal controlled substances.

D. The law enforcement officers referred to in paragraph (A) shall be responsible for ensuring the controlled substances are turned over to the appropriate officials with their agency for disposal in accordance with the standard policies and procedures utilized by the Creedmoor Police Department for destruction of controlled substances.

E. Any methods utilized by the Creedmoor Police Department to destroy the collected controlled substances must comply with all applicable Federal and State laws and regulations, including but not limited to applicable laws and regulations relating to the public health and the environment.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 5.01

SUBJECT: Complaints Against the Department and its Members

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Complaints; Internal Affairs; Processing Complaints

DISTRIBUTION: All Personnel

Policy: The Creedmoor Police Department will receive and investigate complaints related to Department procedures or employee conduct in a manner that will ensure the community and the department of prompt corrective action, where appropriate, and protect employees from unwarranted allegations arising from the lawful discharge of their official duties.

Definitions

Internal Affairs - The process of receiving and investigating:

1. Reports that an employee has violated laws, ordinances, rules or directives
2. Complaints alleging employee misconduct or malfeasance
3. Incidents of which supervisory personnel become aware and believe warrant investigation.

Incidents, complaints, and reports may involve or contain allegations of a serious nature or those of a less serious nature.

Serious Allegations - Allegations that have the potential of damaging the reputation of the Department or its personnel and which include, but are not limited to, the following:

1. Improper or excessive use of force
2. Illegal conduct
3. Breaches of an individual's civil rights
4. Non-compliance with departmental directives

Serious allegations can subject the employee to suspension, demotion or dismissal. An internal affairs investigation is required in all cases involving serious allegations.

Less Serious Allegations - Allegations that warrant an investigation but do not rise to the level of a serious allegation. Examples include the use of foul or discourteous language, rudeness, or other acts which would not routinely subject the employee to criminal investigation, suspension, demotion or dismissal.

Supervisory Investigation - An investigation conducted by the supervisor of an employee against whom a complaint has been lodged.

Administrative Investigation - An internal investigation where only departmental disciplinary action is anticipated and which is conducted separate and apart from any criminal investigation.

Criminal Investigation -An investigation which is likely to produce criminal charges or indictments.

I. Administration

Internal Affairs will be administered and investigations conducted with the objective of maintaining professional employee conduct and the integrity of the Department. Such matters include, but are not limited to, citizen complaints, use of force incidents, and allegations or instances of improper or illegal conduct by Department employees.

A. Assignment

1. Internal Affairs investigations will be assigned to a Commander as designated by the Chief of Police. The Investigative Services Division Commander will oversee the administration and investigation of matters relating to Internal Affairs and will report directly to the Chief of Police.

2. The Chief of Police or his designee will investigate all complaints or allegations against supervisory or command staff. Allegations against the Chief of Police will be referred to the City Manager.

3. Employees assigned to participate in an internal affairs investigation are authorized to forego the chain of command and report directly to the Chief of Police on matters pertaining to an investigation.

4. The immediate supervisor of an employee under investigation will be kept informed by the Investigative Services Division Commander and/or the Chief of Police, as necessary.

B. Internal Affairs Activities:

Activities of the internal affairs function include

1. Recording, registering, and controlling the investigation of complaints against employees;

2. Supervising and controlling the investigation of alleged or suspected misconduct within the Department; and

3. Maintaining the confidentiality of internal affairs investigations and documentation.

II. Complaint Processing

All complaints against the department or its employees will be documented and investigated, to include anonymous complaints, to the fullest extent possible.

A. Receiving Complaints

1. Complaints will be recorded whether received in person, e-mail, fax, telephone, or in writing. Anonymous complaints from citizens who wish their names be held in confidence will be accepted for investigation.

2. Department employees who receive a complaint against the Department or any Department employee, including citizen complaints, will direct the complainant to the applicable Section Commander or Division Commander, dependant upon the nature of the complaint. When the applicable Section Commander or Division Commander is not on duty, the complainant should be referred to the on-duty Section Commander or Division Commander On-Call, depending upon the nature of the complaint. If the complainant refuses such referrals, all available information should be recorded by the receiving employee and forwarded to the applicable Section Commander or Division Commander.

3. The Section Commander or Division Commander receiving the complaint may attempt to resolve the complaint during the initial contact with the complainant, or may delegate such action.

B. Review of Complaints

1. In the event that a delay would hamper or compromise the investigation of serious allegations, Section Commanders are authorized to initiate inquiries prior to review by the Chief of Police. Serious allegations that are likely to have an adverse impact on the Department will be reported immediately to the Chief of Police.

2. Upon review by the Chief of Police, complaints will be assigned for investigation as appropriate. The Chief of Police will direct allegations of misconduct that could result in an employee's suspension, demotion, dismissal, or criminal charges to the attention of the Investigative Services Division Commander for an internal investigation. Allegations of less serious complaints that do not warrant an internal investigation will be directed to the employee's Section Commander for supervisory investigation and any necessary corrective action.

C. Documentation

The person receiving the complaint (Section Commander or Division Commander, when applicable) will complete a Complaint Form (CPD Form 29). The person completing the form will note any attempts to resolve the complaint, attach any relevant documentation, and forward the information to the Chief of Police no later than the next business day. The Complaint form must be completed and forwarded to the Chief of Police.

D. Confidentiality

Records pertaining to complaints against the Department or its employees, and any documentation resulting from internal investigations, will be maintained in a secure file that is separate from the Department's central records system and personnel files. North Carolina General Statutes Chapter 160A-168 will govern the release of such information.

E. Public Information

1. The Department will make public its procedures for registering complaints.

2. The Department will make available to the public, and to Department employees, annual statistics pertaining to citizen complaints/internal affairs investigations.

F. Complainant Notification

1. The Chief of Police will acknowledge the Department's receipt of a complaint by notifying the complainant. The complainant will receive a description of the department's complaint process and procedure. The Commander who initially receives a complaint will ensure that the Chief of Police is notified.

2. The employee assigned to conduct an investigation will inform the complainant of the status of the investigation by making periodic phone calls or personal contacts. At the conclusion of the investigation, the Chief of Police will notify the complainant that the process has been concluded. The specificity of the information disclosed in this notification will be at the discretion of the Chief of Police and in accordance with North Carolina General Statutes Chapter 160A-168.

III. Supervisory Investigation Procedures

A. Supervisory investigations are limited to those incidents or complaints of a less serious nature, such as discourteous language or improper performance, and will generally be initiated in one of the following ways:

1. A supervisor personally becomes aware of a complaint or violation of a departmental directive;

2. A complaint is delegated by a superior officer as an investigative assignment

B. Upon becoming aware of or receiving notification of a complaint or violation by an employee under his/her supervision, the supervisor or Commander will initiate an immediate investigation of the allegations.

C. Allegations or complaints will be recorded on the department's Complaint Form (CPD Form 29).

D. Supervisory investigations will be limited to questioning the subordinate, interviewing and questioning witnesses and complainants, recording of information and securing all relevant evidence.

E. The investigator will keep the complainant informed of the status of the complaint by making periodic telephone calls or personal contacts when appropriate, provided that the release of such information is consistent with North Carolina General Statutes Chapter 160A-168.

F. Supervisory investigations will be completed within seven days of assignment. The Chief of Police may grant extensions when necessary.

G. Upon completion of a supervisory investigation, the investigator will forward through the chain of command:

1. A report of the allegations/alleged violations;

2. All documents and evidence relating to the investigation; and

3. Recommendations for further investigation, personnel action or other disposition in the case.

All supervisory investigations will be reviewed by the appropriate chain of command.

H. If information is developed at any time that may result in an employee's termination, suspension or demotion, the Chief of Police may defer full investigative authority to the Investigative Services Division Commander or other designee for further action.

IV. Internal Investigation Procedures

The procedures under this section apply only to internal investigations.

A. An internal investigation will be required in, but not limited to, the following circumstances or situations involving serious allegations:

1. Allegations of corruption

2. Allegations of excessive or improper use of force

3. Incidents of deadly force

4. Allegations of breach of civil rights

5. Allegations or incidents of criminal misconduct

B. Prior to a formal interview, the Department will provide the involved employee who becomes the subject of the investigation with a written statement of the allegations and his/her rights and responsibilities relative to the investigation.

C. Scope of Questioning

Serious allegations or violations may require the separation of an internal investigation into criminal and administrative components. Two separate investigations may run parallel to one another. Information gleaned from the

administrative component of an internal investigation cannot be shared with the investigator assigned to conduct the criminal investigation without a court order.

1. Prior to an internal investigative interview that is part of a criminal investigation, the employee under investigation will be administered the Miranda rights warning if in custody. The provisions of Miranda will apply during the course of the criminal investigation.

2. Prior to an internal investigative interview that is part of an administrative investigation, the employee under investigation will be advised as follows:

    a. The employee can be required to answer all questions specifically, narrowly, and directly related to the performance of his/her official duties;

    b. Refusal to comply with an order to answer such questions is a violation of the departmental directive requiring truthfulness, which may subject the employee to disciplinary action, which may include dismissal;

    c. Any required self-incriminatory admission made during the administrative investigation interview may be used solely in subsequent administrative proceedings and will not be used against the employee in subsequent criminal proceedings. The provisions of Garrity will apply during the course of an administrative investigation.

D. Right to Counsel

1. Employees are not entitled to have an attorney, supervisor, or other personal representative present during any interview concerning an administrative investigation.

2. Employees are entitled to an attorney during an interview that is part of a criminal investigation.

E. Criminal Investigations

At the request of the Chief of Police, the State Bureau of Investigation (SBI) may conduct a criminal investigation arising from an internal investigation. The Department will maintain contact with the District Attorney's Office for necessary legal advice and assistance with case preparation. In all internal investigations, the criminal component and the administrative component will be conducted as separate investigations.

F. Truthfulness

Employees subject to an internal administrative investigation must answer all questions truthfully. Any deception may result in additional department charges and/or disciplinary action up to and including dismissal.

G. Special Examinations

1. The Department may require medical, truth verification examinations or psychological examinations as part of an administrative investigation. Special examinations may be warranted and used:

    a. When there is alleged or suspected criminal conduct;

    b. When there is suspected use of alcohol, drugs, or other impairing substances

    c. When there is alleged or suspected misconduct of a non-criminal nature

    d. When necessary to aid in the identification of an employee who is the subject of the allegation or violation

    e. As part of any internal investigation.

2. The Chief of Police or designee will order the employee to submit to special examinations. An employee's refusal to comply with such orders may result in dismissal.

3. An employee may request a breath, blood, urine, psychological, truth verification examination or medical examinations in order to assist in his/her defense. The employee making such a request may be held responsible for any expenses relative to the requested procedures, dependant upon the circumstances of the case.

4. If an identification line-up is used solely for administrative purposes, the employee may be required to stand in the line-up.

5. Photographs of Department employees may be taken and used in conducting internal investigations.

6. Property issued by the Department is subject to inspection at all times. Evidence of work-related misconduct discovered therein may be used for the purposes of an administrative investigation. Property subject to inspection includes, but is not limited to, vehicles, firearms, desks, files, electronic media, and storage lockers.

7. Employees may be required to submit financial disclosure statements as part of an internal investigation.

H. Reporting Timeframes

Internal investigations should be completed as soon as possible, generally within 30 days of assignment. The Chief of Police will grant extensions when extenuating circumstances exist. Members conducting internal investigations will submit status reports to the Chief of Police at least every 7 days during the investigation process. Status reports may either be verbal or written, as specified by the Chief of Police.

I. Employee Rights

1. Prior to any interview or special examination, the employee under investigation will receive written notification of the complaint or alleged violation. The notification will include a copy of the complaint, or a summary that lists the relevant facts, and the employees' rights and responsibilities during the investigation process.

2. All interviews will be conducted when the employee is on duty, except when the seriousness of the matter requires an immediate interview. Employees placed on non-disciplinary suspension during an internal investigation will be considered on-duty during their appearance for such interviews and other required examinations.

3. Employees under investigation will not be subjected to verbal or physical abuse, and will be treated with civility and courtesy.

4. Accused employees may contact the investigator to determine the status of the investigation of a complaint.

5. Accused employees will be provided the opportunity to explain their actions to the Chief of Police prior to the imposition of any disciplinary action.

J. Hearings and Appeals

Hearings and appeals that result from internal affairs investigations will be conducted in compliance with the City of Creedmoor Personnel policies.

V. Final Disposition

Upon receiving documentation of a supervisory investigation or upon the completion of an internal investigation, the employee's supervisor or Commander will submit

recommendations to the Chief of Police regarding whether a violation has been established according to the information and evidence. Final disposition will be determined as follows:

Sustained - The allegation is true and the employee's action was inconsistent with directives

Not sustained - There is insufficient evidence to confirm or refute the allegation.

Exonerated - The allegation is true, but the employee's action was consistent with directives

Unfounded – The allegation is demonstrably false, or there is no credible evidence to support the allegation

Policy/Procedure Failure – The allegation is true, but the employee's action was not inconsistent with directives and there is indication of a need for review and revision of directives.

VI. Disciplinary Action

A. The Chief of Police will review investigation reports and supporting documentation, and will make the final determination for disciplinary action.

B. Any disciplinary action arising from a supervisory or internal investigation will be administered in compliance with the City Personnel policies and departmental procedures. The City of Creedmoor Human Resources Officer and the City Manager will be notified and informed as appropriate in all administrative investigations where suspension, demotion, termination, or other change in personnel status is to occur.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 5.02

SUBJECT: Inspections

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Inspections

DISTRIBUTION: All Personnel

Purpose: To establish procedures for the inspection process at both the line and staff levels. This will ensure the Police Chief and other departmental managers have a means of regularly assessing the Department's effectiveness, and will provide information necessary to plan for change.

Policy: The Creedmoor Police Department will conduct regular inspections of personnel, equipment and operations to evaluate the quality of the department's operations and ensure that the Department's goals are being met.

Definitions:

Staff Inspections: Staff inspections are quality control management tools designed to objectively review the department's components and functions. Staff inspections involve examination of departmental operations for efficiency, effectiveness, policy compliance, and the adequacy of management controls. Staff inspections may include regularly scheduled inspections and specific task inspections ordered by the Police Chief. The results of staff inspections are reported to the appropriate Division Commander and the Police Chief.

General Staff Inspection: An announced inspection of one or more aspects of a component's facilities, property, equipment, personnel, and administrative or operational activities.

Line Inspections: Those inspections conducted by supervisors at every level to insure that personnel are acting in concert with departmental requirements in areas of personal appearance, use and maintenance of equipment, and adherence to

rules, regulations, general orders, and other directives. Line inspections shall be a daily, on-going process. There are two types of Line Inspections, formal and informal.

Specific Task Inspections: Inspections which evaluate activities of components to verify that operations are being performed in accordance with established policy and procedure, directives, accreditation standards and management expectations. Such inspections are conducted at the direction of the Police Chief. Specific task inspections serve as an integral part of the management information system providing reliable information to be used in decision making. Little or no notice may be given to a component that such an inspection is to be completed.

Staff Inspectors: Individuals designated by the Police Chief to serve as inspectors, and who have been delegated the responsibility and authority to conduct staff inspections.

Evidence Audit/Inspection: a partial review of a random sampling of the agency's evidence stores. The audit will result in a listing and report of its findings.

Evidence Inventory: a complete review of, listing and report on the contents of the agency's evidence stores.

Findings: Conclusions resulting from Staff, Line and Evidence inspections which identify conditions affecting the quality of services, departmental policies and procedures, state law or local ordinances, or accreditation standards. Findings that identify deficiencies must be addressed by the inspected component.

Procedure

I. Staff Inspections

A. Staff inspections will be completed as assigned by the Chief of Police to ensure the following:

1. Compliance with departmental policy and procedures, federal, state and local laws;

2. Departmental resources, including personnel and equipment, are adequate to meet department needs and are efficiently utilized;

3. Materials and equipment are maintained in a state of operational readiness;

4. Training is appropriate, timely, and effective;

5. Operational programs and written directives are effective;

6. Departmental reports and records are accurate and up-to-date;

7. Departmental facilities are adequate and maintained in a good state of repair;

8. Investigative procedures are effective and productive;

9. Command and control is maintained throughout the department;

10. Operations throughout the agency are uniform; and

11. Conditions that could become hazardous for police personnel or the public are identified and addressed.

B. Announced Inspections

Inspection schedules will generally be determined by the Police Chief, in conjunction with the Patrol and Investigative Division Commanders. Each Division, Section or component will be inspected at least once every three years as scheduled. Inspection results will be reported in writing to the Police Chief.

C. Notification of Staff Inspections

Before any general staff inspection, the Chief of Police will notify the affected Division Commander, at least five working days in advance of the date of the inspection. The notification memorandum will list the scope of the inspection, along with any reports, files, or materials to be provided the Inspector. The notification memorandum may request a member of the affected Division to act as a liaison with the Staff Inspector.

D. Conducting the Staff Inspection

1. The staff inspection may include all aspects of administration, personnel, equipment, and facilities. Personnel observations, surveys, interviews and audits may be utilized by Staff Inspectors.

2. The inspector(s) will meet with the Division Commander prior to the inspection to outline the inspection plan and inquire whether he has any specific activities to be included in the scope of the inspection.

3. The facts reported by the Staff Inspectors are derived from observations of existing conditions, examination of pertinent records, reports and interviewing personnel. Disguised or undercover methods of information collection will not be employed. To alleviate the possibility of misinterpretation of motive, the Staff Inspectors will freely discuss with the commander any reportable matter at the time of disclosure. To ensure

that the facts to be reported are accurate, clear, and specific, Staff Inspectors will maintain adequate notes and summaries of their observations.

4. The inspection team will maintain exemplary conduct and high standards of appearance and decorum at all times. Effort will be made to not interfere with the normal operations of the inspected Division. Throughout the process, Staff Inspectors will render assistance to the involved Division and personnel to help achieve compliance with directives, standards, etc., when possible. This will ensure the Staff Inspection is successful in reinforcing the Divisions contribution to the goals of the Department.

E. Conclusion of the Staff Inspection

At the conclusion of the formal staff inspection process, Staff Inspectors may verbally summarize the inspection findings with the Division Commander. Upon concluding the inspection, Staff Inspectors will compile a staff inspection report.

F. Staff Inspections Reporting

Staff Inspectors will provide the Police Chief and involved Division Commander a written report identifying positive aspects and deficiencies in the areas inspected. The Staff Inspector may suggest corrective actions as needed.

In addition, the following elements may be included in the inspection report, but will not limit the scope and data it contains.

1. Facilities and Equipment

   a. General office security, conditions and accessibility

   b. Assigned vehicles

   c. Issued equipment

   d. Computers and related equipment

   e. Files and other written materials

2. Personnel

   a. In-service training requirements, and attendance

   b. Employee attendance and overtime

c. Appearance

d. Morale, discipline and productivity

e. Knowledge of and contribution to departmental key work items, goals and objectives

f. Customer service orientation.

3. Administrative and Operational Activities

a. Compliance with applicable accreditation standards

b. Compliance with applicable written directives

c. Planning responsibilities: goals, long and short term plans

d. Fiscal responsibilities

e. Effectiveness of management and supervision

f. Scheduling, deployment, allocation, and distribution of resources

g. Cooperation with other Divisions, departments and agencies

h. Display and possession of current written directives

i. Compliance with Equal Employment Opportunity.

4. The staff inspection report identifying deficiencies, recommending improvements and noting positive findings will be submitted within 30 days of the completed inspection.

5. The Division Commander of the inspected component shall, within 30 days of receipt of the inspection report, respond to the Police Chief in writing as to what corrective actions have been initiated.

6. If the Division Commander cannot correct noncompliance due to lack of authority, budget, personnel, etc., he will explain in the response to the Police Chief why compliance cannot be achieved, and make recommendations to correct the situation.

7. The Division Commander or his designee will conduct a follow-up inspection of the involved component and submit a report to the Chief of Police every 30 days until all discrepancies have been resolved. In

addition, the Staff Inspector may verify compliance with a follow-up inspection(s).

8. If a situation arises where the Division Commander differs with the inspection report as to what is or is not compliance with applicable laws, directives, standards, etc., he shall state in the written response the reasons, with pertinent supporting documentation, that he does not concur with the staff inspections report.

9. The Police Chief will be the final authority to determine if compliance with applicable laws, directives, standards, etc., has been achieved in such incidents.

G. Specific Task Inspections as Ordered by the Police Chief

Unannounced inspections of all sections will be conducted at least triennially as directed by the Chief.

H. Staff Inspection Files

Copies of all inspection reports, corrective action reports, and follow-up inspection reports will be maintained for the Police Chief by the Patrol and Investigative Division for three years. All staff inspection reports are considered restricted documents, and release to the public requires the approval of the Police Chief.

I. Implementation of Recommended Improvements

Staff Inspectors shall not, except under the express order of the Police Chief, assist in or direct the implementation of any improvements recommended in a staff inspection.

II. Workplace Inspection

Workplace inspections may be conducted at any time without notice to the employee at the direction of the Police Chief. These inspections may include but are not limited to:

A. Voice Mail - To insure that voice mail is being used primarily for the conduct of official Departmental business and that voicemails are being reviewed and acted upon in a timely manner.

B. E-Mail - Any and all E-Mail messages may be retained for review to ensure professional conduct and reviewed to ensure messages are being reviewed and acted upon in a timely manner.

C. Computers - Departmental computers may be inspected without notice to ensure the member can access all necessary systems and software and to ensure the computer is primarily used to conduct official business.

D. Lockers - Departmental lockers are subject to inspection at any time. Employees may provide a copy of the key and/or combination for his/her locker to the staff inspector or understand, that with due reason, the Department may cut off the lock for inspection of the locker.

E. Cell Phones - The Department may, without notice, inspect or clone departmentally issued cell phones.

F. Vehicles, Offices and Desks - All Department vehicles, offices and desks are subject to unannounced inspection. Employees will provide immediate access to their immediate supervisor when applicable. Inspections will only be conducted by the Supervisor, Staff Inspector, the Police Chief or his designee.

G. Packages, briefcases, etc. - The Department reserves the right to inspect any and all packages, briefcases, gym bags, etc. brought into the department's facilities.

III. Evidence Inventory and Inspections

A. Evidence Inventories shall occur when a change occurs in the Chief of Police position the primary Evidence Custodian position
.

B. The primary Evidence Custodian shall complete an annual evidence audit and report the findings to the Investigative Commander and the Chief of Police.

C. An unannounced annual audit of evidence shall also be conducted by party assigned by the Chief of Police who is not within the investigative division chain of command.

IV. Duties and Responsibilities of Inspectors

A. Staff Inspectors

1. The function of the Staff Inspection is to provide a means for improvement of the Department. Inspections should not be viewed as a means of pinpointing faults for punitive action. Staff inspectors will perform their duties with a constructive, positive approach, with the goal of increasing effectiveness and improving standards of service.

2. Staff Inspectors act on the authority of the Police Chief, and will have complete access to the physical facilities, information, files and records deemed necessary to accomplish their assignment. In instances where a question arises on the appropriateness of inspecting a particular record or

file, the matter will be referred to the involved Division Commander, for resolution. Staff Inspectors will assume no command authority over line components being inspected.

B. Line Inspectors

1. Commanders and Supervisors will routinely (quarterly preferred, not less semiannually) conduct formal and informal inspections.

2. Formal Line Inspections will be conducted annually. This inspection will include an examination of each member's issued property and equipment and all necessary documentation will be completed by the inspector and forwarded in writing to the respective Division Commander. Supervisors will follow-up within 30 days to address any discrepancies found during formal line inspections. Unresolved discrepancies should be forwarded to the Division Commander, who will review and initiate corrective action as necessary, and forward the original inspection forms and copies of discrepancy reports to the respective Division Commander.

3. Informal line inspections shall be conducted daily by commanders and supervisors in the areas of uniform of the day, grooming, cleanliness, and other areas related to operations. Immediate action will be taken by the inspecting supervisor to correct discrepancies. A written inspection report is not required for informal inspections. However, if the supervisor feels discoveries warrant a inspection report, the supervisor may choose to complete the report to assist with any follow ups and/or actions.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.01

SUBJECT: Traffic Direction and Control

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Directing Traffic, Traffic Direction, Traffic Control

DISTRIBUTION: All Personnel

Purpose: To provide guidelines for department personnel who direct and control traffic when a situation or lack of efficient traffic flow makes police action necessary.

Policy: Traffic direction is one of the most visible, dangerous and critiqued aspects of a law enforcement officer's duties. An officer must use good judgement anytime traffic direction is necessary and conform to the existing environment. It is the policy of the Creedmoor Police Department to provide for the orderly movement of motor vehicles and traffic as situations arise that makes police action necessary. All personnel will conduct themselves professionally during these assignments.

I. Situations Which May Require Traffic Control

A. Accidents, fires and other emergencies, special public attractions or activities such as parades and sporting events.

B. Streets that have a predictable daily congestion connected with the normal flow of people going and returning from work.

C. Major street excavations, particularly at inter-sections adjacent to the construction and during periods of peak traffic flow.

D. Any condition that causes congestion of traffic in a particular location.

E. Conditions of Traffic Control

1. When directing traffic, officers should always keep in mind that the immediate vicinity of control is not the only part of the City that may be affected.

2. When applicable, police personnel should allow the movement of traffic at adjoining intersections to serve as a guide.

II. Proper Clothing

A. Traffic control duty may require an officer to remain on assignment in all kinds of weather; protective clothing, such as a raincoat, a heavy coat, cap cover, etc. must be maintained and readily available to the officer at all times.

B. Officers directing traffic will wear a reflective traffic vest.

III. Positioning in Roadway

A. The position from which to direct traffic must be selected to suit the particular intersection and traffic patterns. It should command a full view of the intersection and all approaches. The officer must try to be visible to the motorists and to the pedestrians. Usually, officers assigned to traffic control will select a position in the center of the intersection or at a corner.

B. The center of the intersection position:

1. Provides the greatest point of visibility;

2. Is the most hazardous location;

3. Is usually selected when the signals are not working or the flow of traffic is slow;

4. Should be avoided if it places the officer in the flow of traffic or leaves little clearance between the vehicles.

C. The Corner Position:

1. should be used during heavy pedestrian crossing or where the flow of traffic can be regulated by an officer standing a few feet off the curb line;

2. affords the officer greater personal safety and better pedestrian control.

IV. Signals and Gestures for Directing Traffic

A. The officer directing traffic should use his posture to illustrate command of the situation. The officer should assume a military bearing, with weight evenly distributed on both feet. When not engaged in signaling motorists, the officer should stand at ease facing traffic and with the hands at the side. When directing traffic, the shoulders must be in line with the flow of traffic and the officer's attention should be directed to the vehicular movements.

B. Prompt compliance to hand a signal is dependent upon the officer's ability to use uniform, clearly defined and understandable gestures. Unusual movements undermine the purpose of traffic control and direction. The following will describe the standardized signals and suggested gestures used in directing traffic.

1. The first general rule of traffic control is for the officer to stand with the sides of the body parallel with the traffic being allowed to move. The officer's face and back will then be toward the stopped traffic.

2. To stop traffic, two motions are used. First, point with the arm and finger straight at the driver who is to stop. Watch the driver and hold this point until the driver sees the signal, or at least has had plenty of time to do so. Then raise the pointing hand (not the en-tire arm) so that the palm is toward the driver. Hold this position until the driver stops.

   Stop traffic from both directions to give traffic on the cross street a chance to move. Stop the traffic coming from one side first, then that from the other. After traffic has been halted with one hand, hold that hand in the stop position and turn to the other side and repeat the process. Do not lower either arm until cars coming from both directions have stopped.

3. To start traffic, be positioned so that the side is toward the traffic to be started. Point with the arm and finger toward the lead car. Hold it until the driver's attention is attained. Then, with the palm up, swing the hand up and over to the chin. Bend the arm only at the elbow. If the driver does not move, make the signal a second time. After traffic has been started from one side, drop the arm and start traffic from the other side in the same way. Use the signals to lend support to slow and timid drivers.

4. Right turn: Signals for a right turn are not usually required at an intersection. When it is necessary, the arm to be signaled with will be determined by the car's direction. If the car approaches from the right, point toward the driver with the right arm. Give the driver time to see the gesture and then swing the arm and finger to point in the direction the driver is to go. Keep pointing in that direction until the driver begins the turn.

If the car approaches from the left, point with the left arm and finger. When the driver sees the gesture, swing the arm in the direction the driver is to go.

5. Left turn: In helping a driver make a left turn, the vehicle may first need to be stopped. Next, hold the opposing flow of traffic. If the turning vehicle is approaching from the officer's left, the stop signal to opposing traffic should be given with the right arm and such stopped vehicles should be kept out of the path through which the turning vehicle will travel. When safe to do so, the turning gesture should be given with the left arm. Clearly indicate to the driver turning left to pass in front or inside of the officer and not to turn out and around.

   If the car approaches from the right, turn around and face toward the direction the car making the turn is to go. Halt the traffic with the right arm and give the turning gesture with the left as described above.

   If opposing traffic from both directions is to make left turns, indicate so by swinging the other arm in the direction of the turn. However, such turns are dangerous and must be carefully watched by the officer to see that no conflict arises from the straight through traffic or pedestrians.

IV. Signaling Aids

A. The Whistle

The whistle is used to get the attention of drivers and pedestrians. The suggested method of use is as follows:

1. One long blast with a STOP signal.

2. Two short blasts with the GO signal.

3. Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal.

Use good judgement in the use of the whistle always. Whistle blasts directed to pedestrians usually need not be as shrill as those to command attention to motorists.

B. The Voice

1. The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. Oral orders are not easy to give or understand and often lead to misinterpretations that are dangerous. An order shouted may antagonize a motorist.

2. Occasionally a driver or pedestrian will not understand arm signals. When this happens, move close to the person and politely and briefly explain the command. Do not shout or exhibit a loss of temper.

3. The Illuminated Baton

   a. The baton is helpful in making signals and gestures at night or during bad weather when visibility is low.
   b. To STOP a vehicle with the baton, face the moving line of traffic, standing slightly aside from its direct path. Hold the baton in the right hand, holding it in front of you with the elbow bent. The baton is now in a vertical position and should be swung or wigwagged from the left to the right side of the body in an arc of about 45 degrees.
   c. The GO signal is given in the normal manner. Turn the body parallel to traffic that is to be moved and give the normal GO arm movement. When executed properly, the signal will give added STOP emphasis to opposing cross traffic.
   d. To permit a left turn movement, after stopping opposing traffic, point the lighted end of the baton to the car which is to make the turn. Next swing the baton in an arc toward the direction of the left turn movement. This signal may also have to be repeated. The light in the baton should be turned off when signals are not being made.
   e. The flashlight can be used to halt traffic in an emergency but it is a poor substitute for a baton. To stop traffic, slowly swing the flashlight at arm's length across the path of the approaching car. The beam from the flashlight strikes the pavement as an elongated spot of moving light which may be seen by the motorist. Do not stand directly in front of the approaching car. After the motorist has stopped, give arm signals in the usual manner. Illumination of headlights will make them visible.

C. Two-Officer Signaling

1. There is sometimes a need for more than one officer at a busy inter-section.

2. ONE of the officers must originate all signals and gestures. One officer is the leader and makes all of the decisions while the other officer assists by coordinating with and extending signals.

V. Traffic Control at Accident Scenes

A. There are many factors that affect traffic control at scenes of traffic accidents. The type of street, width, usage, be it a main highway with multiple lanes or a narrow crowded residential street.

B. Be alert to hazards created by leakage of gasoline and oil. Smoking by spectators around accident scenes is not permitted.

C. Coordinating the movements of the investigating officers, ambulance crews, fire department and tow truck personnel at accident scenes is essential.

D. In residential or business areas, detour traffic one or more blocks in each direction as necessary. Do not allow any traffic to enter the inter-section that cannot safely exit.

E. If the accident occurs on a main highway or freeway, either detour traffic onto access roads or funnel traffic into single lanes past the accident scene.

F. If traffic must be detoured onto the wrong side of the highway, make sure that adequate assistance is employed.

VI. Traffic Control at Critical Incident Scenes

A. When directing traffic at critical incident scenes, be concerned with keeping traffic from entering the critical incident area plus helping trapped vehicles out from behind the established critical incident lines. Once traffic has been cleared from the critical incident area, permit no vehicles other than emergency vehicles and public utility repair trucks to re-enter.

B. Critical incidents attract many spectators. Plan where to detour traffic. For those spectators who arrive on foot, keep them beyond the established critical incident line so that emergency responders and public safety personnel will have room to work.

C. It is up to the law enforcement officer to protect emergency response vehicles from traffic and spectators. Pay particular attention to fire hoses laid in the street. Allow no traffic to cross over them. The hoses could rupture and cause a fire to get out of control.

D. Coordinate enforcement and traffic direction activities with the public safety officials in charge.

E. G.S. 20-114.1(b) provides that uniformed regular and volunteer firefighters and uniformed regular and volunteer members of a rescue squad may direct traffic and enforce traffic laws and ordinances at the scene of or in connection with fires,

accidents, or other hazards in connection with their duties as firefighters or rescue squad members.

VII. Use of Temporary Traffic Control Devices

A. Use of Highway Flares

1. Often the improper use of highway flares at a disaster scene has caused vehicles to become involved in accidents. By giving approaching traffic ample warning, and allowing motorists sufficient distance in which to start taking defensive measures, officers directing traffic can neutralize hazards at an accident scene.

2. The following table is the MINIMUM distance at which a line of flares should be started away from the disaster scene. Note that the distance at which oncoming traffic receives its first warning is dependent upon the speed limit on the roadway being traveled.

- 55 mile zone-375 feet warning-then every 40 feet to the scene.
- 45 mile zone-300 feet warning-then every 40 feet to the scene.
- 35 mile zone-200 feet warning-then every 30 feet to the scene.
- 25 mile zone-100 feet warning-then every 25 feet to the scene.

In any speed zone where flares are used to channel traffic from one lane to another, place them 20 feet apart. This eliminates any doubt of what is expected in the mind of the motorist, and it will lessen the possibility of any motorist driving between flares into the wrong traffic lanes.

3. The primary objective in the use of highway flares is to ensure that oncoming traffic has ample warning of danger ahead so that defensive tactics may be employed to negotiate the scene safely.

4. Handle flares carefully. The flare burns at 1500 degrees Fahrenheit and can damage uniforms and burn flesh severely.

B. Cones and Other Devices

Any officer at a scene who observes that the situation will require traffic direction for an extended time, i.e., more than one hour, will contact their immediate supervisor or Patrol Section Commander. A supervisor or Patrol Section Commander will decide whether to call the City's Street Department to have temporary traffic control devices brought to the scene, or to utilize those in the Special Operations Trailer.

VIII. Manual Operation of Traffic Control Devices

A. An officer may operate traffic signals manually only to place the control mechanism to the “flashing” mode when there is a reasonable necessity to do so.

B. The officer will insure the signal has been placed back into the automatic mode before leaving a scene, unless the control was changed due to malfunction.

X. Adverse Weather Conditions

Officers should not direct traffic in heavy rain, snow, fog, etc. unless the situation, without traffic control, presents an imminent threat to safety. If traffic direction is required in these conditions, an officer should choose the location, equipment, and method to be as visible and safe as possible.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.02

SUBJECT: Patrol Procedures

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Patrol Procedures

DISTRIBUTION: All Personnel

Purpose: To establish operational policy and procedure for the patrol component of the Department.

For purposes of this directive, the term "patrol" is used in its broadest sense. It is considered to be a primary police function, and embraces much more than the act of patrolling. Patrol is defined as a generalized function in which officers engage in a wide variety of activities, such as preventive patrol, preliminary investigations, field interrogation, the identification of hazards, and communication with the public.

Definitions: The term patrol refers to the deployment of officers to suppress and prevent criminal activity, investigate offenses, apprehend offenders, and furnish day to day police services to a community.

The term beat refers to the geographical area to which an officer is assigned for patrol responsibilities.

The term field interview refers to the questioning of a person by officers because there is reasonable belief that the person may have committed, may be committing, or may be about to commit a crime, or belief that the person may constitute a hazard, or that the interview may have a preventive effect.

The term preliminary investigation generally refers to the information collected by officers upon their initial response to an incident; the information-gathering for the purpose of investigating a crime or incident and documenting the crime and efforts to resolve the incident.

The term follow-up investigation refers to an extension of a preliminary investigation in which the purpose is to gain additional information.

The term hazard refers to a situation, person, property, or location that may induce an incident requiring police action.

Rules: Roll Call/Shift Briefing: Unless otherwise directed, officers are to report for scheduled Roll Call Briefing at the time and place designated. Officers will be properly equipped and dressed and physically and mentally able for duty.

Reporting: Officers and employees are to complete and submit reports required of them prior to ending their tour of duty, unless otherwise authorized by supervisory personnel.

Responsibilities of Assigned Officer: The officer initially assigned to an incident is responsible for the preliminary investigation, unless otherwise relieved by an officer of higher rank.

Uniforms: Uniforms and equipment for the various positions within the department will be specified by the Chief of Police. Members are to maintain issued uniforms in good condition. All equipment worn or carried with the uniform must conform to departmental specifications. When in uniform, members are to present a professional bearing and appearance.

Procedures

I. Patrol Functions

A clear definition of function enables officers to know what actions are in concert with agency policy, and thus, facilitates the delivery of services to the community. The following list indicates the primary functions of the patrol component:

A. Preventive patrol;

B. Crime prevention activities;

C. Community outreach

D. Response to calls for service;

E. Investigation of crimes, offenses, incidents and conditions, including the apprehension of offenders;

F. Investigation of traffic accidents;

G. Traffic direction and control;

H. Maintenance of public order;

I. Provision of emergency services;

J. Prompt and accurate reporting of incidents;

K. Development of relationships between citizens and the department.

L. Solving problems within assigned beats.

II. Goals and Objectives

A. Prior to the beginning of the fiscal year, the Patrol Division Commander, in conjunction with the Investigative Division Commanders and Supervisors, will develop written goals and objectives relating to the performance of the patrol component. Such goals and objectives will be submitted to the Chief of Police as part of the Department's program plan for the fiscal year.

B. These goals and objectives are to be quantifiable and measurable, and will be disseminated to all members of the patrol component after review and approval by the Chief of Police.

III. Organization and Administration

A. The Patrol Squads are supervised by Sergeants; and receive overall administration from the Patrol Division Commander.

1. Each Patrol Squad is supervised by a Sergeant and is comprised of a number of patrol officers as authorized by the Chief of Police.

a. Section Composition: A Patrol Squad is comprised of a number of Police Officers assigned Patrol duties within their respective zones. The City is comprised of a total of two beats, with one roaming car, when available.

b. Minimum staffing: The minimum staffing level of a police patrol Squad shall be two officers or one officer and a supervisor

c. In extenuating situations, the supervisor with concurrence from the division commander may authorize coverage by only one officer however, the supervisor will request monitoring assistance from the Sheriff's Office.

2. The Patrol Division Commander is responsible for ensuring that division Commanders and supervisors schedule and maintain the minimum staffing level.

3. The Division Commander in conjunction with the Sergeant supervises and coordinates the daily activities of the Patrol Division.

B. In order to provide continuous service to the public, the patrol component will be in operation twenty-four (24) hours a day.

C. Schedules for Patrol Division personnel will provide sufficient manpower during shift changes and may provide additional coverage during times of peak activity. To insure continuous patrol coverage, on-duty officers will not leave their assigned beats or be relieved of duty until the on-coming Patrol Division completes roll call briefing and its personnel report to their assigned beats.

D. The manner of shift rotation and the amount of time assigned to a shift will be as outlined in the department's Patrol Work Schedule. This schedule shall be made to run from January 1 to December 31 of the following year and shall be issued to all personnel by the Office of the Chief of Police.

E. The design of the departmental shift rotation insures that all patrol officers work shifts equally, with the exception of any specialized assignments within the Patrol Division. Officers in specialized assignments may work a flexible schedule based on the type of assignment. The Patrol Division Commander will approve the schedules for personnel in specialized assignments within the Patrol Division.

F. The Patrol Division Commander will assign officers to individual Patrol Division's or units based upon the Department's needs, with discretionary consideration for seniority and officer preferences.

G. Officers are assigned to a designated Patrol beats on a permanent basis. This assignment may only vary temporarily, at the discretion of the Patrol Squad Commander, when staffing needs, manpower availability, and operational necessity require it.

H. Officers should be assigned designated patrol beats at the discretion of the Squad Commander. Officers may work designated areas for extended periods in order to become better acquainted with persons, businesses, and hazards in the zone, and to place responsibility and accountability for events occurring on specific personnel. Officers are responsible for their beat area, but may leave that area if necessary.

I. The following criteria will be used in order to approve non-emergency leave and other days off for patrol officers and first-line supervisors:

1. Manpower needs of the team (minimum staffing);

2. Order in which a request is made

3. Seniority of officers making requests.

J. Sufficient manpower shall always be made available to provide for necessary law enforcement response to emergency situations at any time.

IV. Patrol Briefing (Roll Call)

A. Roll Call Briefings will be conducted daily in the Patrol Briefing Room, or other designated place, by the Shift Lieutenant of the oncoming patrol Division, and will begin fifteen (15) minutes prior to the assumption of duties.

B. Briefings are to accomplish, at a minimum, the following tasks:

1. Provide information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major Investigations;

2. Notification of changes in schedules and assignments;

3. Notification of new directives or changes in existing directives;

4. Evaluation of officers' readiness to assume patrol duties.

V. Coordination between Units

In order to facilitate the accurate exchange of information between patrol units and other units of the Department, the following methods, at a minimum, will be utilized:

A. Attendance by investigators and support services personnel at patrol briefings (as needed)

C. Compilation and dissemination of a daily activity bulletin/pass on book to other personnel of the Department

D. Attendance by Supervisors and Division Commanders at Departmental and Supervisory staff meetings.

VI. Response to Calls

A. Calls and incidents of a routine nature will require a response by only one (1) patrol officer, unless additional units are requested by the initial officer or supervisory personnel.

B. At a minimum, the following situations will require a response by two or more officers:

1. Assault on an officer

2. Domestic disturbance in progress;

3. On-scene arrest for a felony or violent misdemeanor;

4. Resistance to an arrest;

5. Crime in progress;

6. Fleeing suspect.

C. The classifications indicated above are intended only as a guide for response by patrol units and should not preclude additional units responding to situations not specifically listed.

D. The On-duty Division Commander or supervisor should respond to the following incidents for purposes of assuming control at the scene:

1. Death of suspicious nature;

2. Rape

3. Serious assault

4. Armed robbery

5. Bombing or bomb threat

6. Other major incidents in which patrol officers may require supervisory assistance.

VII. Investigations

A. Officers in the Patrol Division will routinely be assigned responsibility for the preliminary investigation of all reported incidents. However, this will not prohibit members of the Investigative Division from initiating cases and conducting preliminary investigations, as directed by the Investigations Division Commander.

The preliminary investigation will include:

1. Providing aid to the injured, pending arrival of medical assistance.

2. Protecting the crime scene to insure that evidence is not lost or contaminated.

4. Determining if an offense has actually been committed and, if so, the exact nature of the offense.

5. Determining the identity of the suspect or suspects and affecting an arrest, if it can be accomplished either at the scene or through immediate pursuit.

6. Furnishing other field units, through the communications system, descriptions, method and direction of flight and other relevant information concerning wanted persons or vehicles.

7. Determining what information is known about victims and witnesses.

8. Arranging for collection of evidence and photography of the scene.

9. Obtaining complete identification

10. Determining in detail the exact circumstances of the offense

11. Obtaining written affidavits from victims and witnesses and from suspects, if they can be obtained legally.

12. Accurately and completely recording all pertinent information in prescribed report forms.

13. Neighborhood Canvasses

B. Patrol officers will retain responsibility for initial and follow-up investigations of all crimes initiated by their preliminary reports, unless otherwise directed by a commanding officer. The follow-up will include:

1. Obtaining witness affidavits

2. Writing and filing follow-up supplemental reports.

C. The On-Call Commander is to be notified of serious incidents**.**

D. The Patrol Division Commander is responsible for notifications to the On-Call Commander after day-duty hours. Actual on-the-scene response by investigators will be determined and coordinated by the On-call Commander and the On-call Investigator.

E. The Division Commander's decision to have patrol officers continue an investigation should be based on these additional factors:

1. nature of the offense;

2. investigating officer's schedule

3. ability of the officer(s) involved

4. manpower requirements of the team.

VIII. Radio Procedures

A. Every officer engaged in a field assignment will have constant access to radio communications. Patrol officers will operate a vehicle equipped with a mobile transceiver, and will have issued for their use a portable transceiver.

B. All radio traffic/transmissions by patrol units will be kept brief and concise. Units will use a combination of 10 Codes/Signals and plain language in transmissions.

C. Patrol units will be identified by a number assigned to them by their Division Commander and approved by the Division Commander.

D. While on patrol, officers will operate radios in the primary frequency mode (Creedmoor PD) unless otherwise instructed or requested to utilize another frequency.

E. Officers will notify the telecommunications center of their status when:

1. Arriving at the scene of an incident

2. Making vehicle stops

3. Approaching suspicious persons

4. Completing an assignment

5. Calling in and out of service

6. Changing locations in the investigation of a call for service

7. Changing radio frequencies.

F. Officers are to keep the telecommunications center abreast of changes in the nature of a call in order to insure officer safety and expedite the efficient handling of incidents.

IX. Identification of Police Hazards

A. Officers will be vigilant in identifying hazards that require immediate attention. Information pertaining to such hazards is to be provided to the telecommunications center by personnel observing same.

B. Considering the degree of the hazard, information regarding the situation is to be relayed promptly to appropriate officers or other personnel capable of handling the matter.

C. When appropriate, information regarding hazards is to be furnished to other patrol shifts for dissemination at patrol briefings. For this purpose, information known to the beat officer should be exchanged at each shift change.

D. Additional methods to be utilized for dissemination include posting such information on bulletin boards, providing the Telecommunications Center with necessary information, issuing memoranda to affected units, and passing along information in-person to oncoming supervisory personnel.

X. Patrol Vehicles

A. Operation and maintenance of patrol vehicles will be governed by those departmental policies that establish specific procedures relating to such areas.

B. All patrol vehicles assigned for general patrol service will be conspicuously marked in the following manner:

1. Exterior mounted emergency light bars (with the exception of cars assigned for specific purposes that by their use preclude the use of such lighting i.e. marked traffic enforcement vehicles with interior mounted emergency lights).

2. Display of the Department's name

3. Reflective materials placed on the sides and rear of the vehicle.

C. Patrol vehicles will be equipped with the following:

1. Blue emergency lights

2. Siren;

3. Mobile radio transceiver.

D. Equipment to be maintained in each assigned patrol vehicle includes:

1. Basic first-aid equipment and CPR/Bloodborne Pathogens kit
2. Fire extinguisher
4. Highway flares
5. Reflective vest
6. Flashlight;
7. Necessary Report forms
8. Crime Scene Kit
9. Unlock Kit
10. Long Gun (if qualified)
11. Camera
12. Gloves
13. USDOT Emergency (Hazardous Materials) Response Guidebook

XI. Personal Equipment

A. The following equipment will be issued by the Department to patrol officers for use on duty:

1. Winter/summer uniform shirts and trousers
2. Uniform shoes
3. Uniform hat and badge (if issued)
4. Shirt badge
5. Name plate
6. Duty belt
7. Duty handgun;
8. Ammunition magazines and pouch;
9. Shotgun, if available and authorized;

10. Portable radio transceiver and holder;

11. Collapsible baton and holder, if authorized;

12. Handcuffs and holder;

13. O.C. pepper spray and holder

14. Flashlight

14. Ballistic Vest

15. Tazer and holster, if available and authorized

B. All issued equipment will be maintained in serviceable working order, and shall remain the property of the City of Creedmoor. Any missing or unserviceable equipment should be reported to the Division Commander.

XII. Traumatic Messages and Notifications to Next of Kin

If it becomes necessary to notify the next-of-kin of persons deceased, seriously injured or seriously ill, the following procedures will be utilized:

A. When possible, allow personnel with the involved Hospital to make notification;

B. If the hospital is not able to do so, the highest-ranking officer and one other officer on the shift should make such notification;

C. When practical, a local minister should be utilized to assist with notification.

D. If a request from another agency is made for such notification, these same procedures will apply.

E. The officer making a death notification should conduct themselves as follows:

1. Request admittance to the home, and ask family member(s) to sit down;

2. Deliver the information slowly and clearly, discussing only the information that was made available for the notification

3. Be prepared to handle reactions of the family, which may include hysteria, anger, fainting, physical contact, shock, etc.

XIII. Other Notifications

A. The medical examiner is to be notified on all deaths not attended by a physician. If a medical examiner is needed at the scene, the investigating officer is to arrange for such request through the telecommunications center. Such notification shall not be made through medical personnel or members of another agency.

B. When situations or hazards evolve that require assistance from public works or public utilities personnel, the Patrol Division Commander, or other officer-in-charge at the scene, shall make such request through the telecommunications center. Information such as equipment needed and nature of problem should be provided to assisting agencies/personnel as soon as possible.

C. Should notification to the public at large be required in the event of public hazards or other situations (e.g. traffic detour, evacuations), the Patrol Division Commander or other officer-in-charge at the scene, will have necessary information relayed to local news media services through radio or telephonic means. Such notification is to be provided at the earliest possible time in order to allow for a minimum of congestion or similar problems. Information pertaining to accidents may be released when necessary to assist in such circumstances.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.03

SUBJECT: Traffic Patrol and Enforcement Procedures

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Traffic Patrol; Traffic Enforcement; Immunity; Traffic Stops; Felony Stops; High-Risk Stops

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to establish guidelines to ensure that enforcement actions taken by officers of this department are commensurate with applicable laws, taking into account the degree and severity of the violation committed.

Policy: It is the policy of the Creedmoor Police Department to enforce the laws and ordinances regulating the operation of motor vehicles to ensure the safe and efficient movement of pedestrians and vehicles within the City of Creedmoor. The Department and its members will take reasonable enforcement actions and undertake traffic safety education programs as necessary to improve traffic safety, reduce the frequency of motor vehicle collisions, and induce voluntary compliance with traffic safety laws and ordinances. While both qualitative and quantitative emphases are integral to the department's traffic enforcement program, emphasis on quantitative enforcement activities, such as ticket quotas, is prohibited. Officers are expected to use discretion when dealing with the motoring public and shall not issue citations or take enforcement actions for purely punitive reasons.

Definitions: Diplomatic Immunity - a principle of international law which is defined as the freedom from local jurisdiction accorded to duly accredited diplomatic officers, their families and servants. Diplomatic officers should not be arrested or detained except for the commission of a grave crime (felony offense that would endanger public safety). Family members of diplomatic officers, their servants and employees of a diplomatic mission are entitled to the same immunities provided by federal law if they are not nationals of or permanently residing in the receiving state.

Military Personnel - Active-duty members of the Army, Navy, Air Force, Marines, Coast Guard, and reservists who are on active duty with these Armed Forces

Procedure:

I. Uniform Traffic Enforcement

Uniform enforcement of motor vehicle laws and ordinances is necessary to insure public confidence in our traffic enforcement endeavors. The intent of uniform enforcement is to deter motorists from committing violations and encourage voluntarily compliance with traffic laws. Officers are required to use good judgement when considering what type of enforcement action to take. Officers should consider all circumstances and conditions existing at the time of the violation before deciding the appropriate action to be taken. Officers should use the following guidelines concerning enforcement:

A. Driving While Subject to an Impairing Substance

1. Officers shall aggressively enforce the impaired driving laws. Ordinarily the violator will be arrested once an officer has developed the opinion that the violator is appreciably impaired by alcohol and/or drugs. The determination to arrest shall be made after considering the driver's actions with the vehicle, the driver's demeanor, his statements, his appearance, and his performance of field sobriety tests.

2. DWI enforcement activities will include selective assignment of personnel based on statistical analysis illustrating the times and locations a significant number of violations and/or accidents involving impaired drivers have occurred, selective surveillance of roadways in which there has been an unusual incidence of drinking and driving accidents to ascertain the profile of the drinking driver, selected alcohol related accident investigations and analyses of findings, use of DWI check points for deterrence purposes, and expeditious processing of violators.

B. Disposition of Vehicles

If a driver is arrested and conscious, the arresting officer will ask them how their vehicle is to be secured. If the driver requests the car be towed, they will be advised the towing is at their expense. If the vehicle is left at the scene, the arresting officer shall insure the car is parked and locked (if possible) before leaving. Other persons designated by the driver may take custody of the car if, in the opinion of the arresting officer, they are competent to do so. If the person is unconscious, the vehicle will be towed by the “next out” wrecker at the violator’s expense.

C. Speeding violations - Citations should be issued to violators who the officer believes have operated their vehicle at a speed that creates a significantly increased danger to persons and property. The officer shall consider factors such as road design, driveways, grade, speed limit, intersections, sight distances, curves, time of day and location (i.e. school, residential, parks).

D. Other Hazardous Violations - Officers should consider the severity of the hazard, location and previous accident history.

E. Equipment Violations

Officers should consider the nature of the equipment defect and condition of the rest of the vehicle. Many equipment violations are not known to the operator and may be corrected when brought to the operator's attention. Most equipment violations can be appropriately handled with warnings.

F. Off Road Vehicles

Off road vehicles come under the same legal standards as other motor vehicles when operated on streets and highways. Registration, financial responsibility, equipment and helmet violations are quite common. Violators are committing flagrant violations and often create substantial danger and financial risk to motorists when involved in accidents. Officers should consider these offenses seriously. Often these vehicles are operated by juveniles and require special handling.

G. Commercial Vehicle Violations

With few exceptions, these should be considered in the same manner as private vehicles. In some cases officers should consider that the type of vehicle and cargo may create a significantly more hazardous situation than a car would under similar conditions. Furthermore, some laws only apply to special vehicles. For example, the State only requires a blood alcohol concentration of .04 for commercial vehicle DWI charges.

H. Other Non-hazardous violations - Usually warnings are appropriate in these situations.

I. Multiple Violations

An officer may take enforcement action on as many violations as he deems appropriate. However, this decision should not be based on the attitude or frivolous excuses of the violator. An officer is limited to two violations per citation and they should list any traffic violation before other types of charges.

J. Newly Enacted Laws and Regulations - Typically grace periods are established during which warnings are appropriate. After the grace period, officers shall use their discretion according to the violation.

K. Driver's License Violations

1. Officers will take appropriate enforcement action toward individuals found to be operating a motor vehicle without a driver's license or while their driver's license is revoked, suspended, or expired.

2. Officers will observe the following guidelines when dealing with unlicensed drivers or with drivers' whose license has been suspended or revoked:

a. An officer should check the license status according to DMV through the Communications Center or their MDT, using the driver's name, race, gender, date of birth, or license number if available.

b. If DMV records do not list any driver's information and the driver does not have a valid license, the officer should charge the driver with having no license. Unless elements exist for physical arrest, such as no identification or the case of a resident from a non-reciprocal state, the officer will issue a citation.

c. If the driver's license has expired, the officer should charge the driver on a citation with possessing an expired driver's license

d. If the officer determines that the driver has a revoked or suspended driver's license the officer may cite or arrest, depending on the particular circumstances.

e. In any case where the driver's privilege to operate a motor vehicle is no longer valid, he/she will not be allowed to drive away from the vehicle stop location. The officer should offer alternative arrangements to the driver, such as having another person drive or having someone pick up the vehicle. If the driver is arrested and the vehicle can be legally parked, it should not be towed.

f. In situations where the validity of existence of a driver's license cannot be determined, the officer may choose to issue a citation or release the driver and charge later if a violation is identified.

3. License Re-examination/Medical Review Requests

An officer who suspects that a driver is incompetent or unqualified to operate a motor vehicle will take the following steps:

a. Advise the driver of the driving behavior that leads the officer to believe that he/she is unfit to operate a motor vehicle.

b. Attempt to determine from the driver the cause of the demonstrated poor driving.

c. At the officer's discretion, make suggestions to improve driving behavior or suggest alternative transportation for the driver.

d. The officer should not allow a driver to continue driving when it is obvious to the officer that the driver cannot operate a vehicle safely. The officer will complete the Driver Re-examination Recommendation form and submit is along with any other relevant reports to the Division of Motor Vehicles.

L. Violations resulting in traffic accidents

In the event the investigating officer does not witness the motor vehicle accident, he should not issue a citation for the cause of the accident unless it involves a personal injury, hit and run, Impaired Driving or reckless operation of the vehicle. If the officer witnesses the accident, the officer should make charges as appropriate. Licensing, registration and inspection violations should be enforced in motor vehicle collision investigations

M. Pedestrian and Bicycle violations - These violations shall be enforced according to applicable state and local laws.

II. Traffic Patrol Procedures

Traffic enforcement requires that officers observe and enforce traffic violations during their tour of duty. There are four (4) types of traffic patrol that can be used.

A. Area Patrol - moving or stationary observation in the officers area of assigned responsibility;

B. Line Patrol - moving or stationary observation on a specified route between two points, usually on one City street or a section of highway;

C. Directed Patrol - area, line or stationary patrol at the direction of a supervisor for specified times and violations;

D. Stationary Observations - officers may be required to observe specified locations due to crash history or specific traffic flow problems for the purpose of detecting violators and deterring possible violations. Stationary observations may be made from covert or overt locations depending on the nature of the problem and the type of location to be observed. Observation from conspicuous locations will serve to deter violators. Covert observations will likely offer the opportunity to detect more violators. Officers should be mindful to park their vehicles in conspicuous locations near intersections and streets with significant traffic problems to serve as a deterrent to motor vehicle violations while carrying on routine operations such as report writing.

Unmarked vehicles will not be used for routine patrol/traffic enforcement.

III. Traffic Stops

Taking into consideration that no two traffic stops are exactly alike, the following are general guidelines for stopping both the routine and high-risk violator.

A. The goals to be achieved from a traffic stop are to take proper enforcement action and alter the violator's future driving behavior. Officers should accomplish these goals with minimal conflict with the violator by conducting the traffic stop in an organized and professional manner. Examples of professionalism on a traffic stop:

1. Officers shall present a confident and professional image;

2. Officers shall approach the violator and greet them with an appropriate title, introduce themselves by name and rank, inform them of the purpose of the traffic stop and politely request their operators license and registration;

3. Discussion of the violation and required actions should be made in a civil and courteous manner;

4. Reasonable efforts should be made to answer the violator's questions and to assist them entering back into the flow of traffic.

B. Standard Traffic Stops

1. When conducting a routine vehicle stop, officers will consider the following when choosing a location: traffic congestion, pedestrians, road conditions and surrounding terrain, lighting, visibility to oncoming or trailing traffic

2. Officers should position patrol vehicles in the following manner:

a. Stop approximately 20 feet behind the suspect vehicle.

b. Offset the patrol vehicle approximately three feet to the left of the suspect vehicle. This provides a safety cushion from traffic as the officer approaches the suspect vehicle. The front wheels should be turned sharply to the left.

c. Approaching the Suspect Vehicle

1) Care should be taken in exiting the patrol vehicle due to traffic. Officers should approach the vehicle in a manner to make themselves as small a target as possible.

2) Officers should touch the violator's vehicle with their hand in an effort to leave fingerprints in the event of an emergency. Typically, this is done on the trunk, fender, and top of the vehicle.

3) Should the driver of the vehicle exit before the officer has made his approach, instruct the driver to stop and stand still. If the driver has hands in their pockets, have them turn slowly to face the front of their vehicle and on command remove hands slowly from pockets one at the time.

3. Violator Contact

a. Advise the violator of why he or she was stopped.

b. Politely ask the violator to produce a driver's license and registration card. If necessary, advise the violator how you wish the license to be handed to you (i.e., removed from wallet, using left hand, etc.).

c. As soon as feasible, the officer should explain what action he intends to take if any (i.e., citation, warning ticket, arrest, etc.).

4. Delivery of Violator's Citation Copy

a. At the time a motorist is charged with a violation, they will be given a copy of the citation. The delivering officer should make every reasonable effort to explain to the violator the charge, court date and time, court appearance or waiver as applicable, court costs and fine. If the officer is not sure whether the court appearance is mandatory or may be waived, he should instruct the motorist to contact the Clerk of Superior Court's office to determine if the

appearance is mandatory or if they may enter a plea and pay the fine and costs by mail.

b. The officer should make every effort to provide any other information that must be provided to the motorist, to make sure they have understood the instructions and have no questions.

C. Felony or High Risk Vehicle Stops

1. Felony or High-Risk vehicle stops may be used when, in the officer's opinion, such actions are needed for safety.

2. When conducting a felony or high risk vehicle stop, officers will consider the following when choosing a location: traffic congestion, pedestrians, road conditions and surrounding terrain, lighting, visibility to oncoming or trailing traffic.

3. Unless impractical, an officer should not conduct a high risk or felony vehicle stop without a backup.

IV. Enforcement Actions in Special Circumstances

Processing juveniles, non-residents, and foreign diplomats requires special consideration.

A. Juveniles

1. Generally, when a juvenile commits a minor traffic violation, the officer will notify the parents, custodian, or legal guardian and release the juvenile into their custody. The officer will obtain the juvenile's name and date of birth, the parents' names and the addresses and telephone number for both parents. The officer may seek a juvenile petition through a juvenile intake officer.

2. In all cases where a juvenile is taken into custody, the officer is responsible for notifying the juvenile's parents of the circumstances as soon as possible.

3. If the officer deems that continued custody is warranted pending a hearing, the officer must contact the juvenile court intake counselor for authorization. All juvenile custody situations will be handled in accordance with applicable state law (NCGS Chapter 7B).

B. Immunity - Officers stopping persons claiming to have immunity from prosecution will contact the on duty or on call Division Commander via their immediate supervisor. The on-duty or on-call Division Commander will make a decision how to best handle the situation.

Individuals with immunity:

1. Diplomatic officers - Ambassadors and ministers are the highest ranking diplomatic representatives of a foreign government. Other diplomatic titles are minister counselor, counselor, first secretary, second secretary, third secretary and attaché. These officials are located either in Washington, D.C., or in New York City. Diplomatic officers, their families, official staff and servants, who are not nationals of or permanently residing in the receiving state are protected by unlimited immunity from arrest, detention or prosecution with respect to any civil or criminal offense.

2. Consular Officers - Consular officers are Consuls-General, Deputy Consuls-General, Consuls, and Vice Consuls. They are also official representatives of foreign governments. They are entitled to limited immunities as described below.

    a. Immunities - Under prevailing international law and agreement, a foreign consular Officer is not liable to arrest or detention pending trial, except in the case of a grave crime and pursuant to a decision by the competent judicial authority. His immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to court determination.

    b. Identification - Career Consular Officers can be identified by credentials issued by the State Department and by other locally issued official identification papers. The State Department credential bears its seal, the name of the officer, his title and the signature of the State Department officials.

    c. Honorary Consuls - Often nationals or permanent residents of the receiving state are appointed and received as Honorary Consular Officers to perform the functions generally performed by Career Consular Officers. Such Officers do not receive identification cards from the State Department of the type issued to Career Consular Officers. They may exhibit reduced-sized copies of the exequator or diplomatic note evidencing recognition by the United States Government. These individuals are not immune from arrest or detention. They are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving state, except as to official acts performed in the exercise of their consular functions.

    d. Offenses involving family members -Family members of a Consular Officer cannot claim immunity.

e. If a Consular Officer or member of their family is confronted by a member of this department for a violation of a state or local law, the Division Commander or On-Call Commander will notify the Police Chief, who will contact the Office of the Governor and furnish them with details of the encounter.

C. United States Congress - Members of the United States Congress will, in all cases except treason, felony and breach of the peace, be immune from arrest during their attendance at the session of their respective house, in going to and returning from the same and for any speech or debate in either house.

D. State Officials - For the Governor, Lieutenant Governor, Attorney General, State Supreme Court Justices and members of the state legislature, there are no North Carolina laws that exempt any state or local official, either appointed or elected, from federal, state or local laws. The issuance of a citation or a physical arrest is allowed.

E. Military personnel whose permanent residence or permanent duty station is located outside North Carolina, shall be treated as non- residents of this state. Otherwise, they are treated as residents and can be arrested.

F. Non-Resident Violators - Violators who reside out of state may be arrested under certain conditions. Officers should exercise discretion and ordinarily abstain from physical arrest of nonresidents of North Carolina unless they have committed offenses that would result in suspension or revocation of their driving privilege under the laws of this state. Violators can be arrested if they meet the following criteria:

1. Reside in a state that is not a member of the Nonresident Violator Compact and have committed a misdemeanor. They can not be arrested for committing an infraction;

2. Violators who reside in states that participate in the Nonresident Violators Compact may be arrested in the following situations:

a. The violation would result in the revocation or suspension of their driving privilege under the laws of this state; or

b. The nonresident violator refuses to sign the reciprocal agreement for a misdemeanor offense.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.04

SUBJECT: DWI & Chemical Analysis Procedures

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** #1 – 12/15/16

APPROVED:

K. E. King
Chief of Police

INDEX AS:
DWI; DWI Vehicle Seizure; Breath-Alcohol Tests; Blood-Alcohol Tests; DWI Towing Procedure

DISTRIBUTION: All Personnel

Purpose: To establish a procedure consistent with North Carolina General Statutes in arresting and administering chemical testing to persons for Driving While Impaired and related implied consent offenses, and to establish procedure for the seizure of vehicles as it relates to NCGS § 20-28.2 and § 20-28.3

Policy: It is the policy of the Creedmoor Police Department to afford each person suspected of the offense of Driving While Impaired (DWI) and other relevant implied consent offenses the opportunity to submit to a chemical analysis. The Department will obtain a breath or blood sample, to determine the presence of an impairing substance, from any person who is believed to be impaired and to have caused a crash resulting in serious injury or death to another, or who is a habitual impaired driver, even if the person refuses to submit to a chemical analysis under the implied consent statute.

I. Stopping/Approaching Impaired Drivers

A. When preparing to stop and approach a vehicle operated by a subject whom the officer suspects may have committed the offense of Driving While Impaired (DWI), or a related offense, an officer should (to the extent possible) attempt to manage where and when the vehicle stop occurs, based on safety, road side surface conditions and allowing sufficient space for field sobriety testing.

B. Field sobriety tests should be administered if an officer determines they can be performed safely and can be of value in evaluating the level of impairment of the driver prior to arrest.

C. If the driver is arrested and conscious, the arresting officer will determine how the driver's vehicle is to be secured. If the driver requests the car be towed, he will be advised the towing will be at his expense. If the driver requests the vehicle be left at the scene, it should be parked properly in a non-hazardous location and locked (if possible) before leaving. If the driver is unable to understand the request, the officer should secure the items, if possible. Other persons designated by the driver may take custody of the car, if in the opinion of the arresting officer; they are competent and properly licensed to do so. Disposition of the defendant's vehicle will be noted in the arrest report.

D. While transporting any person arrested or charged with an implied consent offense, an officer shall

1. observe the person charged, carefully noting any signs of illness or injury. Persons charged with an implied consent offense shall not be permitted to consume any tobacco, food or drink

2. take the most direct route necessary for the purpose of the transport

3. question the arrestee **only** after informing the person of Miranda Rights and obtaining a valid waiver thereof.

II. Seizure of Vehicles

An officer is required by NCGS § 20-28.3 to seize and impound a motor vehicle, unless it was previously reported stolen, if he charges the driver with an offense involving impaired driving and, at the time of that violation, the person's driver's license was revoked as a result of a previous impaired driver's license revocation. If the motor vehicle being considered for seizure is a rental vehicle and the driver is not listed on the rental contract, the officer may not seize the vehicle pursuant to NCGS § 20-28.3, and shall make reasonable effort to notify the rental company that the driver is not listed on the rental contract.

A. Procedure for Seizure

1. An officer may make the seizure of a vehicle pursuant to § 20-28.3 either before or after obtaining a seizure order from a magistrate. If the basis for the revocation can be determined at the scene, the officer may make the seizure immediately. If the officer chooses to wait until after the chemical test has been administered, the officer may delay the seizure until after the magistrate has made probable cause determination. In the event that the

vehicle is seized prior to that determination, it must be released if the magistrate determines there is no probable cause for the seizure.

2. After seizing a vehicle or upon determination that a vehicle must be seized, the officer must complete his portion of the Officer's Affidavit for Seizure and Impoundment and Magistrate's Order (AOC-CR-323). The section utilized for listing probable cause should indicate that the operator of the vehicle meets the statutory criteria for seizure (i.e. the operator is impaired and driving after an impaired driving license revocation, etc.) This form is available at the Magistrate's Office. This form must be completed under oath and presented to a magistrate when:

   a. Processing the defendant after arrest; or

   b. The officer has probable cause to believe seizure is required.

   The magistrate will be responsible for completing the lower portion of the form.

3. Towing Procedure

   a. The vehicle should be towed by the wrecker service with whom the State has contracted for service to the area. All property, except contraband, should be left inside the vehicle. If contraband is located, it should be processed into the Department's Property/Evidence Control.

   b. As soon as it is practical to do so, but no later than 24 hours after seizing a motor vehicle pursuant to § 20-28.3, the officer who seized the vehicle shall notify the NC Division of Motor Vehicles of the seizure electronically via (DCI) in the Creedmoor Police Communications Center.

   c. After seizure and towing, the vehicle is deemed to be under the constructive possession of the NC Department of Public Instruction.

B. All inquiries concerning recovery of a motor vehicle (e.g. by owners of motor vehicles) seized by this Department pursuant to NCGS § 20-28.3 should be immediately referred to the Clerk of Superior Court.

III. Pre-Arrest Chemical Analyses

A. A person stopped or questioned by an officer who is investigating whether the person may have committed an implied consent offense may request a chemical analysis for alcohol prior to arrest, pursuant to N.C.G.S. 20-16.2(I).

B. When a chemical analysis of the breath is available, the investigating officer must afford a person under investigation for an implied consent offense the opportunity to have a chemical analysis of their breath, provided a request is made by the driver prior to any charge or arrest for an implied consent offense. The officer shall transport the subject to the breath test room, where a chemical analyst holding a valid permit will conduct a chemical analysis of the person's breath.

C. An officer may not charge the suspect with an implied consent offense until after the pre-charge chemical analysis.

D. If an officer has no probable cause to believe a driver has committed an implied consent offense, the officer shall inform the driver making a request that a pre-charge test will not be made available, since the driver is not subject to being charged for an implied consent offense.

1. An Incident Report will be initiated at the time any pre-arrest test is requested by a driver. If the subject is later charged with DWI, a Supplement Report will be completed as well.

2. An officer shall not transport any person who has requested a pre-charge chemical analysis unless

   a. the subject confirms their request in writing by signing the Request for Pre-charge Chemical Analysis form (DMV-S784), or
   b. the subject refuses to sign the form and is placed under arrest, if probable cause exists.

3. After the suspect signs the rights form, the officer shall secure the suspect's vehicle and transport the suspect in the police vehicle to the analysis site. If the officer has reasonable suspicion to believe that the suspect may be armed, the member may frisk the suspect.

4. Prior to the administration of a pre-arrest chemical analysis of the breath, the chemical analyst must notify the subject of their rights (DMV-S784A). The chemical analysis shall otherwise be administered under the same terms, conditions and procedures as any other implied consent chemical analysis.

5. A subject who has requested a chemical analysis and refuses to take the breath test may be charged, if probable cause exists, with an implied consent offense. The person's refusal to submit to testing required as a result of that charge will result in revocation of their driving privilege, and normal arrest and processing procedure will follow. The subject will receive a copy of the request form and the rights form. Copies of both

forms will be attached to the Incident Report and a copy of the rights form will be sent to DMV.

6. If the subject submits to the chemical analysis of their breath, the results are admissible as evidence and subsequent tests are not required. The investigating officer may charge the suspect with an implied consent offense if probable cause exists. The member shall complete all required forms and may utilize the results of the pre-charge chemical analysis in any civil or criminal proceedings. If the results obtained are 0.08 or more, they shall be used as a basis for a pre-trial civil revocation as provided in N.C.G.S. 20-16.5. One copy of each form will be given to the subject and one copy of each form will be attached to the Incident Report. The originals of each form will also be attached to the warrant or summons, if issued.

7. The chemical analyst must, prior to trial, furnish the suspect with a copy of the appropriate form showing the time the breath sample was taken and the results of the analysis.

IV. Arrests for Implied Consent Offenses

A. When a subject has been charged with an implied consent offense, the charging officer must initiate an Incident Report and complete an Arrest Report.

B. The charging officer will designate the type or types of chemical analyses to be performed. The available tests are the blood and breath tests. Prior to the administration of the test, the charging officer must request the driver, in the presence of the chemical analyst, to submit to the chemical analysis.

C. It will be the responsibility of the charging officer to ensure the security of the arrestee and the safety of the chemical analyst at all times. No prisoner will be left unattended with the chemical analyst or non-department officer.

D. Chemical Analysis

1. Willful refusal of a chemical analysis will result in a revocation of the arrestee's operator's license. If a subject refuses the first designated test, a second test will not be designated.

2. A. blood test is not recommended as the primary test unless the incident leading to the DWI charge resulted in serious injury, death or the possibility of death; or if the driver's impairment is suspected to be due to a substance other than alcohol. If the results of a breath test are inconsistent with the observations of the charging officer, then an additional blood test may be requested and obtained.

3. Officers should consider obtaining a search warrant for a blood test when the arrestee refuses consent in a DWI involving serious personal injury, death or a habitual DWI.

4. Breath Tests

   a. The chemical analyst will advise the arrestee of his rights as set forth in NCGS § 20-16.2(a). The Rights of Person Requested to Submit to a Chemical Analysis to Determine Alcohol Concentration form (DHHS 4081) must be completed by the Chemical Analyst, and a copy furnished to the arrestee, regardless of whether they submit to or refuse the breath test.

   b. The charging officer or chemical analyst will ask/request the arrestee to submit to the breath test once the chemical analyst advises the arrestee of his rights.

   c. When a breath test is administered, the chemical analyst and the charging officer will each complete an Affidavit and Revocation Report of Charging Officer/Chemical Analyst (AOC-CVR 1/ DHHS 3907).

   d. If the arrestee submits to a breath test, it will be administered only by a certified chemical analyst and in accordance with the rules and regulations set forth by the N. C. Department of Health and Human Services.

   e. The chemical analyst will record, as set forth in NCGS § 20-139.1 (e), the following information:

      1) The alcohol concentration or concentrations revealed by the analysis; and
      2) The time of the collection of the breath sample or samples.

      A copy of the recorded information will be furnished to the arrestee at the conclusion of the breath testing procedure to include a copy of form DHHS 4082.

   g. If the arrestee refuses to submit to the breath test, none will be given. The proper notations should be made on the Affidavit and Revocation Report of Charging Officer/Chemical Analyst (AOC-CVR 1/ DHHS 3907). It will be the responsibility of the chemical analyst to mail appropriate copies of the two Affidavit and Revocation Reports to the Division of Motor Vehicles in the event of refusal.

5. Blood Tests and Analysis

   a. If the charging officer designates a blood test, qualified personnel at the local hospital must draw the blood sample.

   b. In cases where a driver is injured or displays symptoms such as repeated vomiting which would prevent him from giving a breath sample, such person will be taken directly to a local hospital. The charging officer should, when practical, specify that the arrestee submit to a blood test if probable cause for impaired driving exists.

   c. The chemical analyst will advise the arrestee of their rights as set forth in NCGS 20-16.2 (a). The Rights of Person Requested to Submit to a Chemical Analysis of the Blood to Determine Alcohol Concentration or Presence of an Impairing Substance Under G.S. 20-16.2 (a) (DHHS 4003) will be completed and a copy will be furnished to the arrestee whether he submits to or refuses the blood test.

      *NOTE: As set forth in NCGS § 20-16.2(b), it is not required that an unconscious person be advised of their rights, however a chemical analyst will be dispatched to the hospital to furnish the collection kit and obtain the blood sample.

   d. The charging officer or chemical analyst will request the arrestee submit to the blood test once he has completed the citation charging the implied consent offense and the chemical analyst has advised the arrestee of his consent rights.

   e. When a blood test is administered, the chemical analyst and the charging officer will each complete an Affidavit and Revocation Report of Charging Officer/Chemical Analyst (AOC-CVR 1/ DHHS 3907).

   f. If the arrestee refuses to submit to the blood test, none will be given.

      The proper notations should be made on the Affidavit and Revocation Report of Charging Officer/Chemical Analyst (AOC-CVR 1/ DHHS 3907). It will be the responsibility of the chemical analyst to mail appropriate copies of the Affidavit(s) and Revocation Report(s) to the Division of Motor Vehicles.

g. In cases when the arrestee submits to a blood test, either a physician, registered nurse, or other qualified person possessing a valid permit issued by the N. C. Department of Health and Human Services must collect the sample. The chemical analyst will furnish the person withdrawing the blood a department-approved Blood-Alcohol test kit, which will be used to collect the blood sample for analysis by the SBI. The blood collection kit must be unexpired, and contain a preservative and an anticoagulant.

h. The charging officer will remain with the arrestee, the person withdrawing the blood, and the chemical analyst until the blood sample is collected. The charging officer and chemical analyst will observe the withdrawing of the blood.

i. The chemical analyst will obtain the blood sample and package it properly. The chemical analyst will also complete a N.C. State Bureau of Investigation Request for Examination of Physical Evidence form (SBI-5 form). If drugs or other possibly impairing substances were found in the possession of the arrestee or in the arrestee's vehicle at the time of arrest, it should be noted on the SBI Request for Examination of Physical Evidence form. The blood sample and the completed SBI form will be placed into Property/Evidence Control with the stored property supplement.

j. The SBI lab examines the blood sample as follows:

1) All toxicology cases are analyzed to determine blood alcohol concentration if requested.

2) Toxicology cases involving personal injury are analyzed for the presence of drugs, if such analysis is requested, and if the blood alcohol concentration is below 0.080 g/100 ml of whole blood. Requests of this type should be noted on the SBI Request for Examination of Physical Evidence form.

3) Toxicology screening for the presence of drugs will be completed by the SBI if requested. If the presence of controlled substances is discovered a confirmatory test may be conducted at the written request of the District Attorney's Office. These requests should be faxed to the attention of the SBI Special Agent in Charge of the Drug Chemistry Section at (919) 662-4475. The letter should state the reason for the request, the defendant's name and Incident Report number and, if possible, the SBI lab number.

k. Property/Evidence Control will transport the blood sample to the SBI Chemical Laboratory as soon as it is practical to do so.

l. Upon completion of the analysis, SBI personnel will forward a report documenting the result of the analysis to the Property/Evidence Control. Property/Evidence Control personnel will forward copies of the report to Records, the case officer and the chemical analyst. The case officer is responsible for contacting the Clerk of Superior Court to file a revocation report.

m. Upon receipt of the results of the chemical analysis of the blood which reveals an alcohol concentration of 0.08 or more, the charging officer shall take the affidavits of the charging officer and chemical analyst(s) to the Clerk of Superior Court and request that the pre-trial civil revocation proceeding be commenced.

n. The SBI lab will retain blood samples for a period of sixty days, after which the samples will be incinerated. Personnel needing the actual blood samples held longer than sixty days should notify the SBI lab of this request or make arrangements to pick up the samples.

o. The results of blood testing done by the hospital as part of medical treatment but not under consent may be used as evidence in court, even though the blood was not drawn under the implied consent statute. If this is the case, the officer should notify the District Attorney. The District Attorney will determine the basis for admission in court.

p. Expenses
   1) If a blood test is requested by the Creedmoor Police Department, the cost to draw the blood is chargeable to the department. When requested by hospital personnel, the officer shall make a written notation in the hospital record prior to withdrawal of the blood.
   2) If the blood is drawn as part of the medical treatment of the person, the cost is the responsibility of the person receiving the treatment.

VI. Additional Procedures

A. When the results of two chemical analyses indicate an alcohol concentration of .36 or more, the charging officer shall provide medical assistance for the person charged as soon as possible.

B. If the charged person has an attorney or witness present during any waiting period prior to the administering of the chemical analysis of the breath and the attorney or witness interferes in any way, the attorney or witness should be asked to leave the analysis room. Such a request should not be made until the attorney has had a reasonable opportunity to confer with the charged person. The accused should not be interrogated after the attorney leaves the room.

VII. Fatalities, Serious Injuries and Felony Impaired Drivers

A. Blood, breath and/or urine samples shall be obtained from drivers who are believed to be impaired and to have caused a crash involving the death of or serious injury to another or who are believed to be a habitual impaired driver. When an officer has reasonable grounds, under these circumstances, he shall offer the driver a chemical analysis. If there is evidence of drug use other than alcohol, the charging officer shall designate a blood test in place of, or in addition to, a breath test. If the driver refuses to submit to the chemical analysis, the officer shall obtain a search warrant, unless it is impractical to do so. The officer must have a valid explanation for failing to obtain the warrant.

B. A doctor, nurse or other qualified person should draw the blood in the presence of the charging officer. The officer will explain to the person charged that the drawing of the blood is for the purpose of determining the presence of alcohol or other drugs.

C. Reasonable force may be used, with a search warrant, to restrain the driver charged with DWI and withdraw blood. A driver who physically resists providing a blood sample may be charged with resisting, obstructing or delaying a public officer, in violation of N.C.G.S. 14-223.

D. Search warrants must be served and returned to the court in accordance with Chapter 15A of the general Statutes, and an inventory of seized property (AOC-CR-206) must be completed when blood is seized.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.05

SUBJECT: Checking Stations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Checkpoints; Checking Stations; DWI Checking Stations

DISTRIBUTION: All Personnel

Policy: The Creedmoor Police Department authorizes the use of Checking Stations to deter violations of impaired driving, driver license, vehicle registration, vehicle insurance and other motor vehicle laws. Checking Stations are also used to survey vehicle occupants under special circumstances for the presence of fleeing felons.

Definitions: The term standard checking station refers to a preplanned systematic stopping of vehicles to check motorists for compliance with motor vehicle laws.

The term special operations checking station refers to a preplanned systematic stopping of vehicles to survey occupants for the presence of fleeing offenders implicated in the commission of a felony. Offenses related to such checking stations would include, but are not limited to, fatal assaults, assaults involving serious bodily injury, and robberies.

The term Sobriety Checkpoint refers to a checking station that complies with all of the requirements of G. S. 20-16.3A.

I. Standards for all Checking Stations

A. The site for every checking station shall be selected with due regard for the safety of motorists and members operating the checking station. Sufficient distance must be provided to allow a motorist traveling at the speed limit to stop his vehicle in a normal manner under the existing conditions. No checking station shall be conducted without at least two uniform members present and at least one marked patrol car.

B. All checking stations shall be marked by signs and/or activated emergency lights, marked patrol vehicle(s) parked in conspicuous location, or other ways to assure motorist are aware that an authorized checking station is being conducted. A blue light on at least one patrol vehicle shall be operated at all times.

C. Unless a particular vehicle is being sought, all checking stations shall provide for the stopping of every vehicle. Individual members shall not vary from this plan. The member in charge may allow variance from this requirement if the traffic congestion or other factors are creating a hazard. The officer in charge may then authorize all vehicles to pass through the checking station until there is no longer a hazard. When a particular vehicle is being sought, only those vehicles meeting the description may be stopped.

D. Checking stations shall be operated so as to avoid unnecessary delay to motorists and traffic congestion.

E. Adequate area must be available off the traveled portion of the highway to allow for the safety of motorists when enforcement action is taken.

F. Patrol vehicles must be parked to allow access to the highway for pursuit in any direction.

G. Members must maintain radio contact with the telecommunications center.

II. Standard Checking Station

A. A standard checking station should be used to check motorists for compliance with motor vehicle laws. The Patrol Division Commander or supervisor must approve a checking station in advance.

B. Specific written directions may be provided for a particular checking station. When issued by a supervisor or higher authority, these written directions will be considered policy.

III. Special Operations Checking Station

A. A Division Commander must determine that such action is necessary because it may likely result in the apprehension of a suspect who poses a danger to life and property before such checking station is authorized. The commander must be satisfied that a less intrusive or obstructive means would not be appropriate.

B. The location, equipment, time, and operation of the checking station must be in accordance with policy.

C. When the suspect being sought through the checking station has a hostage in the vehicle, or the member reasonably believes a hostage is in the vehicle, the priority shifts from apprehending the suspect to preserving the life of the hostage.

D. Members operating the checking station shall position themselves and their patrol vehicles in a manner that will provide a tactical advantage and maximize officer safety.

E. Members shall wear their body armor at all times while operating the checking station.

F. Supervisors should periodically check with members operating the checking station for the purposes of insuring officer safety and updating information.

G. Specific written directions may be provided for a particular special operations checking station. When issued by a supervisor or higher authority, these written directions shall be considered additional policy.

IV. Sobriety Checkpoints

Sobriety Checkpoints must be approved by the Division Commander or higher authority, and must comply with NC General Statute 20-16.3A

A. Site Selection

The selection of a site for a DWI Sobriety Checkpoint will be made with consideration given to the following criteria:

1. There must be a likelihood of detecting impaired drivers, which can be determined by considering information such as numbers of DWI arrests in a prospective area, collision history related to impairing substances, traffic volume, and proximity to establishments serving alcoholic beverages.

2. The checkpoint must be planned to cause minimal intrusion to passing motorists.

3. Locations chosen must permit the safe flow of traffic through the checkpoint. Consideration should be given to the posted speed limits, traffic volume, and visibility.

B. Personnel

A uniformed supervisor will be assigned to provide on-scene supervision of the checkpoint. The checkpoint will be staffed with a sufficient number of officers to provide a safe and efficient operation. Two checkpoint avoidance officers will be utilized in addition to checkpoint officers, if possible.

C. Advance Notification

Media interest in checkpoints is encouraged to enhance the deterrent effects. Other public safety agencies that may be impacted by the checkpoint will be notified in advance.

D. Checkpoint Marking

Special care will be taken to warn approaching motorists of sobriety checkpoints. The following equipment will be used to mark checkpoints:

1. Warning signs advising motorists that they are approaching an authorized sobriety checkpoint

2. Warning signs to indicate the need to merge lanes and stop ahead

3. Flares

4. Orange safety cones with reflective material to channel traffic and lead to the checkpoint center

5. Portable lighting to improve visibility

6. Patrol cars with operating blue lights

7. Reflective safety vests and flashlights for officers

E. Checkpoint Plan Required

1. The supervisor in charge of the sobriety checkpoint must file a written operational plan prior to conducting the checkpoint. One copy each will be provided to the Patrol Division Commander.

2. The plan will be systematic and will include the location, times, and pattern for stopping vehicles. The pattern for stopping vehicles, once selected, cannot be deviated from unless approved by the commander in charge. Each deviation from the plan will be documented and a specific reason for the deviation recorded.

F. Detection and Investigation Techniques

1. All officers who staff a sobriety checkpoint should be experienced and trained in detecting impaired drivers. Steps will be taken to minimize intrusion to non-impaired drivers, such as using a uniform introductory conversation and uniform procedures with all drivers. Examples of actions officers may take during initial contact with a driver are:

   a. Detection for the odor of alcohol

   b. Observation of bloodshot eyes

   c. Observation of alcohol containers or drug paraphernalia

   d. Detection of fumbling fingers, slurred speech, inappropriate responses, and/or admissions of alcohol or drug use.

2. Officers will use a uniform statement as vehicle operators approach, such as “Good evening. You have been stopped at a Creedmoor Police sobriety checkpoint. May I see your driver’s license?” While the motorist is looking for his/her driver’s license, the officer will engage in conversation with the driver to divide his/her attention. The officer will ask questions in reference to the motorist’s destination, origin, and whether he/she has consumed any impairing substance that day. If the answer is “no,” and there are no compelling reasons to detain the vehicle, the officer will allow the motorist to proceed.

3. If impairment is suspected, the officer will ask the driver to exit the vehicle and escort him/her to a staging area where tests will be conducted away from the flow of traffic. Another person (if available) may move the suspect’s vehicle off the roadway with permission of the owner/operator.

4. The officer may subject the driver to field sobriety tests to help determine the level of impairment. These tests may include, but are not limited to:

   a. Horizontal gaze nystagmus

   b. Walk and turn

   c. One leg stand

   d. Finger to nose

   e. Balance

   f. Alphabet

5. The officer may also ask the driver to take an alcohol-screening test using an alcohol-screening device to make an on-the-scene determination of the driver's blood alcohol concentration.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.06

SUBJECT: Speed Monitoring Devices

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Speed Monitoring Devices

DISTRIBUTION: All Personnel

Purpose: The purpose of this order is to establish policy and procedures to be used by the department in the operation of its Speed Monitoring Devices and Radar equipment. Speed monitoring Devices shall be used for the purpose of preventing and reducing speed related accidents.

Policy: Speed Monitor Devices will be generally used in response to citizen complaints or in areas where accident history indicates speed-related problems exist. Speed monitoring Devices may also be used for public education and information campaigns designed to inform the motoring public of reduced speed limits in unusual speed-limit areas.

Under no circumstance shall the Speed Monitoring Devices be used for enforcement actions.

I. **Procedures:**

A. Speed Monitor Devices are to be deployed only by officers who have received training on how to deploy and operate the units. The Patrol Division Commander, or his designee, shall provide this training.

B. All requests for deployment received by citizens must be forwarded to the Patrol Division Commander or his designee.

C. It shall be the responsibility of the Patrol Division Commander (or his designee) to deploy the speed Devices. The times and locations for operating the units will depend upon special circumstances and number of requests received. It shall be the responsibility of the Patrol Division Commander to find or designate suitable

locations for deployment of the speed monitoring Devices. Before a Speed Monitor Devices is deployed at any private property location, written permission must be obtained from the property owner. The Public Works Director shall be consulted before placing the Speed Monitoring Devices is placed along and right of way. If the location is a commercial business, the manager may give permission. Written permission will not be required if the City of Creedmoor owns the property on which the Devices is deployed.

D. Speed Monitoring Devices shall be set up so as not to obstruct the view of, or interfere with, the normal flow of traffic.

E. A usage log and a checklist of the equipment will be kept inside the Devices. The officer who deploys the Devices will be responsible for checking the condition of the unit and all equipment. If an officer discovers that the unit or any equipment is missing, damaged, or inoperable, the officer will notify the Patrol Division Commander as soon as possible.

F. When not in use, the Devices shall be stored at either the Public Works Warehouse or the Police Storage Building/Area

G. While a Speed Monitoring Devices is operating at any requested or designated location, the on-duty Patrol Supervisor shall assign someone to periodically check on the status and condition of the Devices. If the unit is not operating or has been damaged, this should be reported to the Patrol Division Commander as soon as possible.

II. Qualifications To Operate Speed Measuring Devices

A. Before operating a speed-measuring device for enforcement purposes, officers must attend a training course that meets the standards established by the North Carolina Criminal Justice Education and Training Standards Commission, and must successfully complete the required amount of pre-certification training.

B. In order to operate a speed-measuring device for enforcement purposes, an officer must possess a valid certification issued by the Commission, authorizing the officer to operate the specific device used.

III. Equipment Specifications

Any speed measuring device used for enforcement must be one approved for use by the North Carolina Criminal Justice Education and Training Standards Commission.

IV. Assignment, Control and Use of Equipment

A. The Patrol Division Commander will assign speed-measuring devices to Patrol Supervisors and enforcement vehicles for use by authorized and trained personnel.

B. The operator of any vehicle containing an assigned RADAR instrument shall ensure that the RADAR and tuning forks are secure and maintained in good working order.

C. Officers using RADAR equipment will be held accountable for its use according to Department rules and regulations regarding equipment. Officers shall be responsible for damage to RADAR units and tuning forks resulting from negligence or carelessness.

D. Only officers holding current RADAR certifications shall operate/use Radar equipment for enforcement purposes. Non-certified officers operating vehicles with RADAR equipment installed will not operate, tamper with, adjust or remove the Radar equipment except as approved for training purposes.

V. Operational Procedures

A. Speed-measuring devices used by authorized Department personnel must be approved for use by the North Carolina Criminal Justice Education and Training Standards Commission.

B. The RADAR Operator's manual contains statutory authority sheets for operator calibration and accuracy testing, and operating procedures for each type and model of speed-measuring device approved by the North Carolina Criminal Justice Education and Training Standards Commission. Each certified operator will ensure compliance with these procedures when operating speed-measuring devices.

C. The Patrol Division Commander will maintain a copy of each RADAR operator's certificate.

VI. Programmed Maintenance

A. All speed-measuring devices employed by the Creedmoor Police Department will be tested annually for accuracy by a certified technician. The Patrol Division Commander or designee will be responsible for ensuring that this testing for accuracy is conducted.

B. The Patrol Division Commander shall maintain a record on each RADAR unit's maintenance and certification.

VII. Care and Upkeep

A. The operator who observes that a RADAR unit is malfunctioning or the tuning forks are missing will take the unit out of service and report the problem to the Patrol Division Commander.

B. Each assigned operator is responsible for ensuring that the required components of the device are present, appear to be functional, and are not damaged.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.07

SUBJECT: Supplemental Traffic Services

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Abandoned Vehicles; Emergency Escorts; Inventory Searches; Junked Vehicles; Recovered Vehicles; Stranded Motorists; Towing Motor Vehicles; Wrecker Services

DISTRIBUTION: All Personnel

Purpose: To establish policy and procedural guidelines for providing supplemental traffic services and general assistance to citizens indirectly related to traffic and traffic safety.

Policy: The Creedmoor Police Department will respond to citizens' needs and requests for roadside assistance, and provide other community services indirectly related to traffic and public safety. These services will include:

- General assistance
- Emergency assistance
- Providing directions and information
- Locating and recovering stolen vehicles
- Towing and storing abandoned and junked motor vehicles

Definitions

Abandoned motor vehicle – A motor vehicle that is:

- Left unattended on a street or highway in violation of a state law or local ordinance prohibiting parking

- Left on property owned or operated by the City for longer than 24 hours without the consent of the City of Creedmoor.

- Left on private property without the consent of the owner, occupant, or lessee for longer than two hours

- Left on any public street or highway for longer than seven days without valid registration or license plates

Junked motor vehicle – A motor vehicle that:

- Is partially dismantled or wrecked

- Cannot be self-propelled or moved in the manner in which it was originally intended to move

- Is more than five years old and appears to be worth less than five-hundred dollars

I. Requests for Towing Services

A. Requests for towing services will be handled in one of the following ways:

1. The officer may offer to have a rotation wrecker dispatched; or

2. The officer may refer the individual to the services advertised in the telephone directory; or

3. Any local towing service may be summoned at the vehicle owner/operator's request. If the roadway is obstructed, the officer on the scene should ensure that the requested towing service respond within 30 minutes. Officers will not refer motorists to specific towing and mechanical services.

B. The Telecommunications/Records Sections will maintain a log of towing services that are approved by the Patrol Division Commander for Department use. The services will be listed in order and repeated on a rotating, sequential basis. When a rotation wrecker is requested for any reason, the Communications Center will notify the next service on the sequence list. In cases where two or more rotation wreckers are needed, the next wrecker on the rotation will be called for each vehicle. If the first service requested does not respond to the scene within 30 minutes, the Communications Center will notify the service that they are no longer needed and will dispatch the next service on the list.

II. Stranded Motorists

A. Response Procedures

Vehicle operators who are stranded due to mechanical or other vehicle difficulties will not be left unattended in dangerous situations. Consideration of the needs of the motorist, weather conditions, location, time of day, and other calls for service must be made when determining the appropriate manner of assisting stranded motorists. Officers will follow these guidelines:

1. If motorists must be left unattended, officers should use flares or safety cones to provide adequate attention to the existing condition for other motorists.

2. Officers will notify the Communications Center of the location of the stranded motorist and the nature of the problem.

3. Officers will have the Communications Center contact a taxi or other alternative means of transportation if requested by the motorist.

4. Officers may transport residents of Creedmoor to their residences. When an officer transports a motorist of the opposite gender, he will notify the Communication Center of the starting and stopping odometer reading, the originating location, and the destination.

5. If assistance cannot be obtained immediately for the motorist, the officer may transport them to the police station where a telephone and shelter from the weather are available.

6. During periods of adverse weather, extra effort should be made to assist motorists and pedestrians with transportation to appropriate services or shelter.

B. Emergency Assistance

While rendering assistance to stranded motorists experiencing an emergency, officers should promptly notify the Communications Center of the nature of the emergency, and request fire and/or rescue services as needed. The officer will remain to serve as liaison for the motorist to ensure an appropriate and rapid response.

C. Emergency Escorts

1. Emergency escorts for other motor vehicles are <u>not</u> allowed except in the case of escorting other emergency vehicles. This type of escort may be necessary if an emergency vehicle has lost the use of emergency

equipment, or if personnel are unfamiliar with directions along the emergency route.

2. If an officer encounters a motorist requesting an emergency escort to an emergency medical facility, the officer will offer to summon an ambulance. If ambulance services are refused, the officer will offer to escort the vehicle. If the offer is accepted, all traffic laws must be obeyed. If the offer is rejected, the officer will allow the vehicle to proceed with instructions to obey all traffic laws. If an officer encounters a situation which he/she determines to be life-threatening and the above provisions are not adequate to meet the need, the officer may transport the victim to the nearest emergency medical facility.

D. Assistance for Motorists Locked out of a Vehicle

1. Officers should respond to requests to assist persons locked out of a vehicle and determine if there are persons or pets locked inside the vehicle that may need medical assistance. If there is risk of injury or death to persons or pets locked inside the vehicle and immediate action is necessary, the officer is authorized to break a window. If time permits, however, the officer should first request that the owner or person in control of the vehicle sign a liability waiver form provided by the Department.

2. The use of a “slim jim”, “Big EZ” or other similar type unlocking device by an officer to open a vehicle door is allowed as long as the owner or person in control of the vehicle sign a liability waiver form provided by the Department.

3. If there is no risk of injury or death to persons or pets locked inside the vehicle, or if there is no one locked inside the vehicle, the officer will offer to stand by with the motorist until a towing service or locksmith arrives. The officer may assist the motorist by having the Communications Center call a towing service, but the officer may not recommend a specific towing service or locksmith. Officers are authorized to break a vehicle window and gain access in these instances only with the signed waiver of the person in control of the locked vehicle, and with supervisory approval.

III. Vehicle Towing and Owner Notification

A. Towing Vehicles that are Traffic Hazards

Vehicles that are left in the roadway or that constitute an immediate risk to other motoring vehicles if not removed are considered traffic hazards. Officers will follow these procedures:

1. The officer will have the Communication Center identify and attempt to contact the register owner. The officer will wait at least 15 minutes for the owner/operator to remove the vehicle. The length of the waiting period may be shortened upon authorization from the officer's supervisor. This determination should be made based upon an analysis of traffic conditions and existing calls for service.

2. If the vehicle must be towed, a towing service will be contacted based upon the rotation wrecker schedule located in the Communications Center. Any vehicle towing will require the officer to complete all related departmental report forms and a *Notice of Vehicle Towing.* The Records Section will mail a copy of the *Notice of Vehicle Towing* to the registered owner via certified mail.

3. The officer should attempt to notify the registered owner by phone that his/her vehicle has been towed and the location of storage.

B. Towing Pursuant to Arrest

An officer may have vehicle towed pursuant to the driver's arrest if the vehicle or its contents is evidence of criminal activity, if it will create a hazard if not towed, or if the officer reasonably believes the vehicle will be exposed to a security risk. Otherwise, it is permissible for the officer to leave the vehicle. The following guidelines will apply:

1. The officer may allow the driver to move the vehicle a short distance, provided it will not constitute a continuation of the offense. For example, a driver suspected of impaired driving should not be allowed to move his/her vehicle.

2. The officer may move the vehicle a short distance with the owner/operator's permission.

3. If a vehicle is not towed, the officer should make reasonable attempts to secure valuable items in the owner's/operator's trunk.

4. The officer should allow the owner/operator the courtesy of selecting a towing service or person of his/her choice to remove the vehicle if it requires removal. A minimum of 30 minutes should be allowed for the towing service to respond.

5. If towing the vehicle is optional, the officer should inform the owner/operator that the vehicle may be secured and left at the scene, or removed by a towing service or person of their choice.

6. If the owner/operator is uncooperative, the officer is authorized to have the Communications Center summon the next available rotation wrecker.

7. If the vehicle is towed, the officer should advise the owner/operator of the towing service used, and complete the appropriate departmental report forms.

C. Vehicles in violation of operating/parking laws and ordinances

Officers may tow a vehicle if it is in violation of a specific statute or ordinance that allows for its towing, seizure or forfeiture. If the vehicle is towed, the officer should advise the owner/operator of the towing service used and complete and inventory search on the appropriate departmental report forms (see section H. below).

D. Towing Abandoned Vehicles

1. Unless an abandoned vehicle is left parked upon the street or highway obstructing traffic, protruding into the flow of traffic or obstructing the view of the motoring public; no officer may authorize the towing of an abandoned vehicle without there first having been posted on the windshield or some other conspicuous place on the vehicle a notice of imminent towing. This notice shall be posted at least seven days before any authorized tow occurs.

2. Officers will refrain from requesting wreckers for owners or occupants of private property. When the owner or occupant requests police assistance with towing, officers should investigate only to determine status and ownership of the vehicle and refer the property owner/occupant to those wrecker services publicly listed in the local telephone directory.

3. When there is any other special need for prompt action to immediately tow an apparently abandoned vehicle for the protection or maintenance of public health, safety and welfare, officers may tow a vehicle with the approval of a supervisor.

E. Recovery of Stolen Vehicles

1. When a stolen vehicle is located, the officer should make or cause an attempt to contact the owner immediately to determine if the vehicle can be claimed within a short period of time at the location of recovery. This will be done only if the officer is able to stand by at the location and wait for the owner to arrive.

2. If an owner cannot be contacted, the officer shall call out the next wrecker service on the rotation list. If the owner cannot claim the vehicle, or is not

able to respond to the scene within thirty minutes of notification, the officer will call for a rotation wrecker.

3. Before removing a stolen vehicle from the scene or releasing it to the owner, and unless otherwise requested by the agency of jurisdiction from which the vehicle was stolen, the officer shall conduct a search for physical evidence. If any evidence is recovered, it shall be seized, recorded and stored in accordance with departmental policy and procedures.

F. Special Events and Towing of Vehicles

1. When special event plans establish a need for the removal of vehicles from an area, the Event Commander may make prior arrangements with eligible rotation wrecker services. The Event Commander should either designate a staging area for the placement of any vehicles moved from the area or determine if the vehicles will be towed to the towers lot.

2. If a staging area for towed vehicles is designated, the wrecker driver(s) should remain to collect their fees when the event concludes or the owner/operator arrives at the staging area. Vehicles not claimed at the staging area may be stored at the wrecker service facilities. In such instances, a Vehicle Tow and Storage Report will be completed by the Event Commander or designee and forwarded to the Telecommunications/Records Section.

3. A single administrative report containing a description of each towed vehicle, the name of the towing service and the identity of the person claiming the vehicle is sufficient to document towing activities for special events.

G. Complaints Against Wrecker Services

1. Complaints against wrecker service operators or drivers made by other wrecker services, and complaints from citizens who contest the validity of towing by police officers will be documented by the employee who receives the information, and directed to the Patrol Division Commander for investigation. The investigation will include interviews with the complainant and the accused wrecker service owner/operator, as well as interviews with any independent witnesses.

2. The Patrol Division Commander will present the findings of his investigation to the Chief of Police, along with recommended actions.

3. Upon any determination that a wrecker service company or employee has acted improperly, the Patrol Commander shall meet with the Chief of

Police and the director of the Communications Center to consider removal of the wrecker service from the rotation list.

4. If a wrecker service company is removed from the authorized list, the Chief of Police will notify the towing service, of the action and the justification. The complainant will also be advised of the disposition of his complaint.

H. Inventory Searches

1. When impounding a vehicle, officers will conduct an administrative search of the towed vehicle to identify and take possession of valuable property, if necessary, for safekeeping. The scope of such a search shall be limited to those unsecured or readily accessible areas within the vehicle. A locked trunk or glove box will be within the scope of an inventory search only if the keys to those areas are in the officer's possession.

2. Any evidence, contraband, or instrumentality of crime that is discovered during an inventory search may be admissible in any subsequent prosecution.

3. Officers will not conduct an evidence search under the guise of an inventory search. Prior to conducting an inventory search of a vehicle being towed, officers shall ensure:

   a. there is a lawful basis for taking custody of or towing the vehicle

   b. the inventory is non-investigative; and

   c. the search is limited to locating valuables for storage for future protection of officers and the department as well as the owner.

I. Records

1. The Telecommunications/Records Section will maintain the records of each vehicle removed, stored, or towed at the direction of an officer.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.08

SUBJECT: Traffic Safety, Analyses & Selective Enforcement

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Traffic Analysis; Roadway Hazards; Traffic Telecommunication/Records; Selective Enforcement; Traffic Safety; Traffic Safety Education Programs

DISTRIBUTION: All Personnel

Purpose: To ensure the safe and efficient movement of pedestrians and vehicles within the City of Creedmoor.

Policy: It is the policy of the Creedmoor Police Department to maintain and analyze traffic volume and distribution Telecommunication/Records, traffic collision report data, enforcement data, and reports of roadway hazards in an effort to ensure the safe and efficient movement of vehicles and pedestrians within the City of Creedmoor.

Procedure:

I. Telecommunication/Records

A. The Patrol Division Commander with the assistance of the Telecommunications Supervisor will maintain the following information:

1. Collision report data;

2. Traffic enforcement data;

3. Reported existing major roadway hazards;

4. Traffic safety education program Telecommunication/Records; and

5. Selective traffic enforcement activity reports.

B, Traffic volume information are available and may be obtained from the North Carolina Department of Transportation. Traffic collision information is available and may be obtained from the North Carolina Division of Motor Vehicles. Traffic citation and arrest dispositions are available and may be obtained from the AOC Main Frame Site or the Office of Clerk of Superior Court.

C. The Telecommunication/Records Section will produce monthly accident summary reports containing the causes, injury classifications, damage estimates, times, and locations of all collisions. This report will be forwarded to the Patrol Division Commander by the 5th work day of each month for review.

D. The Telecommunication/Records Section will produce traffic arrest reports monthly containing the following information at a minimum: violator information, charges, locations, dates and times of violations. This report will be forwarded to the Patrol Services Division Commander by the 5th of each month for review.

E. Roadway Hazards

1. Every employee of this department is responsible for addressing or responding to reports of roadway hazards (stranded motorists, abandoned vehicles, road defects, etc.). On-duty employees who discover a hazard creating an immediate danger to motorists and pedestrians shall contact Communications, by the quickest possible method, so the proper authority can be notified to correct the hazard (i.e. street department, public utilities, and the news media where applicable).

2. Officers reporting or assigned to roadway hazards will insure that action is taken to correct the hazard. If no other activity has been initiated, the officer will initiate a “Police Service” call so the effort can be logged into RMS. If the hazard still exists at the end of the officer’s tour of duty and police assistance is still necessary, follow-up shall become the responsibility of the following shift.

3. Roadway hazards requiring long periods of time to correct may require the temporary assignment of traffic control personnel by the Patrol Commander.

4. An officer may leave the scene of a roadway hazard when relieved by another officer, dismissed from the assignment by a supervisor, or when the officer reasonably believes the hazard no longer requires police assistance.

II. Traffic Safety Education

All requests for traffic safety education programs, traffic safety materials and displays shall be forwarded to the Patrol Division Commander. The Patrol Division Commander will initiate a traffic safety education program request and assign the appropriate personnel to conduct the activity and distribute related traffic safety educational materials.

III. Review of Traffic Data, Safety Complaints & Suggestions

A. The Patrol Division Commander will be responsible for the review of traffic Telecommunication/Records and for determining the type of educational programs, ordinance additions and revisions, and engineering needs that are appropriate to facilitate safe and efficient travel. The Patrol Division Commander will be responsible for determining the appropriate selective enforcement techniques and manpower allocations necessary to address specific problems.

B. The Patrol Division Commander will be responsible for making recommendations and staff reports at the direction of the Chief of Police concerning traffic engineering needs. The Patrol Division Commander may use surveys and other traffic Telecommunication/Records to assist in making recommendations for traffic control devices or the revisions or creation of City Ordinances.

C. The Patrol Division Commander may consult with the City of Creedmoor Engineering Department and the North Carolina Department of Transportation engineers, and use the current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, in making recommendations on traffic engineering concerns. Final recommendations on engineering needs should only be made after consultation with qualified personnel in either the NCDOT Engineer's office or City of Creedmoor personnel responsible for making those recommendations.

D. The Patrol Division Commander will be responsible for handling citizen complaints and suggestions for improving traffic engineering conditions. All complaints or suggestions from any source concerning traffic engineering or safety concerns shall be forwarded to the Patrol Division Commander, who will investigate each complaint. If a complaint or suggestion warrants correction, he must take necessary steps to correct it or refer it to the appropriate authority for correction. The Patrol Division Commander shall notify the complainant regarding the action to be taken.

E. The Patrol Division Commander shall review traffic accident reports, noting conditions from the report and report diagram indicating a need for engineering or enforcement alterations. He shall promptly report serious accidents to City and State traffic engineers for study.

IV. Selective Enforcement

A. Selective enforcement measures will be the primary responsibility of Patrol personnel. The enforcement techniques used and the allocation of manpower will be based on analysis of accident data or other traffic safety concerns in the area. At a minimum, the Patrol Division Commander will prepare an analysis of accident data annually, and will include summaries of the previous three years' accident history. The location, times, day of week and causative factors will be considered when determining countermeasures to be established, locations where countermeasures are warranted and allocation of manpower to be made to reduce the frequency and severity of accidents through selective enforcement. This annual analysis and report will be submitted to the Chief of Police.

B. The Patrol Division Commander will make and implement selective enforcement techniques and make selective enforcement assignments based on locations where analysis, and/or citizen complaints, indicates there is a higher percentage of accidents and violators. Enforcement should occur during times when the highest frequency of accidents occurs. Appropriate countermeasures should be used (radar, stationary observation, highly visible patrol, etc.) where they will have the greatest effect at deterring accidents.

C. The Patrol Division Commander will complete an evaluation of the effectiveness of the department's traffic law enforcement and selective enforcement activities in January of each year. Accident summaries, causative factors and selective traffic enforcement activities will be compared by location to determine the relationship between work accomplished and trends in traffic crash history. This report will be forwarded to the Police Chief.

D. Unmarked vehicles will not be used for routine traffic enforcement, but may be used, based upon identified selective enforcement needs, when specifically authorized by the Patrol Division Commander.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.09

SUBJECT: Traffic Engineering Responsibilities

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Traffic Engineering; Transportation Planning; Technical Review Committee;

DISTRIBUTION: All Personnel

Purpose: To establish guidelines for coordination of efforts between the Creedmoor Police Department, City of Creedmoor Administration and State Traffic Engineers for the discovery and remedy of accident and traffic hazards.

Procedure:

I. General

The Telecommunications/Records Section will have the responsibility for all collection of traffic data. Such information will consist of traffic accident reports and uniform traffic citations. Copies of traffic accident reports will be mailed to the North Carolina Department of Motor Vehicles for entry into their computer system. The North Carolina Department of Motor Vehicles forwards their information to the Department of Transportation for review and identification of hazardous locations in the City of Creedmoor. The Department of Transportation prepares reports at least annually describing all major accident locations within the City and/or causes. A copy of this report is available upon request through the Department of Transportation. The Patrol Division Commander will make the information available to the Patrol Section Supervisors for review, and necessary actions.

II. Complaints

When citizens' report to the police department a complaint involving a traffic engineering problem, the receiving personnel shall take the information regarding the complaint as well as the citizen's name, and record the complaint as a community concern.

An officer may be sent to the scene of the problem to determine if the complaint is justified. Traffic engineering problems that require immediate attention (such as defective traffic signals) will be reported immediately to the City of Creedmoor Public Works Department and Transportation Planner if it is a City street/control or to the North Carolina Department of Transportation (DOT) if it involves a state maintained highway. If the complaint is unfounded, then no further action will be taken.

If a complaint is founded and action appears to be warranted, a report shall be prepared and forwarded to the City of Creedmoor Public Works Department and Transportation Planner, through the Patrol Division Commander and the Chief of Police. Requests for additional stop signs, speed limit changes, road markings, etc., shall also be directed to the City's transportation Planner for further study.

III. Participation in Local and Regional Transportation Planning.

The Police Department along with the City's Transportation Planner participates in various planning agencies responsible for the overall coordination of service demands in the City of Creedmoor. Among these are:

A. The North Carolina Department of Transportation annual update planning sessions.

Through the City's Transportation Planner, the Police Department is kept informed of various changes in the transportation patterns in the City. In addition, the Police Department is notified of hearings concerning major changes in traffic patterns in and around the City that might affect traffic patterns. The department sends representatives to these hearings, and advises the agencies concerning enforcement needs and service demands prior to the project being implemented.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.10

SUBJECT: Control of Citation Books

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Citation Books, Citation Control

DISTRIBUTION: All Personnel

Purpose: To establish procedures for the control of citation books issued to officers of the Creedmoor Police Department, and to provide a method of accounting for auditing purposes.

Procedure:

I. Security of Unassigned Citation Books

All unassigned Uniform Traffic Citation Books will be stored in an area accessible only to Patrol Division Commander and the Chief. The Patrol Division Commander will issue Traffic Citation Books to personnel as needed.

II. Issuance of Citation Books to Officers

A. Officers assigned to the Patrol Division whose normal duties include enforcement of traffic and/or criminal laws will have in their possession, while on duty, a sufficient supply of traffic citations for each tour of duty.

B. The Patrol Division Commander shall store and maintain Citation books in a secure location until issued to officers.

C. Officers may be issued no more than two (2) citation books at a time. For every new citation book issued to an officer, there must be a used citation book returned.

D. Each citation book issued or returned shall be recorded by the issuing/receiving Division Commander on a Master Citation Control Form which is maintained in the Patrol Commander's Office.

III. Return of Used Citation Books/Accounting for Citations

A. Every citation must be accounted for in each returned book. The Section Commander or Unit supervisor shall review each book to account for each citation prior to turning used books over to the Patrol Division Commander.

B. Each voided citation shall bear the word "VOID" and must have a brief, written explanation on it's face as to the reason for the voiding of the citation. It shall also be signed and dated by the voiding officer and a reviewing Section Commander or supervisor. All copies of each voided citation, except for the officer's copy, must remain in the citation book.

C. Section Commanders or Unit supervisors shall return all used citation books to the Patrol Division Commander.

D. The Patrol Division Commander, or his designee, shall periodically retrieve and forward returned citation books to the Office of the Clerk of Court.

IV. Receiving New Shipments of Citation Books

A. Upon receipt of a new shipment of North Carolina Uniform Citation books from the Office of the Clerk of Court, the Patrol Division Commander (or designee) shall record the Clerk-assigned control number from each book in that shipment on a the Master Control log. The citation books will be distributed among Section Commanders and Unit supervisors for issuance to the officers under their supervision.

B. The Patrol Division Commander (or designee) shall review the individual records and perform a quarterly audit/inspection, utilizing the Master Control Form. Each citation book must be accounted for in the audit/inspection. .

V. Citations Issued by Officers to Violators

A. Personnel of the Creedmoor Police Department will follow all applicable procedures as set by the State of North Carolina concerning the issuance to violators, disbursement of copies, and processing of the Uniform Citation.

B. Disbursement: (handwritten citations)

1. Violators who are cited will receive the pink copy of the citation.

2. The charging (citing) officer will turn in to the Records office a photocopy of all issued citations.

3. The charging (citing) officer will be responsible for the timely submission of citation originals to the Office of the Clerk of Superior Court. When a violator is physically arrested, the original copy of any related citation(s) will be turned in directly to the magistrate.

4. The yellow copy is for DMV audit purposes and shall remain in the book.

5. The back white copy is for the case records of the charging officer.

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CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.11

SUBJECT: Prohibition on Bias Based Police Practices

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Bias Based Profiling; Profiling

DISTRIBUTION: All Personnel

Purpose: To prohibit the practice of bias-based profiling or any other discriminatory practice by police officers.

Policy: The Creedmoor Police Department prohibits the use of bias-based police practices by its members. The race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status or military discharge status of an individual may not be used as the sole basis for any investigative detention, stop, search, or arrest, or for the seizure or legal forfeiture of any person's property, by any member of the Department.

Definitions:

Profiling: The investigative detention or other non-consensual treatment of an individual resulting from the collection, evaluation and analysis of detailed and reliable intelligence information or significant investigative leads in an on-going investigation regarding specific criminal activity. Such detentions are allowable only with reasonable suspicion or probable cause that is based upon:

1. information developed from reliable informants and/or co-conspirators; and

2. information gleaned from intelligence-gathering activities; or

3. receipt of reliable data regarding on-going criminal activity.

Bias Based Profiling: A practice of stopping, detaining, or searching a person based solely on the person's race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status, military status, or other personal characteristics.

I. Avoidance of Bias-Based /Discriminatory Practices

A. Bias-based Profiling Prohibited.

1. The detention of an individual or the investigative stop of a motor vehicle by any officer shall be justified only when based upon information sufficient to constitute a reasonable and articulable suspicion that an offense or criminal activity is occurring, has occurred or is about to occur. The detention or search of any individual that is not based on factors related to the investigation of a violation of federal law, North Carolina General Statutes, City Ordinances, or any combination thereof is prohibited.

2. Race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status, military status, or other personal characteristics, shall not be the sole factor in determining the existence of probable cause to arrest or to place an individual in custody.

3. No officer may stop, detain, or search any person when such action is solely motivated by the person's race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status, military status, or other personal characteristics.

4. Members must be prepared and able to clearly articulate the specific public safety or police purpose of any investigative stop or detention.

B. Seizure or Forfeiture of Property

1. Officers may seize property only upon establishing a reasonable and articulable suspicion, or probable cause, that the property to be seized is evidence of a crime, contains an item that is subject to seizure, or is otherwise subject to seizure. No search may be conducted without legally established justification.

2. Race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status, military status, or other personal characteristics shall not be the sole factor in determining the existence of probable cause to seize a person's property or initiate asset forfeiture proceedings.

C. When determining if reasonable suspicion to stop or detain a person exists, or when developing probable cause for an arrest, members may consider a person's race, national origin, citizenship, religion, ethnicity, age, gender, sexual orientation, marital status, parental status, financial status, military status, or other personal characteristics when one or more of these or other factors are part of the description of a known or suspected offender wanted in connection with a specific criminal incident.

II. Investigation of Complaints

The Department will conduct an internal administrative investigation upon receipt of a complaint of bias-based profiling or discriminatory practice, in accordance with established Department procedure.

III. Community Outreach

A. The Chief of Police, or his designee, shall serve as the community liaison for profiling and/or discrimination issues.

B. A member of the Department's Command Staff, designated by the Chief of Police, shall periodically meet with members of designated groups affected by this policy.

C. Division Commanders shall review all complaints of profiling and/or discrimination filed against members of the Department to determine if additional follow-up or remedial action is required.

D. Annually, Division Commanders shall prepare a summary report for the Chief of Police and disseminate copies to all Supervisors. The annual summary report shall include but not be limited to:

1. Listing each complaint of bias based profiling.

2. Explaining any action(s) taken.

3. Recommending training needs.

4. Recommending policy changes.

IV. Training

A. All sworn personnel shall receive training, at least triennially, on the harms of bias-based profiling and discrimination, including a review of this policy and any legal updates that may apply. The department's Training Coordinator shall ensure that officers receive this training.

B. The appropriate Division Commander will ensure that the provisions of this General Order are incorporated in the orientation for newly hired sworn Department personnel.

C. Periodic diversity and sensitivity training shall be designated for officers with sustained complaints for biased-based conduct or other sustained discrimination complaints filed against them.

V. Supervision and Accountability

Commanders and Supervisors shall ensure that all personnel under their command are familiar with the provisions of this order and that personnel operate in compliance with its content.

VI. Disciplinary Procedures

A. Non-compliance with this order will subject personnel to disciplinary action, up to and including dismissal.

B. All employees are charged with the responsibility of reporting observed or known violations of this General Order. Officers who fail to report any observed or known violations of this general order by any police department employee may be subject to disciplinary action, up to and including dismissal.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.12

SUBJECT: Special Events Planning

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Special Events
Parades/Marches
VIP/Dignitary Coordination

DISTRIBUTION: All Personnel

Purpose: This directive governs special events that require more than routine planning and operations. Such events include, but are not limited to, parades, athletic contests, large-scale gatherings, and public demonstrations. In addition, this section outlines procedures that may be applicable to the development and implementation of operational plans governing the protection of dignitaries and other persons requiring special or additional security.

Policy:

I. PROCEDURES

A. Administration

1. The Patrol and Investigative Division Commanders will share the responsibility for developing and implementing operational plans regarding the management of special events and/or provision of dignitary protection.

2. Depending upon the magnitude of the event, the governing Division Commander may designate a Supervisor to develop and implement such plans.

3. The operational plan will be submitted to the Chief of Police for review and approval prior to implementation.

4. The plan will be distributed to other affected persons and units.

B. Planning Requirements

1. The operational plan is to provide for the following, as applicable:

   (a) Designation of a single person or position to serve as supervisor and coordinator for pre, actual and post event initiatives;

   (b) Establishment of a staging area and field command post;

   (c) Special operational components required, if any;

   (d) Estimates of crowds, traffic, and any other problems anticipated during the event;

   (e) Provisions for ingress and egress of vehicles and pedestrians

   (f) Logistical requirements, to include the number of officers and other personnel needed, use of special equipment if necessary, and other materials;

   (g) Coordination of units both within and outside the agency;

   (h) Provisions for emergency first-aid, ambulance, and medical facilities;

   (i) Communications particulars, such as assigned frequency and radio discipline;

   (j) Media liaison and notifications.

2. Advance inspections will be made of the sites and facilities involved during the special event.

3. Any travel routes and alternate routes necessary will be designed and/or inspected prior to implementation of the plan.

4. Send notifications regarding roadway detours, closure or expected delays to the City's Transportation Planner and NCDOT, when necessary.

5. Applicable procedures of General Order 300-27, (Intelligence) will be employed to provide for intelligence gathering.

6. Dependent upon the scale of the operation and planning, a series of meetings may be held during the planning phase to ensure that adequate preparation is made. Such meetings are to include representatives from all affected components.

7. Traffic Control

   (a) If the event is a parade or march, the route will be determined and coordinated with other public service and transportation agencies.

   (b) The perimeter streets of the special event shall be used to maximum advantage by eliminating or increasing parking space, making temporary one-way streets, and assigning officers to key intersections.

   (c) Adequate emergency service access will be provided to the scene of the event, including fire and ambulance services.

   (d) The department will provide for adequate crowd control. If the event is a parade, ropes or other appropriate barriers may be used along the parade route with officers stationed at intervals as needed.

   (e) Provisions will be made for identifying those persons working directly with the event to assist them in crossing police lines. This includes promoters of the event, vendors, and press personnel.

   (f) Consistent with the scheduled or anticipated duration of the need for traffic directions and control services, provisions will be made for scheduling adequate breaks for the departmental personnel providing those services.

   (g) Manual traffic direction and control will be performed in accordance with procedures set forth in General Order 300-6 (Traffic Direction and Control) of the departmental Operations Manual.

   (h) Temporary traffic control devices (i.e. traffic cones, moveable barricades, portable signs, etc.) shall be removed as soon as possible after their need dissipates.

C. Implementation of Plan

1. The Incident Commander will convene a meeting immediately prior to implementation of the plan to brief participating personnel. Such pre-execution briefing should include a review of assignments, identification of special units and equipment to be utilized, crowd and traffic situations, and any special problems anticipated.

2. Arrest teams, if assigned, will be placed in strategic positions, unless these officers have been given dual assignments.

3. Other special units (e.g. canine units, etc.) will be positioned away from the operational area until requested by the Incident Commander.

4. The Incident Commander will staff the command post with all necessary personnel, to include communications personnel, news media liaison, and recording officer/secretary.

5. The Incident Commander will assume overall control of the situation during the implementation and execution of the plan.

D. Debriefing

1. The Incident Commander will conduct a debriefing to review and critique the operation.

2. The Incident Commander will forward a written report to the Chief of Police, detailing the results of the operation, problems encountered, and suggestions for future operations of this type.

II. Specific Procedures for Dignitary Protection

A. In those instances requiring special protection for dignitaries or other persons, a Division Commander will be assigned and directed to develop a specific plan to provide for the necessary security measures and related requirements. Such plan is to be submitted to the Chief of Police for approval prior to implementation.

B. While each security operation will require a specific plan to accommodate the particular situation at hand, all such plans are to include provisions for the following:

1. A command officer will be designated as the Incident Commander, and will supervise and coordinate the security operation.

2. The Incident Commander will coordinate operations within the department and with outside agencies such as the Granville County Sheriff Office, North Carolina State Highway Patrol, SBI, FBI, and Secret Service.

3. Equipment requirements will be determined for the particular operation. Consideration is to be given to the need for vehicles, body armor for protected persons and officers, weapons, and other special materials.

4. Any travel routes and alternate routes required will be planned and inspected.

5. Advance inspections of the particular sites and facilities involved will be conducted.

6. Applicable procedures of General Order 300-27 (Intelligence) will be employed to provide for intelligence gathering.

7. The uses of any necessary special operational components are to be indicated.

8. Provisions for emergency first aid, ambulance, and medical facilities will be outlined in the specific operational plan.

9. Particulars concerning radio communications during the security operation are to be detailed in the plan. Such specifics should include the use of frequencies, radio discipline, and coordination with outside agencies.

10. Measures to aid in identifying personnel during the operation will be specified. Such aids may include the use of nametags, lapel pins, or other insignia.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.13

SUBJECT: Ride Along Program

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Ride Along Program

DISTRIBUTION: All Personnel

Purpose: The purpose of this program is to increase understanding between officers and citizens. Officers can use the period of the ride along to gain valuable insight regarding how members of the community view the police and riders can gain increased awareness of law enforcement needs, problems, and operations.

Policy: It is the policy of the Creedmoor Police Department to encourage community interest and involvement in the law enforcement process and to allow reputable citizens and students to ride as passenger/observer in Creedmoor Police Department vehicles for legitimate civic or educational reasons. Participation in the Ride Along Program is limited to residents of the Creedmoor area, employees working for businesses within the Creedmoor area and on occasion those who apply for consideration with a special purpose, i.e., students, community leaders and visiting Law Enforcement employees.

Procedures:

A. Persons eighteen (18) years of age and older, wishing to participate in the program, will make a request by completing an Application for Ride Along, to the Patrol Division Commander, identifying themselves (this will include full name, sex, race, date of birth and operators license number, as well as address and telephone number), the date and time they wish to ride, and their particular interest in law enforcement. Persons studying Criminal Justice or engaged in Criminal Justice Research, City Officials, or visiting Law Enforcement officials will be given priority.

1. The Patrol Commander, or his designee, will make a brief background investigation of each rider to determine if the citizen is of suitable character to participate in the ride-along program.

2. A Release Form must be completed and signed by the ride-along participant and notarized, before being allowed to ride. Completion of the release form is voluntary. However, failure to sign the release form, indicating that the person assumes the risks involved in riding, shall result in refusal of permission to ride. Completed release forms will be filed with the Patrol Commander and maintained for two years. A new release form**,** will be signed and dated each time a participant rides.

3. Participation in the Ride Along Program shall be limited to once every ninety 90 days. Only two rides per calendar year are allowed without approval of the Chief.

4. Riders will report to the Patrol Supervisor in charge on the date and time assigned. They will carry identification including doctor and hospital preference, the nature of any medical problems, and the name of the person to notify in case of emergency. Riders will dress in neat and clean clothing, including street shoes. No jeans or T-shirts will be allowed. Riders will not be armed.

5. Each rider will be briefed by the officer and/or supervisor-in-charge, on the hazards and dangers involved. The rider, at all times, shall be under the direction of the officer with whom he/she rides. Media representatives are prohibited from carrying and using cameras and recorders without prior authorization from the Chief of Police.

6. Only one (1) rider will be allowed in each vehicle. The Patrol Division Commander will assure that proper scheduling is accomplished in advance. No more than two (1) vehicles on any watch will have a rider at one time.

7. The rider participant is required to wear his/her safety belt at all times while riding in police vehicles.

B. Persons Under Eighteen (18) Years of Age.

Interested persons less than eighteen years of age are encouraged to visit our Police Department, tour the facilities, and talk with officers working areas in which the person may be interested. With parental permission and under the direct control and supervision on of an officer of the rank of Sergeant or above, persons less than eighteen (18) years of age may ride. This will be a closely supervised activity, and will consist only of a general tour of the city and

explanation of police duties. The Release Form must be signed by parent/guardian-and participant and notarized.

C. Civilian Personnel/emergency Tele-communicators:

Police Department personnel and Tele-communicators will be governed by all the rules pertaining to limited riding. Police Department Personnel and Tele-communicators may ride once every thirty 30 days. Tele-communicators who are assigned by the 911 emergency Communication Center Supervisor may ride without limitation.

D. Immediate Family. A Creedmoor Police Officer's immediate family (i.e., spouse, father, mother, brother, sister) may participate in the Ride-along program. However, prior approval from the Patrol Division Commander must be gained. The Release Form must be signed each time a family member rides. A family member rider will not be assigned to ride along with the relative officer, except with prior approval of the Chief of Police.

E. Officer's Responsibility

1. When an officer is assigned a citizen rider, he will use the opportunity to fully acquaint the citizen rider with the range of issues and problems facing law enforcement officers. He will attempt to expose the citizen to law enforcement work, without putting the citizen into a hazardous situation, and without allowing the citizen to participate in carrying out his duties, or being privileged to confidential or sensitive information and/or situations.

2. When assigned a rider, the officer will immediately make known to the supervisor in charge any unusual assignments that could present a hazard beyond normal risk. The supervisor in charge will then find other means to complete the ride or coordinate with the Division Commander for another ride date.

3. During the course of a ride, if the officer or citizen decides that a danger is present to the citizen, the officer will discontinue the ride. The officer may also discontinue a ride if continuing it would threaten the officer's safety or substantially interfere with the discharge of duties. When discontinuing, the officer will notify the 911 Emergency Communication Center of any delayed response and attempt to provide either immediate transportation to the Police Department or shelter until transportation can be obtained.

4. All riders will, to some degree, alter the normal discharge of the officer's duties and therefore, "interfere" with them to some degree. However, when a rider acts in such a manner that will substantially interfere, the

officer should give one clear warning that the behavior will not be tolerated. If the behavior persists, the ride shall be discontinued. A report to the Patrol Division Commander explaining the problem will assure that the involved citizen will not be allowed to participate in the ride-along program in the future.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.14

SUBJECT: Interaction with the Mentally Ill

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Mental Illness, Guidelines for With
Mentally Ill, Training

DISTRIBUTION: All Personnel

Purpose: To establish guidelines and provide guidance to employees who deal with persons who may be suffering from mental illness.

Policy: Creedmoor Police employees will provide individuals suspected of suffering from mental illness with the same high level of service and protection provided to anyone else. Reasonable procedural adjustments may be made to accommodate individual needs on a case-by-case basis. Individuals will not be taken involuntarily into custody by reason of mental illness alone, but only if they have committed an arrestable offense or have demonstrated by their actions to be a threat to the life or safety of themselves or others.

The Creedmoor Police Department will restrain and transport persons in need of emergency mental commitment and those named in involuntary commitment orders to an appropriate mental health facility for evaluation. The Department will provide transportation, when manpower permits, for individuals who wish to commit themselves to a mental facility. A sworn officer will perform all mental commitments.

Definitions: Mental illness - for the purpose of this order, an illness that lessens the capacity of an individual to exercise self-control, judgment, and discretion in the conduct of his or her affairs and social relations to the degree that it is necessary or advisable for the person to be under treatment, care, supervision, guidance, or control

Mental commitment - for the purpose of this order, taking custody of and transporting an individual in need of mental health evaluation and treatment.

Involuntary emergency commitment - mental commitment executed by an officer without a commitment order on file.

Involuntary non-emergency commitment - mental commitment executed by an officer in accordance with an involuntary commitment order issued by a magistrate or clerk of court.

Voluntary commitment - mental commitment of a person who independently and personally decides to be admitted to a treatment facility.

24-Hour Facility - a facility that provides a structured living environment and services for a period of 24 consecutive hours or more.

Procedure:

I. Employee Training

A. All employees will receive training on how to interact with individuals suspected of suffering from mental illness. Refresher training will be conducted once every three (3) years.

B. Entry-level personnel will receive documented training during the course of their Basic Law Enforcement Training curriculum.

C. Some employees may receive advanced training to include Crisis Intervention Team Training or “CIT”. CIT is a program whose goal is to ensure that mental illness is treated as a disease rather than a crime. Those officers who have attended CIT Training may serve as a resource for others.

II. Recognition of the Characteristics of Mental Illness

A. When called upon to interact with an individual exhibiting abnormal behavior that is suspected of being symptomatic of mental illness, recognition of the characteristics of mental illness may help employees decide on an appropriate response.

B. Symptomatic behavior should be evaluated within the total context of the situation when attempting to determine an individual's mental state and the need for intervention. Guidelines for recognition of the symptoms of mental illness will be provided in employee training.

III. Procedures for Accessing Resources

A. Communications personnel will have ready access to referral information for available community mental health resources and authorized emergency evaluation facilities and will, upon request, provide this information to employees or citizens. During training, employees will be familiarized with procedures for accessing available community mental health resources.

IV. Guidelines for Responding

A. When responding to individuals who exhibit symptoms of mental illness, employees should gather as much information as possible to assess and stabilize the situation. Specific guidelines for dealing with individuals who are suspected of suffering from mental illness will be provided in employee training.

B. No individual will be arrested for behavioral manifestations of mental illness that are not criminal in nature. Taking a mentally ill individual into custody can occur only when the individual:

1. has committed a crime, or

2. presents a danger to themselves or others and meets the criteria for involuntary emergency or non-emergency mental commitment.

V. Commitment Procedures

A. Involuntary Emergency Commitment

1. Any person subject to involuntary commitment due to mental illness and who requires immediate hospitalization to prevent harm to himself or others will be taken into immediate custody and restrained in an appropriate manner.

2. The officer will then transport the person to the nearest 24 hour medical facility for evaluation provided individual is a resident of Creedmoor.

Note: The surrounding Police Chiefs along with the Granville County Sheriff have agreement outlining each law enforcement agency will handle involuntary commitment involving a resident of their individual jurisdictions. All out of county individuals and out of county transports will be handled by the Granville County Sheriff’s Office.

3. In the event that the examining psychiatrist finds no evidence of mental illness, the person will be released and the proceedings terminated. If the person so desires, the officer will provide transportation back to the person's residence.

B. Involuntary Non-Emergency Commitment

1. Once the officer has verified that an order for involuntary commitment is on file, the officer will take the subject of that order into custody and restrain in an appropriate manner with reasonable force. If the officer does not have the actual order in his possession when the person is taken into custody, he must obtain the order before the person is transported to nearest 24 medical facility for examination.

2. Once the facility has relieved the officer of the responsibility for the respondent the officer will return the completed order to the Magistrate's office.

VI. Voluntary Commitment

A. The department will provide transportation, with supervisory approval, if staffing levels permit, for individuals wishing to commit themselves to a mental institution.

B. If there is no one available to transport the individual, the department will make every reasonable effort to locate an alternative source of transportation.

VII. Transportation of Persons Subject to Evaluation

A. An officer of the same sex will provide transportation for persons subject to mental health evaluation (if at all Possible), unless a family member of the person accompanies the person during transport.

B. The preferred option is to have a family member accompany the patient. The second option, if necessary, is to call in a sworn employee of the department who is the same sex as the person being transported. As a last resort, the officer may be accompanied by a non-sworn employee of the department or an available professional who is the same sex as the person being transported.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.15

SUBJECT: Truancy Violations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Truancy

DISTRIBUTION:

Purpose: The purpose of this general order is to establish guidelines/procedures for field contact and detention of children under the age of sixteen who are not in school during regular school hours. The Truancy Program is instituted to keep juveniles in school during the hours they are legally required to be there, in hopes of reducing the number of unsupervised juveniles on our streets during school hours to be victimized by, or to commit, crimes during these hours.

Policy: The Creedmoor Police Department is committed to the development of programs designed to prevent truancy from our schools. General Statute 7A-572(a) authorizes law enforcement officers to take a juvenile into temporary custody who is unlawfully absent from school and return that child to school. It shall be the policy of the Creedmoor Police Department to investigate and detain truancy violators, return truancy violators to school, and release the truancy violator to school officials.

Definitions: The term Truant refers to an individual who is less than sixteen (16) years of age but at least six (6) years of age who is unlawfully absent from school.

Responsibilities/Procedures:

The following procedures shall be used in investigating, detaining, and escorting truants:

I. Officers:

A. Officers who observe a juvenile apparently under the age of sixteen in a public place during normal school hours, and not in the company of an adult, shall initiate an investigation to determine if the juvenile should be in school.

B. The investigating officer shall attempt to identify the youth, determine his or her age, and determine which school the child attends.

C. The investigating officer shall determine if the child has a valid reason for being absent from school. If the officer determines that the child does not have a valid reason for being absent from school, the officer shall attempt to contact the parents in order to facilitate the child's return to school.

D. In the event the child's parent or guardian cannot be reached the officer shall contact school officials and work with the School Resource Officer to arrange for the child's return to class.

E. If the investigating officer finds that the child is absent from school for because of suspension or other valid reason he shall release the child and document the contact in RMS.

F. If the juvenile is on probation the officer shall notify the assigned probation officer.

II. Rules

A. No suspected truant is to be transported from an investigatory truant stop unless the child can be confirmed to be a truant.

B. No suspected truant is to be pursued solely for truancy.

C. Officers are authorized to search a truant, if deemed appropriate, prior to transporting him/her in a police vehicle. Only the minimum amount of force necessary should be used in detaining a truant. The use of handcuffs or force is not appropriate for this type of activity unless preceded by a delinquent act (ie. a criminal violation such as assault, resist/obstruct/delay, etc.), or unless the actions of the truant constitute a threat to the officer or others present at the time.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.16

SUBJECT: Missing and Unidentified Persons

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** #1 – 12/15/16

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Missing Persons; Unidentified Persons; Runaway Juveniles; Temporary Custody of Runaways;

DISTRIBUTION: All Personnel

Purpose: To establish a policy for the investigation of missing and unidentified persons, and to establish guidelines for entry of these reports into the DCI (Division of Criminal Information) and NCIC (National Crime Information Center) automated files.

Policy:

It is the policy of the Creedmoor Police Department to thoroughly investigate all reports of missing or unidentified children and adults without delay.

I. Missing Persons

A. A missing person is a person of any age who is reported missing by someone concerned for the person's health, safety, and well being.

1. Reported missing person cases will be investigated without a waiting period.

2. The investigating officer will initiate and complete an Incident Report and Missing Persons Affidavit (or 16/17 Year Old Runaway / Reporting Person Affidavit as applicable) anytime a person is reported missing. Initial description and information to be gathered shall include, but not be limited to the following:

a. Physical Description (Age, height, weight, DOB, etc.)

b. Mental/Physical Condition

c. Clothing Description

d. Direction/Mode of Travel

e. Destination

f. Reason for Absence

g. Persons in the company of

h. Date/Time/Location last seen

i. Vehicle Description (If Applicable)

3. The investigating officer will immediately notify the on-duty supervisor and have communications issue a local broadcast on the missing person. If the missing person's possible/probable destination is known, the investigating officer may request a message be sent to the appropriate area of destination. A Statewide broadcast may be issued, if necessary.

4. The investigating officer will inquire as to any location(s) the person may visit or frequent.

B. When dealing with a lost child, elderly person, missing person where foul play is suspected or any situation where a search may be required, the following measures will be taken.

1. Notify a supervisor and request additional officers if needed. A systematic approach should be planned for effective deployment of personnel.

2. Ensure that the reporting person(s) remains at a designated location or rides with the initial officer.

3. Contact local hospitals, mental health care facilities and the local County Law Enforcement Detention Center to ensure the person missing has not been admitted at one of those locations.

4. Make a door-to-door canvass of the neighborhood and search parks, schools, churches, and playgrounds.

5. Interview pedestrians and motorists in the area.

6. If the person is not found, resources including radio, television, search dogs, and volunteer rescue squads may be requested. If it is anticipated that search dogs will be required then consideration should be given to the securing the area to prevent contamination of possible travel routes.

C. All cases of missing persons will be actively investigated. If, at any time during the course of this investigation, it is determined that a missing person has met one of the following conditions, the investigating officer will **immediately** have the case entered into the DCI/NCIC Missing Person File.

1. A person of any age who is physically or mentally disabled thereby subjecting themselves or others to personal and immediate danger (e.g., escapee from a mental hospital who is capable of harming themselves or others, a senile person who has wandered off, etc.).

2. A person of any age who is missing under circumstances indicating that the disappearance is not voluntary.

3. A person of any age who is in the company of another person under circumstances indicating that their safety is in danger.

4. A person of any age who is missing following a sudden calamity, disaster, or other catastrophic event (e.g., a person who is unaccounted for following such events as tornados, hurricanes, floods, earthquakes, etc.)

5. All persons under age 21 that have been reported missing or runaways from parents, guardian, or caretaker (regardless of whether a secure or non-secure custody has been requested). The Federal Adam Walsh Act requires entry of persons less than 21 years of age into the DCI/NCIC Missing Person File within two hours from the time the department receives official notice of the person being missing.

6. The Missing Person Data Collection Packet, available online through DCI should be completed in all cases where a person has been missing longer than 30 days. The Federal Adam Walsh Act requires that dental records are entered for missing persons under the age of 21.

D. Officers, upon approval of their immediate supervisor, will complete and distribute a Missing Person Poster.

E. If it is determined by the investigating officer and his supervisor that one or more of the conditions listed in Section II., C., 1-5 exist and publication in the North Carolina Missing Persons Bulletin would aid in locating the person, the following steps should be taken:

1. A copy of the incident report, all supplement reports, and the original photograph (if available) should be forwarded to:

2. North Carolina State Bureau of Investigation
Division of Criminal Information
407 N. Blount Street
Raleigh, NC 27601-1009

3. Officers submitting photographs for this purpose will clearly write the Incident Report Number on the back of the photograph.

4. A cover letter will be prepared for the package indicating if the photograph needs to be returned.

II. AMBER Alert Notification

A. The Amber Alert Notification will be activated upon authorization of the North Carolina Center for Missing Persons for juveniles age 17 and under, who have been reported abducted or it is suspected that their safety is in jeopardy.

B. The North Carolina Center for Missing Persons is the only agency that can authorize the activation an AMBER Alert and will do so ONLY at the request of an investigating law enforcement agency. Based upon information gathered by law enforcement, the Center will determine whether the criteria have been met and if there is sufficient identifying data to justify AMBER Alert activation.
When an Amber Alert is approved and activated, the NC Center for Missing Persons contacts the NC State Highway Patrol with instructions to issue an Emergency Alert System (EAS) message. Through EAS, the Alert is sent to broadcast media designated as primary stations. These primary stations then retransmit the Alert to other radio and television stations and cable systems via the EAS and are broadcast by the participating stations to all listeners/viewers. Radio stations interrupt programming to announce the Alert, while television stations and cable systems run a "crawl" on the screen.
The Center for Missing Persons also notifies NC Department of Transportation, who will run the alert on its changeable message signs located on major highways throughout the state.

C. North Carolina General Statute requires that in order to activate an Amber Alert, **ALL** of the following conditions must apply:

1. The child is 17 years of age or younger.

2. The child is believed to have been abducted or to be in danger of injury or death.

3. The abductor is not known or suspected to be by a parent of the child, unless the child is suspected to be in danger of injury or death.

4. The child is not believed to be a runaway or voluntarily missing.

5. The child's abduction has been reported to and investigated by a law enforcement agency.

D. Amber Alert Procedures for the Creedmoor Police Department are as follows:

1. Ensure that the statutory criteria have been met and that descriptive data regarding the child, and if applicable, the abductor and/or abductor's vehicle has been gathered. Upon determination that the reported incident meets the criteria for activation of an Amber Alert, the investigating officer shall complete a North Carolina Amber Alert Information Form, and the parent, guardian, legal custodian, or person responsible for the child must complete and sign a North Carolina Amber Alert Release of Information Form (see attachment A).

2. Prior to contacting the NC Center for Missing Persons, the child must be entered into NCIC without delay using the Child Abduction Flag. Specific criteria for the use of this Flag are available in Records Division. If a photograph of the child is available in an electronic format, it should be appended to the NCIC entry. Always update the NCIC entry or record as new information becomes available to ensure that the most current and reliable information is disseminated.

3. To complete the Amber Alert Notification, an authorization code must be obtained by calling the North Carolina Center for Missing Persons. The contact phone number is displayed on the DCI Amber Alert Notification screen accessible in communications. **This code should be obtained by a field supervisor, or field commander who is familiar with the facts of the case.**

4. Once the NC Center for Missing Persons determines that an Amber Alert will be activated, the officer will fax the completed Amber Alert Forms (attachment A) to the NC Center for Missing Persons (fax 1-919-715-1682). The officer shall also contact the National Center for Missing and Exploited Children at 1-800-843-5678 to advise of the alert.

5. Communications personnel will complete the Amber Alert Notification through DCI. This transaction sends an intrastate Amber Alert message to all NC law enforcement agencies with DCI access.

6. If the child is believed to have been taken across state lines, communications personnel must be contacted to send an NLETS message to notify appropriate agencies in the state(s) where it is suspected that the child may have been taken.

7. Once the child has been located or the Amber Alert is no longer needed, the responding officer must contact the National Center for Missing and Exploited Children for cancellation of all alert activity and the Records Division to cancel the notification. Records Division will then notify the NC Center for Missing Persons to cancel the DOT road signs displays

while also notifying law enforcement agencies statewide of the cancellation.

III. SILVER Alert Notification

A. The purpose of the Silver Alert system is to provide a statewide system for the rapid dissemination of information regarding a missing person who is believed to be suffering from dementia or other cognitive impairment. Since a person with these impairments often become confused and disoriented, it is imperative that they are found quickly and returned to their caregivers.

B. The Silver Alert system is operated through the North Carolina Center for Missing Persons. Similar to the Amber Alert System, the NC Center for Missing Persons activates media notifications and requests for NCDOT electronic highway sign alerts (if a motor vehicle is involved) for all qualifying incidents. Only the NC Center for Missing Persons can authorize Silver Alert activation upon the request of a law enforcement agency.

C. North Carolina General Statute requires that in order to activate a Silver Alert, **ALL** of the following conditions must apply:

1. The person is believed to be suffering from dementia or other cognitive impairment.

2. The person is believed to be missing regardless of the circumstance.

3. The person's status as missing has been reported to a law enforcement agency having jurisdiction in the area that the individual became or is believed to have become missing.

4. Submission of the missing person report must be made by a parent, spouse, guardian legal custodian, or person responsible for the supervision of the individual.

D. Silver Alert Procedures for the Creedmoor Police Department are as follows:

1. If upon investigation it is determined that a reported missing person meets the criteria for activation of a Silver Alert, the investigating officer shall complete a North Carolina Silver Alert Information Form, and the parent, spouse, guardian, legal custodian, or person responsible for the supervision of the individual must complete and sign a North Carolina Silver Alert Release of Information Form (see attachment B). Officers should also attempt to obtain a photograph of the missing person for media distribution.

2. The officer shall then contact the Creedmoor Police Communications Center without delay to have the case entered into the DCI/NCIC Missing Person File and initiate a statewide BOLO bulletin to other law

enforcement agencies. The NC Center for Missing Persons and the department will work together to notify the surrounding community and media about the missing person. Always update the NCIC entry or record as new information becomes available to ensure that the most current and reliable information is disseminated.

3. To complete the Silver Alert Notification, an authorization code must be obtained by calling the North Carolina Center for Missing Persons. The contact phone number is available in communications as displayed on the DCI screen. This code should be obtained by a field supervisor, or field commander who is familiar with the facts of the case. The Creedmoor Police Department Communications Center phone number shall be provided as a 24 hour attended number to receive calls from the public regarding the alert.

4. Once the NC Center for Missing Persons determines that a Silver Alert will be activated, the officer will fax the completed Silver Alert forms (attachment B) to the NC Center for Missing Persons (fax 1-919-715-1682). The NC Center for Missing Persons and the department will work together to notify the surrounding community and media about the missing person.

5. The Silver Alert is a statewide transaction. If the missing person is believed to have traveled across state lines, the communications center should be instructed to send out an NLETS Administrative Message to notify the appropriate agencies in contiguous states where the person may have traveled.

6. If the missing person has walked away in a known localized area, the officer can contact “A Child is Missing Alert” (1-888-875-2246, fax 1-954-763-4569) to activate automated telephone calls to residents and businesses in the immediate area.

7. If the Silver Alert is for a person under the age of 21, the officer shall notify the National Center for Missing and Exploited Children at 1-800-843-5678.

8. Once the individual has been located, the responding officer shall notify the communications center for cancellation of NCIC entries and BOLO’s. If applicable, the officer shall contact “A Child is Missing Alert” and the National Center for Missing and Exploited Children to cancel their alert activity. Communications will contact the NC Center for Missing Persons to cancel the DOT road sign displays while also notifying law enforcement agencies statewide of the cancellation.

IV. Unidentified Persons

A. The purpose of the automated DCI Unidentified Person File is to aid in the identification of unidentified living persons who may be amnesia victims or persons of any age who are unable to ascertain their own identity. The file includes descriptive data such as blood type, dental characteristics, amputations, corrective visual description, etc. The entry of all possible physical descriptors is crucial to the timely and positive identification of an unidentified person. Fingerprint classification and dental characteristics are vital in these records.

B. Entry into DCI Unidentified Person File may be made under the following circumstances:

1. Living persons of any age who are unable to provide identifying information. The information on unidentified living persons should be entered only if the person gives consent, or if they are physically or mentally unable to give consent.

2. Unidentified deceased persons may be entered into DCI/NCIC only by the State Bureau of Investigation after verification of information by the State Medical Examiner's Office. The investigating officer should furnish the information to the SBI for entry.

V. Follow Up

A. Officers will attempt to make contact with the reporting person at least once every ten (10) days until the case is closed. This contact will be documented in a supplement report.

B. The investigating officer will insure the NCIC entry is updated as new identifiable information is received.

C. All missing person cases will remain open for one year unless the missing person is located. **After one year the following steps shall be taken:**

1. If an existing blood relative is available, the investigating officer will contact the National Missing and Unidentified Persons System (NamUs) at 800-763-3147 (www.namus.gov), to obtain a Family Reference Sample Kit. Using the instructions provided in the kit, the investigating officer will obtain a DNA saliva sample from the relative and submit the sample to NamUs for comparison with unidentified human remains.

2. The case file including all reports shall be submitted to the investigator's Division Commander for review. If the Division Commander determines all leads have been exhausted, the case will be closed LEADS

EXHAUSTED by the Division Commander, pending further investigative leads.

3. The missing person will remain in NCIC/DCI as missing, and the investigating officer will still be responsible for NCIC/DCI validations until the person is located. Any officer receiving new information on the case will document his or her findings in a supplement report, and forward the report to the investigating officer for follow up investigation.

D. If a missing person is located, it will be the responsibility of the officer locating the missing person to notify the Records Section ensuring that all NCIC/DCI entries are removed. Removal of any record from NCIC/DCI will be documented in a supplement report.

E. A missing person report may be closed 'Services Rendered' by an officer other than the investigating officer, if direct contact is made by that officer with the person reported missing *and* there are no other circumstances needing investigation. Contact with the reporting person is not sufficient to close the case. A copy of the supplement indicating the missing person has returned or is located is to be routed to the investigating officer.

F. In cases involving unidentified living persons the officer obtaining the identity of any such person will notify communications and have NCIC/DCI files canceled. Supplements documenting identification will be filed by the officer denoting cancellation.

VI. 16-17 YEAR OLD RUNAWAYS

See General Policy Manual for instructions.

VII. Attachments

A. Attachment A – North Carolina Amber Alert & Release of Information Forms

B. Attachment B - North Carolina Silver Alert & Release of Information Forms

NORTH CAROLINA AMBER ALERT FORM (Page 1)

(Please complete this form and fax both pages to the NC Center for Missing Persons at FAX Number 919 715-1682)

Reporting Law Enforcement Agency_____

Investigating Detective_____Supervisor _____

Telephone Number_____Facsimile Number_____

Pager Number_____Cellular Number_____

****

Date of Notification_____ Time of Notification_____

Date of Abduction_____ Time of Abduction_____

Location of Abduction_____

Location Last Seen_____
(If different than location of abduction)

Direction of Travel_____

Destination_____
Probable_____Possible_____Unknown_____

Vehicle Description_____
(Make, Model, Year, **Color**, License Plate Number and State of Issue)
(Indicate how reliable this information is)

****

How many children were abducted? _____ [For more than one child use additional page(s)]

Name_____
(Last) (First) (Middle) (Nickname)

Gender_____DOB_____Age_____Race_____Skin Complexion_____

Height_____ Weight_____ Hair Color_____ Hair Length_____ Hair Style_____ Eyes_____

Other Distinguishing Physical Characteristics_____

When Last Seen Child Was Wearing:

Shirt_____
(Type, Color, Sleeve Length, Pullover, Buttoned, etc.)

AMBER ALERT FORM (Page 2)

Pants or Skirt_____

Shoes/socks _____

Outerwear _____

In possession of _____
(Pet, Toy, etc.)

Other _____

****

How Many Abductors were there? _____ [If more than one, use additional page(s)]

Name_____
(Last) (First) (Middle) (AKA)

Gender_____DOB_____Age_____Race_____Skin Complexion_____

Height_____Weight_____Hair Color_____Hair Style_____Hair Length_____Eyes_____

Other Distinguishing Physical Characteristics_____

When Last Seen Abductor Was Wearing:

Shirt_____

Pants/Skirt_____

Shoes/Socks_____

Outerwear_____

Additional Identifiers_____

Details of Abduction_____

_____

_____

_____

_____

Attachment A

NORTH CAROLINA AMBER ALERT
RELEASE OF INFORMATION FORM

The undersigned hereby authorizes full disclosure of all records concerning my child, _____, to the Center for Missing Persons (hereinafter referred to as the Center) and its agents and the law enforcement agencies investigating this case and their agents. I also agree that such information may be reviewed and stored provided it is done so in a confidential manner and I do so regardless of any agreement I may have made to the contrary with any other individual or entity to whom my child's information is released or presented. I also agree to release from liability any person or entity who releases such information pursuant to this investigation. For the purpose of this release, information shall include but is not limited to all documentation and photographic images as well as the spoken word.

A photocopy or electronically transmitted facsimile of the release form will be valid as an original thereof, even though it does not bear an original representation of my signature.

I hereby agree to these provisions and willingly sign my name below.

Print or Type Name_____
(Last) (First) (Middle)

Current Address_____
(House Number and Street) (Apt. or Lot Number) (City, State, Zip Code)

Signature_____

I hereby agree the information I have provided to the Center or its agents or designees to be truthful, factual, and correct. I also agree to and understand the necessity for and give authority to the Center, its agents, or designees to release this information to the North Carolina Association of Broadcasters and/or its associates, to other commercial partners, and to essential State agencies and subsidiaries for the purpose of alerting the public about the abduction of my child.

As parent/legal custodian, I also understand that in order for the Center to activate the North Carolina AMBER Alert, the following criteria must be met:

1. The child is 17 years of age or younger;
2. The child is believed:
   a. To have been abducted, or
   b. To be in danger of injury or death;
3. The abduction is not known or suspected to be by a parent of the child, unless the child's life is suspected to be in danger;
4. The child is not believed to be a runaway or voluntarily missing; and
5. The abduction has been reported to and investigated by a law enforcement agency.

I am also aware I may be charged criminally for committing the crime of knowingly providing false information to law enforcement authorities. I have read and fully understand the contents of the agreement.

Print or Type Name_____

Signature_____

Attachment A

SPANISH AMBER ALERT RELEASE OF INFORMATION FORM

LA ALERTA AMBER DE NORTH CAROLINA
LA FORMA LIBERACION DE INFORMACION

El abajofirmante por la presente autoriza la revelación repleta de todo registra concerniente mi niño, _____, al Centro para Personas Desaparecidas (se refirió más adelante a como el Centro) y sus agentes y las agencias del orden publico que investigan este caso y a sus agentes. Concuerdo también esa tal información se puede revisar y puede ser almacenada proporcionó lo es hecho así en una manera confidencial y yo hago así a pesar de cualquier acuerdo que puedo haber hecho al contrario con cualquier otro individuo o la entidad a quien la información de mi niño se libera o es presentada. Concuerdo también liberar de la responsabilidad cualquier persona o la entidad que libera tal información según esta investigación. Para el propósito de esta liberación, la información incluirá pero no es limitada a toda documentación e imágenes fotográficas así como también la palabra hablada.

Una fotocopia o facsímile electrónicamente transmitido de la forma de la liberación serán válidos como una original del mismo, aunque no soporta una representación original de mi firma.

Yo por la presente concuerdo a estas provisiones y de buena gana firmo mi nombre abajo.

Imprima o Escriba Nombre_____
(apallido) (primero) (centro)

Dirección actual_____
(el Número y la Calle)(Propenso o el Número de Terreno) (la Ciudad, el Estado, Código de Cremallera)

Firma_____

Yo por la presente les concuerdo la información que he proporcionado al Centro o sus agentes o designees para ser veraz, basado en hechos, y correcto. Concuerdo también a y entiendo la necesidad para y doy la autoridad al Centro, sus agentes, o designees para liberar esta información a la Asociación de Locutores de North Carolina y/o sus socios, a otros socios comerciales, y a agencias esenciales de Estado y sucursales para el propósito de poner sobre aviso el público acerca del secuestro de mi niño.

Como padre/custodio legal, yo entiendo también que en orden para el Centro para activar la Alarma AMBER de North Carolina, los criterios siguientes se deben reunir:

1. El niño es 17 años de la edad o menor;
2. El niño es cree:
   a. Que haber sido secuestrado, o
   b. Que estar en peligro de la herida o la muerte;
3. El secuestro no se sabe ni es sospechado que estar por un padre del niño, a menos que la vida del niño se sospeche que estar en peligro;
4. El niño no es creído para ser un fugitivo ni voluntariamente perdido; y
5. El secuestro ha sido informado y investigado por una agencia de la policia.

Estoy también enterado que puedo ser cargado criminalmente para cometer el crimen de astutamente proporcionar información falsa a autoridades de orden publico. He leído y he entendido completamente el contenido del acuerdo.

Imprima o Escriba Nombre_____

Firma_____

NORTH CAROLINA SILVER ALERT INFORMATION FORM

(Please complete this form and Contact the NC Center for Missing Persons for further instruction at 1(800) 522-5437.)

Reporting Law Enforcement agency: _____

Investigating Detective: _____Supervisor: _____

Telephone Number: _____Fax Number: _____

Pager Number: _____Cellular Number: _____

****

Date of Notification: _____Time of Notification: _____

Date of Incident: _____Time of Incident: _____

Location of Incident: _____

Location Last Seen: _____
(If different from location of Incident)

Direction of Travel:
_____

Possible Destination:
_____

Vehicle Description:
_____
(Make, Model, Year, Color, License Plate Number and State of Issue)

****

How many individuals are missing _____? For more than one missing person, use additional page(s)

Name: _____
(Last) (First) (Middle) (Nickname)

Gender: ____ DOB: _____Age: _____Race: _____Height: ___Weight:____

Hair Color: _____ Hair Length: _____ Eyes: ____

Other Distinguishing Physical Characteristics:

_____

Give clothing description:

_____

_____
(Type, Color, Sleeve Length, Pullover, Buttoned, etc.)

Pants or skirt:

_____

Shoes/socks: _____

Outerwear: _____

In possession of:

_____
(Credit Cards, Cash, Pet, etc.)

Other: _____

****

Circumstances of Missing Person:

_____

_____

_____

_____

_____

Specific health information about the missing person, beyond the fact that the missing person is believed to be suffering from dementia or some other cognitive impairment is not made public.

11/28/2007

NORTH CAROLINA SILVER ALERT
RELEASE OF INFORMATION FORM

The undersigned hereby authorizes full disclosure of all records regarding missing person_____,
to the Center for Missing Persons (hereinafter referred to as the Center) and its agents and the law enforcement agencies investigating this case and their agents. I also agree that such information may be reviewed and stored provided it is done so in a confidential manner and I do so regardless of any agreement I may have made to the contrary with any other individual or entity to whom the missing person's information is released or presented. I also agree to release from liability any person or entity who releases such information pursuant to this investigation. For the purpose of this release, information shall include but is not limited to all documentation and photographic images as well as the spoken word.

A photocopy or electronically transmitted facsimile of the release form will be valid as an original thereof, even though it does not bear an original representation of my signature.

I hereby agree the information I have provided to the Center or its agents or designees to be truthful, factual, and correct. I also agree to, and understand the necessity for and give authority to the Center, its agents, or designees to release information to the North Carolina Association of Broadcasters and/or its associates, to other commercial partners, and to essential State agencies and subsidiaries for alerting the public about the missing person. As parent/legal custodian or person responsible for the supervision of the missing individual, I also understand that in order for the Center to activate the North Carolina Silver Alert, the following criteria must be met:

§ 143B-499.8. of the North Carolina General Statutes requires that, in order to activate a Silver Alert, ALL of the following conditions must be met:

The person is *believed* to be suffering from dementia or other cognitive impairment;

The person is *believed* to be missing regardless of circumstance;

The person's status as missing has been reported to a law enforcement agency having jurisdiction of the area in which the individual became or is believed to have become missing;

Submission of the missing person's report is made by any parent, spouse, guardian, legal custodian, or person responsible for the supervision of the missing individual.

Law enforcement reports the incident to the North Carolina Center for Missing Persons.

Specific health information about the missing person, beyond the fact that the missing person is believed to be suffering from dementia or some other cognitive impairment is not made public.

I am also aware I may face criminal and/or civil penalties for providing false information to law enforcement authorities.

I hereby agree to these provisions and willingly sign my name below**. I am authorized** to make this report under the legal authority as this missing individuals:

CIRCLE ONE:

[***parent, spouse, guardian, legal custodian, or person responsible for the supervision of the missing individual***]

Print or Type Name:

_____

(Last) (First) (Middle)

Current Address: _____

(Street Address) (Apt/Lot Number) (City, State, Zip Code)

Signature: _____

07-31-2008

http://www.nccrimecontrol.org/div/ale/missingpersons/SilverAlertReleaseofInformation.doc

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.17

SUBJECT: Juvenile Custody Procedures

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Juvenile Custody Procedures; Juvenile Petition; Juvenile Contact Report; Temporary Custody of Juveniles; Secure Custody Order; Fingerprinting and Photographing Juveniles; Juvenile Records; Runaway Juveniles

DISTRIBUTION: All Personnel

Purpose: To establish guidelines for the investigation and handling of cases involving juveniles.

Definitions:

(NCGS 7B-101)

ABUSED JUVENILE - A juvenile less than 18 years of age whose parent, guardian, custodian, or caretaker:

1. Inflicts or allows to be inflicted upon the juvenile a serious physical injury by other than accidental means;

2. Creates or allows to be created a substantial risk of serious physical injury to the juvenile by other than accidental means;

3. Uses or allows to be used upon the juvenile cruel or grossly inappropriate procedures or cruel or grossly inappropriate devices to modify behavior;

4. Commits, permits, or encourages the commission of any one of a number of violations of the criminal code (as outlined in N.C.G.S. 7B-401) by, with, or upon the juvenile, including sexual offenses, obscenity offenses, and prostitution;

5. Creates or allows to be created serious emotional damage to the juvenile as evidenced by a juvenile's severe anxiety, depression, withdrawal, or aggressive behavior toward himself or others;

6. Encourages, directs, or approves of delinquent acts involving moral turpitude committed by the juvenile.

DEPENDENT JUVENILE - A juvenile less than 18 years of age in need of assistance or placement because he has no parent, guardian, or custodian responsible for his care or supervision or whose parent, guardian, or custodian is unable to provide for the care or supervision, and lacks an appropriate alternative child care arrangement.

NEGLECTED JUVENILE - A juvenile who does not receive proper care, supervision, or discipline from the parent, guardian, custodian, or caretaker; or who has been abandoned; or who has not been provided necessary medical or remedial care; or who lives in an environment injurious to the juvenile's welfare; or who has been placed for care or adoption in violation of the law.

(NCGS 7B-1501)

DELINQUENT JUVENILE - Any juvenile who, while less than 16 years of age but at least 6 years of age, commits a crime or infraction under state law or local ordinance including motor vehicle laws.

UNDISCIPLINED JUVENILE - A juvenile who

1. while less than 16 years of age but at least 6 years of age, is unlawfully absent from school; or who is regularly disobedient to and beyond the disciplinary control of the juvenile's parent, guardian, or custodian, or is regularly found in places where it is unlawful for a juvenile to be; or who has run away from home for a period of more than 24 hours.

2. is 16 or 17 years of age and who is regularly disobedient to and beyond the disciplinary control of the juvenile's parent, guardian, or custodian; or is regularly found in places where it is unlawful for a juvenile to be; or who has run away from home for a period of more than 24 hours.

JUVENILE – Except as provided above [NCGS 7B-1501.(7) & NCGS 7B-1501.(27)], any person who has not reached their eighteenth birthday and is not married, emancipated, or a member of the armed forces of the United States.

NON-SECURE CUSTODY - A written order directing a law enforcement officer or other authorized person to assume custody of the juvenile and take the juvenile to the place designated by the order. The officer executing the order shall give a copy of the order to the parent, guardian, custodian, or caretaker.

PETITION - A legal document that initiates a juvenile court proceeding.

SECURE CUSTODY ORDER - A written order directing a law enforcement officer or other authorized person to assume custody of the juvenile and take the juvenile to an approved detention facility. The officer executing the order shall give a copy of the order to the parent, guardian, custodian, or caretaker.

TEMPORARY CUSTODY [NCGS 7B-1900] - Taking physical custody and providing personal care and supervision of a juvenile until a court order for secure or non-secure custody can be obtained.

Procedure:

I. CRITERIA FOR TEMPORARY CUSTODY OF UNDISCIPLINED AND DELINQUENT JUVENILES (NCGS 7B-1900):

Officers may take a juvenile into temporary custody without a court order under the following circumstances:

A. If grounds exist for the arrest of an adult in identical circumstances under N.C.G.S. 15A-401(b); or

B. if there are reasonable grounds to believe that the juvenile is an undisciplined juvenile; or

C. The juvenile is an absconder from any residential facility operated by the Office of Juvenile Justice or from an approved detention facility.

II. CRITERIA FOR TEMPORARY CUSTODY OF ABUSED, NEGLECTED, OR DEPENDENT JUVENILES (NCGS 7B-500):

A. An officer may take temporary custody of a juvenile without a court order if reasonable grounds exist to believe one or more of the following circumstances exist:

1. The juvenile is abused; or

2. neglected; or

3. dependent, *and* the juvenile would be injured or could not be taken into custody if it were first necessary to obtain a court order.

III. DUTIES OF OFFICERS TAKING JUVENILES INTO TEMPORARY CUSTODY (NCGS 7B-501)

Any officer who takes a juvenile into custody without a court order shall proceed as follows:

A. Notify the juvenile's parent, guardian, or custodian that the juvenile has been taken into temporary custody and advise the parent, guardian, or custodian of the right to be present with the juvenile until determination is made as to the need for secure or non-secure custody.

B. Release the juvenile to the juvenile's parent, guardian, or custodian if the officer having the juvenile in temporary custody decides that continued custody is unnecessary. In the case of a juvenile unlawfully absent from school, if continued custody is unnecessary, the officer may deliver the juvenile to the juvenile's school.

C. If the juvenile is not released, as provided for in (B) above, then the officer must proceed as follows:

1. In the case of juveniles alleged to be delinquent or undisciplined, the officer shall request a petition as set out in Section VIII (Juvenile Petitions).

2. In the case of a juvenile alleged to be abused, neglected, or dependent, the officer should contact the Department of Social Services, (DSS) who shall make a determination for filing the petition and the need for continued custody.

D. A juvenile who is taken into temporary custody without a court order shall not be held for more than 12 hours, or for more than 24 hours if any of the 12 hours falls on a Saturday, Sunday, or legal holiday, unless a petition has been filed by an intake counselor or the Director of DSS and an order for secure or non-secure custody has been entered by a judge.

E. An officer who takes a juvenile into temporary custody after the juvenile has run away from a detention or training school must proceed as outlined in Section V (Duties of the Officer Taking Juveniles into Secure Custody).

F. An officer may take physical temporary custody of a juvenile who is 16 or 17 years of age if the juvenile is alleged to be undisciplined by virtue of the juvenile being a runaway. An officer who takes a juvenile 16 or 17 years of age into custody pursuant to this section shall return the juvenile to the custody of the juvenile's parent, guardian, or custodian, unless;

1. there are reasonable grounds to believe the juvenile is abused, neglected, or dependent and would be injured if returned to the custody of the parent, guardian, or custodian, or

2. the juvenile is inappropriate for non-secure custody or refuses non-secure custody, and the court finds that the juvenile needs secure custody.

Then the officer shall notify the parent, guardian, or custodian that the juvenile has been taken into custody.

G. State law requires that a parent or guardian must be notified by an officer who charges a minor child (below age 18) with a criminal offense, DWI, or any moving violation for which four points or more could be assessed.

1. The only exception is that of the emancipated minor.

2. A telephone call to a parent or guardian will satisfy all statutory requirements. If this type of notification is used, the officer should indicate in the complaint report that the proper notification was made, and completion of the form will not be necessary.

IV. CRITERIA FOR SECURE CUSTODY ORDERS (7B-1903)

A. A juvenile may be placed in secure custody when a judge or his designee finds reasonable factual basis to believe that any of the following circumstances exist:

1. The juvenile is charged with a felony and has demonstrated that he is a danger to property or persons.

2. The juvenile is charged with a misdemeanor offense, at least one element of which is assault on a person.

3. The juvenile willfully failed to appear on a pending charge of delinquency, violation of probation, or conditional release after being properly notified. (A secure custody order must be on file.)

4. A delinquency charge is pending and there is reasonable cause to believe the juvenile will not appear in court.

5. The juvenile is an absconder from any residential facility operated by the Office of Juvenile Justice or any detention facility in this State or any comparable facility in another state.

6. The juvenile has recently suffered or attempted self-inflicted physical injury and should be detained for his own protection. (In such a case, the juvenile must have been refused admission by one appropriate hospital and secure custody will be limited to 24 hours.)

7. The juvenile is alleged to be undisciplined by virtue of being a runaway and is found to be inappropriate for non-secure custody placement or refuses non-secure custody.

8. The juvenile is alleged to be undisciplined and has willfully failed to appear in court after proper notice. (A custody order must be on file)

V. DUTIES OF THE OFFICER TAKING JUVENILES INTO SECURE CUSTODY (7B-2100)

In the case of juveniles alleged to be delinquent or undisciplined and who meet the criteria for secure custody, the officer shall proceed as follows:

A. During normal business hours (Monday through Friday, 0800 until 1700 hours) the officer should contact the Juvenile Court Counselor's Office and request to speak with an intake counselor, who will determine if secure custody will be granted.

B. After normal business hours, during weekends and holidays, the officer shall contact the on-call Juvenile Intake Counselor (number provided by Communications) who will determine if secure custody will be granted.

C. If the intake counselor grants secure custody, the officer will be provided with information on where to obtain the custody order and instructions on transportation of the juvenile to an approved detention facility.

D. If the intake counselor does not grant secure custody, the officer will release the juvenile to a parent, custodian, or guardian. The officer would then forward the report and information to the Juvenile Officer for preparation of a petition as set forth in Section IV, (Juvenile Petitions).

VI. SERVICE OF SECURE CUSTODY ORDERS (7B-1806)

A. Secure Custody Orders will be filed in the Records Section. The officer who obtains a juvenile petition as a result of any investigation may have that juvenile entered into DCI/NCIC by filing a request with a certified DCI operator.

B. The Juvenile Officer will regularly check the Records Office for secure custody orders and attempt to serve these papers.

C. Any officer who serves a secure custody order will:

1. Complete the Juvenile Contact Report form (DCI –610F).

2. Complete and submit a Supplement Report as appropriate and route a copy to the Criminal Investigations Division for information.

3. Forward a copy of the Juvenile Contact Report form to the Juvenile Officer.

4. Remove all copies of the Order from the clipboard in the Records Section.

5. Remove the juvenile(s) from local/DCI/NCIC files, as appropriate.

D. The officer serving the order will execute the original and return it to the Juvenile Court Counselor's Office via the office of the County Clerk of Superior Court (returning to the magistrates office is acceptable). Officers will distribute the three (3) copies of the Secure Custody Order as follows:

1. A copy to transporting agency for the Youth Detention Center.

2. A copy to the juvenile being detained.

3. A copy to the parent/guardian/custodian of the juvenile.

VII. CRITERIA FOR NON-SECURE CUSTODY ORDERS (7B-1903)

A. A juvenile may be considered for non-secure custody if any of the following circumstances exist:

1. The juvenile has been abandoned.

2. The juvenile has suffered physical injury or sexual abuse.

3. The juvenile is exposed to substantial risk of physical injury or sexual abuse if left in his present home environment (This would include the residence of parents, guardians, custodians, or any other court appointed location).

4. The juvenile needs medical treatment to alleviate, cure, or prevent serious physical harm that may result in death, disfigurement, or substantial impairment of bodily functions and his parent, guardian, or custodian is unwilling or unable to provide or consent to the treatment.

5. The parent, guardian, or custodian consents to non-secure custody.

6. The juvenile is a runaway and consents to non-secure custody.

7. The juvenile meets one or more of the criteria for secure custody but the court finds that in the juvenile's best interest, he receive non-secure placement.

B. An officer who has a juvenile in non-secure custody by court order will arrange for the juvenile to be transported to the place designated in the court order as soon

as possible and make due return on the order, ensuring the juvenile's constitutional rights are protected.

VIII. JUVENILE PETITIONS (7B-402)

An officer desiring to seek prosecution of a juvenile who does not meet the criteria secure custody shall proceed as follows:

A. Complete an incident/investigation report detailing the circumstances and probable cause for the charges

B. Deliver a copy of the completed incident report and juvenile contact form to the Juvenile Officer.

C. Obtaining a petition:

1. The Juvenile Officer will prepare petitions for all juvenile court matters unless a juvenile is immediately taken into secure custody. Officers will confer with the Juvenile Officer as necessary to assist the Juvenile Officer as he prepares a petition.

2. Once the petition is completed, the Juvenile Officer will sign the petition in the presence of a Notary Public. The Juvenile Officer will then hand-deliver the petition to the office of the Clerk of Superior Court for filing.

D. Juvenile matters which meet the criteria for immediate Secure Custody will be handled by Juvenile Court Counselors during their normal business hours (Monday - Friday, 0800 - 1700) and by the on-call Juvenile Court Counselor during non- business hours, weekends, and holidays.

E. A "non-custody" matter or case that does not warrant immediate secure custody shall not be referred directly to the Juvenile Intake Office. The Juvenile Officer will process all other petitions.

IX. JUVENILE INTERROGATION REQUIREMENTS (NCGS 7B-2101)

A. Interrogation of juveniles will be conducted in compliance with law and this general order.

B. The interrogation will usually be conducted by no more than two officers and normally not exceed three uninterrupted hours.

C. **Custodial Interviews of Juveniles under 14 years old**

1. During any custodial interview of a juvenile who has not reached his 14th birthday, the juvenile's parent, guardian, custodian or attorney must be present.

2. The Creedmoor Police Department Juvenile Rights Waiver Form will be used.

3. ALL sections applicable to juveniles who have not reached age 14 will be read and completed.

D. **Custodial Interviews of Juveniles under 18 years old**

1. a juvenile who is at least 14 years of age but has not reached his 18th birthday, and who is not married, a member of the armed forces or otherwise emancipated, has the right to have a parent, guardian, custodian or attorney present during questioning.

2. The Creedmoor Police Department Juvenile Rights Waiver Form will be used. ALL sections applicable to juveniles who are at least 14 will be read and completed.

E. **Non-Custodial Interviews of Juveniles under 16 years old**

1. Officers who conduct a non-custodial interview of a juvenile who is under the age of 16 should make every reasonable effort to notify a parent, guardian, or custodian before the interview, if such notification will not adversely impact the investigation, as a practice of courtesy.

2. In emergency situations, the notification may be made as soon as practical after the interview.

X. NON-TESTIMONIAL IDENTIFICATION PROCEDURE (NCGS 7B-2103):

A. Non-testimonial identification procedures may not be conducted on any juvenile under the age of 16 without a court order.

B. Non-testimonial identification procedures include fingerprinting (except as provided by NCGS 7B-2102), photographs (except as provided by NCGS 7B-2102), palm prints, footprints, measurements, hair samples, handwriting exemplars, lineups, or similar identification procedures requiring the presence of the suspect. Test results are required to be destroyed pursuant to NCGS 7B-2108.

C. A show-up is not a non-testimonial procedure and requires no court order.

D. Extraction of body fluids and body cavity searches are only permitted with a search warrant.

E. No court order is required for the use of otherwise lawfully obtained photographs such as yearbook pictures for identification purposes.

F. Officers will consult with the District Attorney when considering a "non-testimonial identification procedure".

XI. FINGERPRINTING AND PHOTOGRAPHING OF JUVENILES (NCGS 7B-2102):

Officers will present juveniles under age 16 for fingerprints and a photograph only at the direction of the Administrative Office of the Courts and subject to applicable law. Those 16 and over may be processed for identification the same as adults.

XII. SPECIAL PROCEDURES:

Juvenile victims of sexual and physical abuse/assaults should be examined and treated at an area medical facility.

XIII. RUNAWAY JUVENILES (NCGS 7B-2800)

A. Officers should promptly enter the names of runaway juveniles into the DCI/NCIC automated files, in accord with Creedmoor Police Department policy for Runaway Juveniles and Missing Persons

XIV. RECORDS RELATING TO JUVENILES [7B-3001]

A. Unless jurisdiction of the juvenile has transferred to the Superior Court, all department records and files concerning a juvenile shall be kept separate from the records and files of adults, and shall be withheld from public inspection.

B. The following persons may have access to examine and obtain copies of the department's juvenile records and files without a court order;

1. The juvenile (except for criminal investigation details)

2. The juvenile's parent, guardian, custodian, or the authorized representative of the juvenile's parent, guardian, or custodian (except for criminal investigation details)

3. The district attorney or prosecutor

4. Court counselors

5. Sworn law enforcement personnel with a clear "need to know."

XV. DUTIES AND FUNCTION OF JUVENILE INVESTIGATOR

A. A Juvenile Operations component is established within the Criminal Investigations Division. The functions of this component, and the duties of the Juvenile Investigator include:

1. Designing and implementing programs and strategies intended to prevent and control delinquent and criminal behavior by youth in the community

2. Follow-up processing of juvenile arrests and petitions

3. Maintenance of juvenile records for the department

4. Coordination and preparation of court cases in which a juvenile offender is involved

5. Assisting agency officers with juvenile investigations, and

6. Maintaining liaison with other agencies and organizations interested in juvenile matters and delinquency prevention

7. Follow-up investigations involving juvenile offenders, as assigned.

B. The Juvenile Investigator shall meet with the Chief Court Counselor and Child Protective Services when necessary to discuss problems or pertinent changes in policy or procedures affecting their respective agencies.

XVI. ANNUAL EVALUATION

The Investigations Division Commander will conduct an annual review and written evaluation of all enforcement and prevention programs relating to juveniles. The evaluation should consider both the quantitative and qualitative elements of each program, lending itself to decisions regarding whether a specific program should function as is, be modified, or be discontinued. This review will be forwarded by the Investigations Division Commander to the Chief of Police no later than February 15th of each year.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 6.18

SUBJECT: Safeguarding Children in Arrest or Traumatic Situations

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:** All Personnel

PURPOSE:

The purpose of this policy is to establish new and enhance existing collaborations between this department, Department of Social Services (DSS), and other key partner organizations in order to minimize the potential trauma to a child whose parent is arrested. Whenever possible, the child should be diverted from official custody and be placed with a responsible caregiver. The primary goal of this policy is to minimize trauma experienced by the child who witnesses a parent's arrest and the separation caused by the arrest while maintaining the integrity of the arrest and the safety of officers, suspects, and other involved individuals.

POLICY:

It is the policy of this department that officers will be trained to identify and respond effectively to a child, present or not present, whose parent is arrested in order to help minimize potential trauma and support a child's physical safety and well-being following an arrest.

DEFINITIONS:

Child: Any un-emancipated person under the age of 18, or as otherwise defined by state law, whether or not he or she is present at the arrest. (As used herein, "child" refers to both an individual child or multiple children.)

Parent: Any adult who is legally responsible for the well-being, supervision, and care of a child. In most cases, this individual is a biological or adoptive parent, or guardian.

Caregiver: A responsible adult selected to temporarily care for the child in situations where another individual with legal custody of the child is unavailable. In some cases, responsibility for the temporary care and supervision of a child may be delegated to a relative, neighbor, friend, or another adult, as they are willing and able.

DSS: A public service agency having the authority to assume responsibility for the care, welfare, and temporary supervision of a child pursuant to law.

Partner Organization: A group or agency with interests aligned with this department with regards to safeguarding a child from trauma when his or her parent is arrested. This may include, but is not necessarily limited to, DSS, probation/pretrial entities, victim advocates, corrections, medical/ mental health services, schools, youth-serving organizations and faith-based programs.

Trauma: Individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's functioning and physical, mental, social, emotional, or spiritual well-being.

Responsible Adult: An individual over 18 years of age who can pass a preliminary NCIC check and clear a child protection registry background check to ensure that he/she does not have any arrests

I. PROCEDURES

A. Chief Executive Responsibilities Agency Coordination

1. This department shall have a cooperative agreement with DSS and/or partner organizations that can provide on-site and other assistance to law enforcement requests for assistance when a child's parent is arrested.

2. Regular meetings shall be held involving all partner organizations to review and evaluate the effectiveness of joint operational protocols and to make improvements where necessary.

3. The department's chief executive shall designate a liaison who is responsible for ensuring that follow-up is conducted to support the well-being of the child of an arrested parent.

4. Officers shall be provided with a list of agencies that have partnered under the cooperative agreement, along with contact information for each. These agencies may be contacted by the arresting officer, or another component of this department, when officers need assistance during the arrest of a parent.

B. Training

1. Officers of this department shall be trained to effectively communicate with the child using developmentally appropriate language during a parental arrest.

2. This department shall provide recruit training and routine in-service training on child development and the effects of trauma on the child so that officers can effectively support the well-being of a child of an arrested parent.

C. Pre-Arrest Planning Call takers at the emergency communications center (ECC) shall ask callers if a child is present at the scene. If ECC determines that a child is present at the scene of a reported incident, responding officers shall be notified.

D. When service of an arrest or search warrant is planned

1. Where possible, officers shall determine whether any child is likely to be present at the location.

2. When reasonably possible, officers may delay an arrest until the child is not likely to be present (e.g., at school or daycare), or consider another time and place for making the arrest. If delay is not possible, arrangements should be made in advance to have representatives from DSS and/or appropriate partner organizations at the scene or on call.

3. When reasonably possible, officers shall determine if the arrestee and other family members are English-language proficient. If not, arrangements should be made to provide a translator. A parent should not be allowed to interpret for a child and a child should not be allowed to interpret for a parent.

E. Making an Arrest General Procedures

1. The officer shall inquire whether the arrestee is a parent of a child who would need arrangements for supervision because of the arrest. The inquiry shall include any child who may not be present at the time but who is expected to return home from school, a babysitter, a friend’s home, or other location or activity.

2. Adults may be reluctant to disclose the presence of or responsibility for a child for fear that they may lose custody. Therefore, when making an arrest, and when safe to do so, the officer shall be aware of any items in plain view that may indicate the presence of a child, such as toys, diapers, and similar items.

3. If a parent is responsible for a child, whether or not the child is present, a determination regarding appropriate placement shall be made (see IV.D.).

F. When a Child is Present

If a child is present, the officer shall

1. Take custody of the child in accordance with state law when the officer reasonably believes there is a threat of imminent danger to the child.

2. Make the arrest, whenever reasonable and prudent, including handcuffing and questioning, in a location away from the child's sight and hearing.

3. Determine whether the arrestee will be permitted to speak with the child prior to being removed subsequent to the arrest.

4. Not leave the scene of the arrest until the child is in the care of a caregiver

G. When a Child is Not Present

1. When a child is not present, the officer shall ensure that appropriate arrangements are made, either through this department, DSS or a partner organization, to place the child with a caregiver.

2. If the arrest occurs while the child is not present (e.g., at school or daycare), the officer should be prepared to discuss with the arrested parent how the child will be picked up and by whom.

H. Determining Appropriate Placement of a Child

1. The child should be placed with another parent if this individual is capable of assuming responsibility for and care of the child. If questions should arise concerning the capability or competency of the second parent, the officer should request assistance from a supervisor.

2. If another parent is not available, the arrested parent should be given a reasonable opportunity to select and contact a caregiver unless there is a compelling reason not to do so or the arrest is for child abuse or neglect.

3. A preliminary NCIC, NCAWARE and when possible, check of DSS case files shall be conducted on the caregiver chosen by the parent as soon as reasonably possible. Any arrest for child abuse, sexual crimes, domestic violence, recent arrests for drug offenses, or other violent felonies shall disqualify the individual from taking custody of the child.

4. If possible, a secondary caregiver should also be identified.

5. If the parent is unable or unwilling to identify a caregiver, and other suitable arrangements cannot be secured within a reasonable period of time, the child shall be taken into the custody of DSS or another authorized partner organization.

I. Interacting with a Child Where appropriate and safe

1. The parent should be given an opportunity to reassure the child and explain what is happening.

2. If the parent is unable to provide reassurance to the child, the officer shall provide an explanation to the child, in an age- and developmentally-appropriate manner.

3. It should be emphasized that the child has done nothing wrong and will be safe.

4. When reasonably possible, the officer shall ask the parent about items or objects that provide particular comfort to the child, such as toys, clothing, blankets, photographs or food that can be taken with the child.

5. The officer shall ask the parent about any medical, behavioral, or psychological conditions and/or required treatments of the child that would become the responsibility of a caregiver.

J. Arrest/Processing

1. The processing officer shall ask the arrestee if he or she is responsible for a child.

2. If the arrest creates an interruption in a child's supervision and care, the arrestee shall be given reasonable opportunities to make alternative arrangements for such care if appropriate arrangements have not already been ensured by the arresting officer, other components of this department or through partner organizations.

3. The name, address, and phone number of the caregiver shall be entered into the incident and/or arrest record.

K. Follow-Up

Follow-up should be performed wherever possible to ensure the continued safety and well-being of the child. The department liaison and/or the arresting officer shall work

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 7.01

SUBJECT: Assignment, Use, & Care of Department Equipment

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Equipment; Department Supply;
Specialized Equipment; Clothing
Allotment; Replacement of Equipment

DISTRIBUTION: All Personnel

Purpose: To establish a procedure for issuance, care and replacement of City and Department issued equipment. This policy is simply intended to supplement the City's Equipment/Property Policy, not replace or supersede it.

Definitions:

Department Supply: The Patrol Division Commander or his/her designee is responsible for maintaining and controlling the inventory and issuance of certain items such as police clothing, leather gear, firearms, ammunition, badges, and supplies.

Police Personnel: All sworn and non-sworn personnel assigned to the Police Department.

Issued Equipment: All Department equipment and material issued to personnel assigned to the Police Department.

Procedure:

I. Obtaining Equipment

A. Equipment Issued by Department Supply

All equipment will be maintained, controlled and issued by the Patrol Division Commander and/or an appointed designee, unless otherwise directed by this general order. Police Department personnel in need of equipment will adhere to the following established procedures:

1. When requesting any clothing, equipment, or supplies, Police Personnel will complete the Request for Replacement/Repair Form and submit it to the supervisor for review and authorization. The appropriate Division Commander shall review the request and indicate his approval on the form.

2. The employee's Division Commander shall forward the form to the Patrol Services Division. The Patrol Services Division Commander (or designee) will attempt to provide needed items from inventory that is in stock. Any needed item(s) not in stock will be referred back to the appropriate Division Commander. That Division Commander will requisition needed items without unnecessary delay.

B. Department Equipment will be maintained, controlled and issued through the Patrol Services Division. Examples of such equipment include but are not limited to:

1. Police Department Building Key(s)

2. Police Radios and Chargers

3. Reference Books (Arrest, Search and Seizure Manual; NC Crimes and Crimes Supplements; Emergency Response Guide Book, etc.)

4. Department Manuals (General Order Manual, Report Writing Manual(s), etc.)

5. Identification Cards

6. General uniform apparel

7. Duty gear

8. Lethal and Non-lethal weapons/tools

C. Specialized equipment shall be procured and issued as required by virtue of certain assignments. Examples would include cellular telephones, video cameras, personal computers and laptop computers, specialty weapons, vehicles, etc. The maintenance of this type of equipment shall be the responsibility of the personnel or unit to whom it is issued. It shall be the responsibility of the issuing supervisor to maintain inventory of all specialty equipment.

D. Only weapons and ammunition authorized by the department will be used by personnel (on or off duty) in the performance of their duties. A review, inspection, and approval of all weapons (lethal and less lethal) intended for use by each

employee in the performance of duty, must be completed by a qualified weapons instructor or armorer prior to an employee carrying such weapons.

All weapons must be determined to be safe and in good working order after a review and inspection before being approved to issue to an employee. A certified firearms instructor or armorer will inspect and approve all firearms, and a qualified instructor will inspect and approve all less lethal weapons.

A complete inventory record of all weapons approved by the department will be maintained. For firearms, the record will list the type, description, identifying model, and serial numbers of each firearm. For less lethal weapons, the record will list the type, description, identifying model, and serial numbers (if applicable). The record should also include the identity of the owner or assignee as well as the name of the person making the approval along with the date of the approval.

II. Clothing Allotments

A. An annual clothing allotment is authorized for employees as specified by the Chief of Police. Authorization for a clothing allotment will be based upon assigned duties and functions for which the Chief of Police specifies such authorization.

B. Certain employees may be allowed allotments must make purchases and submit receipts via the chain of command to the City of Creedmoor Finance Office.

C. The total of the receipts, up to a maximum annual amount, will be reimbursed, whichever is less.

D. Clothing purchased must be outer wear appropriate to assignment.

E. Clothing allotments will be disbursed throughout the year starting at the beginning of the fiscal year. Requests and reimbursements will be reviewed by the effected Division Commander who will notify the employee when they have reached their maximum allotment for the current year.

F. Employees who are transferred into assignments after clothing allotments have been processed for the fiscal year must wait until the next fiscal year for eligibility, unless otherwise authorized by the Chief of Police.

III. Replacement of Worn, Damaged, Lost or Stolen Equipment

A. Should replacement due to normal wear and use of any item of issued property become necessary, the requesting officer shall complete the Request for Replacement/Repairs form and submit it to his immediate supervisor, stating the

reason replacement is necessary. The replacement of any issued equipment as a result of normal wear and use will require the presentation of a completed form.

B. A replacement cycle of two years minimal for uniform shirts and pants is established. Jackets will be on a five-year minimal replacement cycle. If an item remains in good condition after the established replacement cycle period has ended, the item will not be replaced.

C. Replacement of items due to weight gain will not be considered normal wear and use. Restitution for replacing uniforms and/or equipment for this purpose will be the responsibility of the employee. The Police Chief must approve any exceptions.

1. If replacement of uniforms or equipment is needed due to weight gain within two years of receipt, the employees to whom the items are issued shall be responsible for restitution to the City of Creedmoor. The Police Chief must approve any exceptions.

2. The employee requesting replacement of items due to weight gain will complete the Request for Replacement/Repair form and forward it to his immediate supervisor. The employee's supervisor shall indicate, in a separate memorandum to the Division Commander, the date that restitution will be made and the amount. This memo shall be initialed or signed by both the supervisor and the employee.

3. Upon approval of the Division Commander, the memo and the request form will be forwarded to the City of Creedmoor Finance Office with distribution to the involved employee.

4. The employee will make restitution to the Finance Office upon the acquisition of any replacement item by the Department.

   NOTE: Employees will make restitution by check or money order payable to the City of Creedmoor. This ensures a written record of all transactions.

5. Department Supply will re-issue the individual the designated equipment after verification of a completed Request for Replacement/Repairs form. Equipment and/or clothing to be exchanged must be turned in at the time of re-issue.

D. Any employee who turns in a weapon for purposes of replacement (i.e.: change of type weapon used, damage, weapon seized as evidence in police shooting incident, etc.) will immediately submit a memorandum to the Patrol Division Commander listing the make, model, serial number, and caliber of the weapon and the reason for replacement.

E. When Police personnel discover a uniform garment or piece of equipment has been damaged, lost or stolen, the employee will, before the end of their shift, initiate a general memo to his immediate supervisor giving the circumstances whereby the uniform or equipment was damaged, lost or stolen. If the equipment is contained in the departmental inventory or contains a serial number, the number should be included in the memorandum.

The immediate supervisor of the employee will initiate a memorandum to the Division Commander (within 10 working days) indicating whether the damage, loss, or larceny of issued equipment is either excusable or inexcusable.

1. The damage, loss or larceny shall be considered excusable if it occurred in the line of duty and the employee exercised reasonable precaution, care and use.

2. Damage, loss or larceny shall be considered inexcusable if it occurred through negligence, carelessness or misuse by the employee.

   a. If found to be inexcusable, the employee to whom the equipment is issued shall be responsible for restitution to the City of Creedmoor.

   b. If the item is issued by Department Supply, the Patrol Services Division Commander (or designee) will re-issue the individual a similar piece of equipment after verification of a completed Request for Replacement/Repair form. Damaged equipment/clothing to be exchanged must be turned in at the time of the exchange.

IV. Found Equipment

A. Officers finding any Department issued equipment shall deliver the equipment to the on-duty supervisor. An explanation of the recovery and disposition of the equipment shall be documented in a memorandum prepared by the on-duty supervisor, with distribution to the Patrol Division Commander.

B. If an employee finds a piece of issued equipment other than those indicated above, a memorandum to the Patrol Division Commander explaining its recovery shall be initiated. The equipment shall be placed in an evidence locker and shall be marked with the date found.

C. Each regular duty day, the Evidence custodian shall check the evidence lockers for lost and found items and return any items to Department Supply that have been placed in temporary evidence storage.

V. Care and Use of Issued Equipment

A. All issued equipment shall be maintained in a state of operational readiness by the employee or unit to whom it is assigned.

B. Police personnel shall not be allowed to have on hand any City equipment in excess of the authorized allowances unless approved by the Police Chief or his designee.

C. Police uniforms and equipment will be worn or used only for official duties. Exceptions shall be made for sworn officers working off-duty security details.

D. Issued equipment shall not be loaned interdepartmentally without permission of the unit commanders involved. No departmental equipment shall be loaned outside the department without the permission of the Police Chief.

E. Clothing alterations may be made at City expense only after appropriate authorization is received from the Department Supply.

F. All issued property must be stored in a secure manner when not in use.

G. Equipment lockers must be secured with a lock anytime issued equipment is stored therein. No equipment is to be stored on top of lockers with the exception of work shoes or boots.

H. The only acceptable location for storing issued property in a personal vehicle is in the locked trunk compartment. Employees with vehicles that have no trunk compartment (station wagons, trucks, etc.) shall cover and/or conceal issued property and lock their vehicles at all times.

I. Officers will use secure weapons locations provided by those facilities that do not allow firearms in their work areas when conducting police business.

J. Annually, Division Commanders will conduct an inventory of City owned property being utilized by the Police Department for accountability purposes.

K. Inventory of all issued Police vehicles (marked and unmarked) will be maintained and controlled by the Patrol Division Commander (or designee). Cleanliness and routine maintenance shall be the responsibility of the officer to whom the vehicle is assigned.

VI. Equipment Issued to Units/Sections

A. Each Supervisor shall be responsible for equipment issued to a unit in which various personnel may have access to its use.

B. Before equipment is issued or used by individuals, the Division Commander or his designee shall inspect the equipment to determine if all parts are accounted for.

C. The Division Commander or his designee issuing equipment for daily use shall be responsible for checking in and inspecting the equipment to determine if all parts are accounted for.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 7.02

SUBJECT: Assignment, Use and Maintenance of Assigned Police Vehicles

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Assigned Vehicles; Vehicle Maintenance; Vehicle Inspection;

DISTRIBUTION: All Personnel

Purpose: The purpose of this Order is to establish procedures for individualized assignment of the Department's Police vehicles, implement specific guidelines and procedures to ensure inspection, proper maintenance and use of vehicles, and to list equipment required to be carried in marked patrol vehicles.

Policy: It shall be the policy of the Creedmoor Police Department to assign vehicles to officers for their use on duty in order to:

- maintain high visibility throughout the City;
- act as a deterrent to crime;
- to reduce maintenance costs for police vehicles;
- to provide increased incentive and morale of members of the police department.

I. Departmental Rules:

A. No provisions of this order shall be construed to authorize operation of police vehicles at a time or in any manner, or for a purpose inconsistent with the prevailing ordinances of the City of Creedmoor, or Statutes of the State of North Carolina.

B. No person, either police employees or others, are to be transported in police vehicles except for duty-related purpose and with the authorization of an appropriate supervisor or commander. Operators of police vehicles are responsible for the appearance and conduct of any passengers.

C. When operating a police vehicle, the seat belt and shoulder harness is to be properly fastened by the driver and all passengers. The operator shall be responsible for proper use of all seat restraints by passengers.

D. Officers are prohibited from leaving portable radios, weapons or other portable, valuable department equipment issued to them unattended in parked vehicles while off-duty, or when the officer can anticipate being away from the vehicle for an extended period of time. Such portable equipment should be locked out of sight in the trunk to discourage theft.

E. All maintenance on police vehicles shall be performed by a private garage or auto-service center at the approval of the Patrol Commander and/or the Chief of Police.

F. Vehicles are not to be altered in any way which would potentially increase or decrease the speed capabilities or change the handling characteristics of the vehicle, except as authorized by the Patrol Commander and/or the Chief of Police.

I. Other than that issued by the police department, or as approved by the Patrol Commander and/or the Chief of Police, no weapons, ammunition, tear gas, or any devices prohibited by statute, ordinance or departmental rule, shall be carried in a police vehicle.

J. A police vehicle is not to be used for purposes of actual patrol or security for a private employer, unless specifically approved by the Chief of Police.

II. Vehicle Assignment:

A. Assigned vehicles are not to be operated by any person other than to whom the vehicle is assigned, except as authorized by an appropriate supervisor or division commander.

B. The Department's Command Staff will determine the assignment of vehicles, with consideration for the operational needs of the Department. The vehicle is to be regarded as an official piece of equipment that is intended for the performance of official police duties.

C. The assignment of vehicles shall be carried out in a manner to ensure maximum use toward the achievement of department goals.

D. Individual assignment of a particular vehicle shall not preclude temporary reassignment of that vehicle by a Section Commander for achievement of a police purpose.

E. Certain positions within the Department may be authorized to take their vehicles home beyond outlined restrictions upon the authorization of the Chief of Police. The Chief of Police will consider such authorization on a case by case basis. Normally those positions include: Division Commanders, General Investigators and Schools Resources Officers provided the employee resides within 25 miles of the city.

F. Command Staff are considered to be on-call at all times to respond when necessary to emergencies, investigations, and related business matters on a 24/7 basis. CID personnel assigned to on-call status shall respond when necessary to emergencies, investigations, and related business matters on a 24/7 basis.

G. Due to the nature of the take-home vehicle purpose, Command Staff, Investigative or SRO personnel who are placed on administrative or light-duty status for a period expected to be in excess of three (3) working days may not take home a personally-assigned department vehicle for the duration of their administrative or light-duty status after the initial three (3) working days.

III. Procedures for Take-Home Vehicles

A. Command Staff must have their assigned unmarked take-home vehicle readily equipped to respond to any emergency situation when on or off duty; Investigative personnel must have their assigned unmarked take-home vehicle readily equipped to respond to any emergency situation while serving in on-call status.

B. Command Staff and Investigative personnel are expected to carry their identification, firearm, and related equipment as outlined above.

C. Officers assigned unmarked take-home vehicles are authorized to drive said vehicle for department-related business, to in-City/off-duty law enforcement related jobs or assignments, to court, depositions, department meetings, authorized scheduled training, to other official obligations, and to/from their residence. No restrictions are placed on driving the vehicle anywhere within the state of North Carolina for official business use; Out of state travel must be approved by the Chief of Police.

D. Officers assigned take-home vehicles shall be subject to call back as a first priority in case of emergency where multiple units are required for response to a major incident or event.

E. Officers assigned take-home vehicles will on a daily basis; check 10-41 upon entering the city limits to signify the beginning of their shift and 10-42 upon exiting the city limits to signify the end of their shift.

E. Officers may transport other persons in assigned unmarked vehicle under the following conditions:

1. Other City employees or other sworn law enforcement personnel;

2. Persons involved in conducting a criminal investigation or inquiry; and

3. Other conditions as approved by the Chief of Police in concurrence with the City Manager's Office.

IV. Inspection of Vehicles

A. Daily Inspection Procedure

1. Prior to driving any department vehicle, all officers will inspect interior and exterior areas of the vehicle and all vehicle equipment. Daily inspection shall be completed at the beginning of any officer's tour of duty. The vehicle inspection report (attached) shall be required only for "spare" vehicles, or for any vehicle that is routinely operated or shared by more than one officer.

2. The inspecting officer is responsible for requesting replacement supplies and requesting repair of missing or worn equipment prior to the end of his tour of duty.

3. Officers will report any mechanical defects found during inspection, or that occur during the shift, to their immediate supervisor before the end of the tour of duty, unless the mechanical defect makes the vehicle unsafe to operate. If such a defect occurs, the officer will immediately notify his supervisor, who will verify the mechanical defect reported and authorize repair for the vehicle. If the vehicle is drivable, the officer will deliver the vehicle to the authorized repair facility as soon as it is practical to do so.

4. If an officer discovers during daily inspection any damage(s) not previously reported, he will notify his immediate supervisor of the damage.

5. Supervisory personnel will be responsible for inspecting any discrepancies discovered or reported to them by their personnel to ensure the discrepancies are corrected and equipment and supplies are replaced.

6. Division Commanders maintain the authority to initiate a daily inspection report mandate if he/she determines proper vehicle inspections are not occurring. If initiated, the Division Commander will maintain a file containing daily inspection reports of "shared" or spare vehicles for 30 days. Responsibility for maintenance of the file may be delegated to an individual within each Division, at the discretion of the Division Commander

B. Quarterly Inspection Procedures

1. An inspection of all police vehicles and critical incident equipment (light tower, enclosed equipment trailer, and all vehicles) assigned to a Division will be conducted quarterly. The quarterly inspection report will be used to report quarterly inspections. Division Commanders or supervisors will conduct quarterly inspections for each Division, section or unit, or as otherwise specified by the Division Commander.

2. The inspecting commander or supervisor will maintain a file containing completed quarterly inspection reports. If no discrepancies are noted from the preceding quarterly inspection, the preceding quarter's reports should be discarded.

3. If any discrepancies are found during the quarterly inspection, the supervisor conducting the inspection will forward a memorandum to their Division Commander explaining the discrepancy and any corrective action(s) taken.

IV. Use of Department Vehicles

A. From time to time "marked" police vehicles may, at the direction of a Patrol Division Commander, be parked unattended in conspicuous business or residential locations for deterrent purposes. Such crime prevention activity will be coordinated under the direction of the Patrol Division Commander and the Section Commanders. The Patrol Division Commander, or his designee, will maintain a record of occasions on which vehicles are assigned or deployed for crime prevention or other related purposes.

B. The officer to whom a vehicle is assigned, whether such assignment is permanent or of a temporary nature, is responsible for the security and proper care of the vehicle and its contents. Prior to operating a vehicle, the assigned officer is to inspect and determine that all equipment is present and in good working order and that no damage has been done to the vehicle. Any occasion on which damage or a missing article or piece of equipment is discovered is to be immediately reported to the appropriate supervisor.

V. Vehicle Maintenance

A. Routine preventive maintenance including oil change, lubrication, minor adjustments, tire pressure, etc… is the responsibility of the employee(s) to whom a vehicle is assigned. When a vehicle is due for routine maintenance based on a maintenance schedule approved by the Chief, the assigned operator is to submit the vehicle for service. Routine maintenance, cleaning and adjustments are to be done during the officer's regular duty time unless vehicle servicing of an emergency nature is necessary. Supervisory personnel may authorize payment for overtime if it is absolutely necessary for an officer to perform or obtain any vehicle maintenance while he is off-duty. Officers who expend off-duty time performing or obtaining vehicle maintenance services shall obtain prior approval from a supervisor, unless a justifiable emergency exists.

B. Defective Police Vehicles/Equipment

1. Mechanical Defects

a. Any officer who discovers a mechanical defect in the operation of a police vehicle, or discovers that any equipment in or on the vehicle does not operate, will immediately report such defect to his immediate supervisor. The supervisor will inspect the vehicle upon receiving any report of defect to determine appropriate action for repair.

b. If the vehicle may be driven safely, marked police vehicles will be parked at the police department or approved repair facility pending service.

c. If the vehicle cannot be driven safely, the supervisor will make arrangements to have the vehicle towed to an approved repair facility using the next available (next-out) rotation wrecker. Any bill or receipt for towing services will be forwarded to the effected Division Commander.

d. When police vehicles assigned to Patrol personnel are out of service for repairs, an entry should be recorded on the Vehicle Status board located in the Squad Commanders office.

2. Collisions, Reports and Repairs

a. Collision Reporting

When any police vehicle becomes involved in a reportable collision, the officer or tele-communications will immediately notify a supervisor, who will respond immediately to the scene and

determine if the City of Creedmoor Safety Officer should be notified in accordance with City policy. A copy of any NC Collision Report Form, (DMV Form 349), to the extent completed, will be forwarded to the officer's Division Commander prior to the end of the involved officer(s) tour of duty.

b. Collision Repair

Unless otherwise specified by the Chief of Police, Division Commanders will make arrangements to obtain estimates for repairs to vehicles damaged as a result of a collision.

VI. Post Collision Testing

A. Post-Accident/Incident Testing: All full time and part time employees will be tested for the presence of controlled substances and/or alcohol following an on-the-job accident/incident that involves the following:

1. A fatality;

2. Bodily injury requiring immediate medical attention or professional medical treatment away from the scene of the accident. The employee is tested only if circumstances indicate that such bodily injury (whether to an employee or citizen or both) may have been caused, at least in part, by the employee; or City of Creedmoor / Substance Abuse Policy Page **2** of **5**

3. Property damage reasonably expected to be in excess of $500.00, if circumstances suggest that an employee may have contributed to the accident/incident.

A post-accident drug and/or alcohol test will be administered as soon as possible, but not more than eight (8) hours following the time of the accident. Refusal to test could result in disciplinary action including termination.

C. Necessary Documentation

1. Authorization for Exam/Treatment forms should be completed by the supervisor and taken to the facility; separate forms are attached for South Granville Primary Care (regular hours) and for Granville Medical (after hours).

2. Authorization for Drug/Alcohol Test form should be signed by the employee prior to testing.

See Appendices: A: Authorization for Treatment
B: After Hours Authorization for Treatment

C: After Hours Authorization for Drug and/or Alcohol Test

Note: These forms are also available on the City's Public Drive

VII. Contamination (Infectious Diseases)

A. Contamination of a police vehicle that results from exposure to infectious diseases or bodily fluids is to be considered damage that makes a vehicle unsafe for continued operation. In accordance with this order, all vehicles so damaged are to be taken out of service until proper decontamination methods can be employed to render the vehicle safe to operate.

B. If for any reason an officer cannot decontaminate a vehicle, officers will place an orange bio-hazard sticker on both rear passenger windows. The vehicle will be locked, secured and a supervisor notified.

VIII. Vehicle Alteration and Equipment

A. Any alterations made to police vehicles must be specifically approved by the Chief of Police. Alterations, to include stickers, decals, vanity plates, etc. and must serve a duty-related law enforcement purpose.

B. Personal equipment which an officer requires to perform his or her duties efficiently may be carried in an assigned vehicle.

CITY OF CREEDMOOR

Authorization for Examination or Treatment Form

Testing Facility

South Granville Primary Care
1614 NC-Hwy 56
Creedmoor, NC 27522
Phone (919) 575-6103

Monday through Friday 7:30 a.m. – 4:30 p.m.
Saturday 8:00 a.m. – 3:00 p.m.

Patient Information

Name _____

SSN _____ DOB _____

Work Related

□ Illness □ Injury Date of Injury _____

Physical Examination

□ Pre-Employment □ Baseline □ Annual □ Exit

Substance Abuse Testing

□ Regulated Drug Screen (CDL Only) □ Non-Regulated Drug Screen □ BAT
□ Collection Only □ Other _____

Type of Substance Abuse Testing

□ Pre-Employment □Post-Accident □ Periodic □ Reasonable Cause
□Random □Follow-Up

Billing (check if applicable)

□Employee to pay charges □ Employer to pay charges □W/C to pay charges

Special Examination

□Respirator □Asbestos □ Audiogram □Other _____

Special Instructions/Comments

Fax results to Korena Weichel at (919) 764-1049.
This is a CONFIDENTIAL fax line (no need to call prior to faxing) AND please mail original to City of Creedmoor, Attention: Korena Weichel, P.O. Box 765 Creedmoor, NC 27522.

_____

_____

Authorization

_____
Korena L. Weichel, Assistant City Manager/HR Director

Rev 11/2013

CITY OF CREEDMOOR

AFTER-HOURS
Authorization for Testing

Testing Facility

Granville Medical Center
1010 College Street
Oxford, NC 27565

Phone: (919) 690-3000
Fax: (919) 690-3400

Patient Information

Name _____

SSN_____ DOB _____

Work Related

□ Illness □ Injury Date of Injury _____

Substance Abuse Testing

□ Regulated Drug Screen (CDL Licensed) **X** Non-Regulated Drug Screen □ BAT
□ Collection Only □ Other _____

Type of Substance Abuse Testing

□ Pre-Employment □ Post-Accident □ Periodic □ Reasonable Cause
□Random □Follow-Up

Billing (check if applicable)

□Employee to pay charges x Employer to pay charges □W/C to pay charges

Special Instructions/Comments

Fax expedited results to Korena Weichel at (919) 764-1049.
This is a CONFIDENTIAL fax line (no need to call prior to faxing) AND please mail original to City of Creedmoor, Attention: Korena Weichel, P.O. Box 765 Creedmoor, NC 27522.

_____

_____

Authorization

_____
Printed Name of Supervisor On-Duty/On-Call / Responsible Party

_____
Signature of Supervisor On-Duty/On-Call / Responsible Party

11/2013

AFTER HOURS

CITY OF CREEDMOOR **Authorization for Drug &/or Alcohol Test**

I hereby authorize a drug and/or alcohol test and a release to City of Creedmoor officials with any information held by parties regarding my drug and/or alcohol test(s). I release any providers of this information, including any agency that the City of Creedmoor may choose to hire to conduct such investigation, from any liability for such information. I agree any falsification of information I provide may make me subject to immediate dismissal. I further acknowledge that the City of Creedmoor will be relying in part on third party information and I therefore release the City of Creedmoor and its respective agents, affiliates, and employees from any and all liability arising out of errors or omissions.

_____ (initial) I hereby further acknowledge that I have been notified of the City's Substance Abuse Policy.

_____ (initial) I acknowledge use of the following prescription or over-the-counter medication(s):

_____ (□ Current □ Recent) _____ (□ Current □ Recent)

_____ (□ Current □ Recent) _____ (□ Current □ Recent)

_____ (□ Current □ Recent) _____ (□ Current □ Recent)

_____ _____
Signature Date

_____
Print Name

_____ _____ _____ _____
Street Address City State Zip

_____ _____
Social Security Number Driver's License Number/State

Note: Two (2) witnesses are required to sign and date below.

FIRST WITNESS: **SECOND WITNESS:**

_____ _____
Printed Name Printed Name

_____ _____
Street Address, City, State, Zip Street Address, City, State, Zip

_____ _____
Signature Signature

_____ _____
Date Date

Rev 09/2013

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 7.03

SUBJECT: In-Car Video Systems

EFFECTIVE DATE: 08/01/2015 **REVISION NUMBER/DATE:**

APPROVED BY:

K. E. King
Chief of Police

INDEX AS:
In-Car Video Systems; In-Car Cameras

DISTRIBUTION: All Personnel

Purpose: The purpose of this General Order is to implement and maintain procedures for the use of In-Car Video Systems for the audiovisual electronic recording of traffic stops and other field encounters by patrol personnel.

Policy: The In-Car Video System (ICVS) is designed to augment and compliment the patrol and traffic enforcement functions performed by officers of the Creedmoor Police Department. The electronic files are intended to provide an unbiased and accurate account of the encounter being recorded and may subsequently be used to corroborate an officer's testimony during court proceedings.

Procedure:

I. Use of In-Car Video System (ICVS)

A. All ICVS units will be checked prior to the officer beginning his or her shift and officers shall report any problems with the ICVS to their immediate supervisor. The appropriate action shall be taken to have the problem corrected.

B. The ICVS unit will be activated on all traffic stops, pursuits, emergency responses, when overtaking vehicles at elevated speeds and other operations as is deemed necessary.

C. The wireless microphone shall be used during all traffic stops. The microphone shall be "on" during all contact with the subjects in the stopped vehicle, and in other duty-related contacts.

D. The ICVS recording shall not be interrupted until contact with the individual is completed. If the officer feels that continued recording is necessary due to an irate prisoner or any other reason it will be at the discretion of the officer.

E. The use of the ICVS during other contact with citizens (i.e. field interviews, domestic disputes, fights etc.) will be at the discretion of the individual officer. Officers are strongly encouraged to utilize the "remote turn-on" feature during contact with citizens that the officer suspects may result in any confrontation.

F. The ICVS shall not be disabled or deactivated while in use for a police operational purpose such as those described in subsection B. of this policy. Whenever an officer is in doubt as to the operational necessity of the ICVS the officer should err on the side of caution and continue recording.

II. Control of Electronic Files for ICVS

A. All ICVS are set to download via automatic WIFI when in the police station parking lot. If for any reason, the file storage system has reached maximum capacity or fail to record, the officer shall notify his/her immediate supervisor and the evidence custodian. Officers should seek approval to change vehicles if the problem cannot be fixed immediately.

B. All recordings are downloaded into a secured server and video management system. The video manager system will maintain records of file storage and dates of submission.

C. The Evidence Custodian is responsible for the integrity and maintenance of the ICVS and the file storage devices.

D. Officers shall properly mark instances within the encounter of particular interest and flag the entire file for protection in instances involving all stops involving pursuits, use of force, arrest, physical and/or verbal confrontations and any other situation that may present increased liability to the officer and/or department.

E. Once an officer has flagged a recording, the officer shall also record the case number, categorize and comment related to the video using the features provided on the video software server. This information should be entered by the end of each shift. If circumstances prevent entry prior to the end of shift, the information must be entered within 24 hours of the recording.

F. Officers shall also email the Evidence Custodian and copy their immediate supervisor when a file has been flagged for protection. The officer should include the OCA# and nature of the stop in the email.

G. The Evidence Custodian will confirm proper flagging upon receiving an email requesting protection on a video file.

III. Recording Media Control And Management

A. ICVS recordings downloaded from the server containing information that may be of evidentiary value in criminal or civil proceedings shall be subject to security, chain of custody, and storage procedures.

B. Because ICVS recordings may be considered evidence they shall not be released to any outside agency or individual, or duplicated for such dissemination, without the prior consent of the Chief of Police or his/her designee.

C. Release of video to the District Attorney's office for prosecutorial purposes does not require special authorization from the Chief of Police.

IV. Editing and Duplication of Files

A. All personnel are prohibited from editing, altering or intentionally damaging any ICVS files or equipment.

B. If an officer or supervisor wishes to copy a file, that officer shall request duplication in an email and/or memo which shall be forwarded to the Chief of Police or his/her designee. Officers are prohibited from releasing files to, or permitting duplication of files by, any third parties except as otherwise provided in this policy.

C. All requests for a copy of a file shall be forwarded directly to the Chief of Police. The Chief of Police or his/her designee must approve the request. If the request is granted to a third party or to the court system, all officers involved shall be notified as soon as possible.

V. Retention Management

A. All ICVS files will remain on a secure server until it becomes necessary for the files to be transferred to CD/DVD or disposed.

B. No file shall be purged sooner than 90 days.

C. Flagged files shall remain on the server for 180 days after all criminal and civil statutes of limitation have ended.

D. It is the charging officer's responsibility to notify the Evidence Custodian when final disposition is reached in a case involving a ICVS file. The officer must submit an email or memorandum via his/her supervisor outlining the final case disposition and date.

VI. Maintenance of ICVS Units

A. If an ICVS Unit is in need of repair, the officer shall submit an email via his/her immediate supervisor to the Evidence Custodian who will make arrangements for repair. The Patrol Services Commander should be included in this email.

B. A patrol vehicle will not normally be taken out of service while awaiting repairs on the ICVS Unit.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 7.04

SUBJECT: Body-Worn Cameras (BWC)

EFFECTIVE DATE: 08/01/2015 **REVISION NUMBER/DATE:**

APPROVED BY:

K. E. King
Chief of Police

INDEX AS:
Body-worn cameras; recording

DISTRIBUTION: All Personnel

I. Purpose

This policy is intended to provide officers with instructions on when and how to use Body-Worn Cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

II. Policy

It is the policy of this department that officers shall activate the BWC when such use is appropriate to the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of recording devices used in undercover operations.

III. Procedure

A. Administration

This agency has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of officer reports and testimony in court.

2. Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for

investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.

3. The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

B. When and How to Use the BWC

1. Officers shall activate the BWC to record any contact with citizens related to any detention, seizure, arrest, investigation or enforcement action.

2. Whenever reasonable, officers should inform individuals that they are being recorded.

3. In locations where individuals have a reasonable expectation of privacy, such as a residence, the lawful occupant of the location may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals.

4. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see items D.1-4).

5. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall immediately notify his/her immediate supervisor, if accessible and submit an email to the supervisor explaining why the recording was not made, was interrupted, or was terminated.

6. No one other than departmental personnel or other approved law enforcement officials shall be allowed to review recordings at the scene of an incident.

C. Procedures for BWC Use

1. BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel. Reserve officers shall utilize any available administrative or investigative BWC when called in for uniformed duty.

2. Non-uniformed and administrative personnel who are assigned a BWC are encouraged to wear the BWC whenever reasonable and must wear the BWC when engaged in or assigned to known/suspected arrest situations, all tactical/search operations, large scale events and mass public gatherings.

3. Police personnel shall use only BWCs issued by this department. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the agency.

4. Police personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operations. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

5. BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement unit may be procured.

6. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.

7. Officers shall not attempt to edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner BWC recordings without prior written authorization and approval of the Chief or Police or his or her designee.

8. Officers are encouraged to flag and inform their supervisor of any recordings that may be of value for training purposes.

9. If an officer is involved in an officer-involved shooting, other serious use of force, pursuit, or suspected of wrongdoing, the department reserves the right to limit or restrict an officer from viewing the video file.

10. Requests for deletion of portions of the recordings (e.g., in the event of a personal recording) must be submitted in writing and approved by the Chief of Police or his or her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.

11. Officers shall fully document instances within incident, arrest, and related reports when recordings were made. However, BWC recordings are not a replacement for written reports.

D. Restrictions on Using the BWC

BWCs shall be used only in conjunction with official law enforcement duties. The BWC shall not generally be used to record:

1. Communications with other police personnel without the permission of the Chief of Police;

2. Encounters with undercover officers or confidential informants;

3. When on break or otherwise engaged in personal activities; or

4. In any location where individuals have a reasonable expectation of privacy, such as but not limited to restrooms or locker rooms.

E. Storage

1. All files shall be securely downloaded at the end of each shift. Each file shall contain information related to the date, time, video category, BWC identifier, and assigned officer.

2. Officers shall properly mark instance of importance within a video and flag the video file for protection in all stops involving pursuits, use of force, arrest, physical and/or verbal confrontations and any other situation that may present increased liability to the officer and/or department.

3. Once an officer has flagged a recording, the officers shall also record case number, categorize and comments related to the video using the features provided on the video software server. This information should be entered by the end of each shift. If circumstances prevent entry prior to the end of shift, the information must be entered within 24 hours of the recording.

4. Officers shall also email the Evidence Custodian and copy their immediate supervisor when a file has been flagged for protection. The officer shall include the OCA#, nature of the encounter and should identify any specific marks that are critical in the email. Reserve officers should follow these same procedures and identify the BWC he/she was utilizing at the time of the recording within their email.

5. The Evidence Custodian will confirm proper marking/flagging upon receiving an email requesting protection on a video file.

6. All images and sounds recorded by the BWC are the exclusive property of this department. Accessing, copying, or releasing files for non-law enforcement purposes is strictly prohibited.

7. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the Chief of Police or his/her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

8. All BWC recordings are downloaded into a secured server and video management system. The video manager system will maintain records of file storage cards and dates of submission.

9. The Evidence Custodian is responsible for the integrity and maintenance of the BWC and the file storage devices.

10. Files will be purged in 90 days provided they have not been flagged for useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under control of a criminal justice agency and all appeals have been exhausted.

F. Supervisory Responsibilities

1. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.

2. At least on a monthly basis, the appropriate Division Commander or a designated supervisor will randomly review BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 8.01

SUBJECT: DCI Terminal Operations and Security

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** 1- 3/2/2017

APPROVED:

K. E. King
Chief of Police

INDEX AS:
DCI Operations; DCI Security;

DISTRIBUTION: All Personnel

Policy: The Creedmoor Police Department will meet all security, dissemination, and operator certification requirements in compliance with state and federal laws and procedures pertaining to NC DCI (Division of Criminal Information) network terminal operation and information.

Definitions: Division of Criminal Information (DCI) - DCI is a Division of the North Carolina State Bureau of Investigation that operates under the NC Department of Justice. This agency is responsible for the collection, maintenance and access to information pertinent to the performance of law enforcement and criminal justice agencies.

Procedure:

I. Operations

A. DCI Correspondence

Printouts will be made of DCI correspondence; both sent and received, concerning open departmental cases upon request of the officer. The receiving DCI operator will provide that information to the investigating officer , to be filed with the appropriate police report. Printouts of other communications or correspondence may be made and disseminated as deemed appropriate by the sending/receiving operator.

B. "Hot Files"

1. A certified DCI terminal operator will enter any hot file (stolen property, felony vehicle, etc.) or wanted person record using all available data concerning the identity of the individual or record. Officers requesting the entry of any hot file must provide sufficient information to identify the subject of the record in accordance with DCI requirements.

2. All DCI hot file records will be entered on the main terminal, located in the Records/Tele-communications Center, by a certified DCI terminal operator. The Records/Tele-communications Center terminals are staffed at all times.

3. Hit Confirmation Requests

   a. Upon request by other law enforcement agencies, a certified DCI terminal operator will confirm Department "hot file" records. The DCI terminal operator will ensure that a Department response is sent through DCI within one hour following receipt of a confirmation request via DCI. Any response is acceptable for the purpose of notifying the requesting agency that the request is being confirmed.

   b. The Tele-communicator will verify the record and contact the requesting agency.

   c. Prior to confirming the existence of any wanted records, the Tele-communicator will verify that the court documents are in his possession. The record's presence in the computer is not sufficient to confirm its possession.

   d. When a hit confirmation request or other DCI notification reveals that the subject of a wanted/stolen department record is located, the Tele-communicator who confirms the "hit" will notify the on-duty Supervisor or senior officer who will attempt to contact the complainant or owner of the recovery.

   e. All hit confirmations must be verified with the entering agency and/or NCAWARE.

   f. The confirming operator will document all investigative information and steps taken in response to a hit confirmation request and forward it to investigating officer. Documentation will include, at a minimum, the following:

1) Date and time that the hit confirmation request was received.

2) Original OCA number of the case under investigation.

3) Investigative actions taken in response to the hit confirmation request.

4) Identifying information about any persons contacted or any persons from whom information was received (including telephone numbers).

5) Manner in which the additional information was received.

6) Available information on the circumstances surrounding the recovery of the subject of the hot file.

7) Attempts made to contact the owner or complainant and the results.

8) Location and condition/status of the subject of the wanted/stolen "hot file" record.

9) Status of the DCI/NCIC entry (cleared, canceled or pending).

4. Wanted Person Entries

To enter a wanted person record, the requesting officer must provide the certified operator, at a minimum, the individual's name, date of birth, race, and gender. Officers requesting wanted person entries will attempt to obtain additional identification information, as necessary, by following these steps

a. Initiate a criminal history inquiry, and

b. Obtain additional confirmation of identification through the Records Management system, CJLEADS, NCAWARE Etc.

If sufficient confirmation cannot be made that the criminal history identification and the wanted person are the same, the criminal history identification information should not be used as the basis for identification.

5. Only the District Attorney or an Assistant District Attorney can authorize an out-of-state extradition.

6. The DCI operator who enters a DCI/NCIC record will ensure that the entry is verified for accuracy and completeness by a supervisor or other DCI operator. The member reviewing the entry record will make a notation on the DCI request form by including his/her name and date.

C. Warrant/Summons Maintenance

1. DCI terminal operators will obtain and provide accurate information regarding active warrants in DCI and along with warrants and summons in the NCAWARE systems when requested by department personnel and other confirmed jurisdictions.

2. All active warrants and summons for the department will be maintained in the Records Management System, and may be checked at any time.

3. Original process documents will be maintained, and remain accessible to personnel, in the Records Section.

D. Online Help

The DCI maintains an online help manual, accessible to DCI operators at any time.

II. Security, Confidentiality, and Release of DCI Information

A. All DCI operators are required, as a condition of certification through the Creedmoor Police Department, to read, sign and comply with the DCI personnel security agreement furnished through DCI.

B. DCI terminal operators will not share their password or use another operator's password. If an operator forgets his/her password, he/she should immediately notify the Department's Terminal Agency Coordinator, who will reset the password.

C. Terminal operators will keep the DCI terminal in a position or condition that does not permit unauthorized viewing of the information displayed on the viewing screen.

D. No member may release DCI record information, by telephone or otherwise, to anyone other than authorized law enforcement or criminal justice personnel. If the requestor for information does not meet authorization criteria, or is unknown, Department members will deny release of the information.

E. Department members may not release any written or verbal confirmation or denial of the existence of a record except as allowed by DCI administrative procedures.

F. Department members will not broadcast DCI record information over the radio unless the information may indicate that an officer or citizen may be in danger from a specific individual. Exceptions include the following information pertaining to driver records that may be broadcast over the radio:

1. Signal 13 – indicating prior, current, or limited revocation or suspension of driving privileges for Driving While Impaired (DWI) and corresponding date(s)

2. Signal 14 – indicating prior, current or limited revocation or suspension of driving privileges for any other violation and corresponding date(s)

G. Members may release driving records of persons who drive or may drive a publicly owned vehicle to the City of Creedmoor Human Resources Department. DCI operators releasing such information will copy the request for information following completion of the transaction and maintain it in an appropriate file.

H. DCI terminal operators are authorized to perform driver history and criminal history checks, upon a request by a sworn member, on individuals involved in a criminal investigation, or for criminal justice employment applicants.

I. Members will refer citizens making requests for personal driver license or driver history information to the North Carolina Division of Motor Vehicles.

J. Members will refer citizens making requests for vehicle registration information, who do not demonstrate a legitimate need to know, to the North Carolina Division of Motor Vehicles.

K. An online log is maintained on all DCI inquiries for criminal history and records requests. Records of driver history inquiries are maintained until validation is completed. Requestors of criminal histories/records and driver history information must provide an authorized purpose for the inquiry, and the DCI operator must determine from the requestor that the request is for an authorized purpose. Upon receipt of each response, the DCI operator receiving the information will stamp "CONFIDENTIAL" on the first page of the response(s).

L. DCI operators will shred printouts of any criminal or driver record information not taken by requesting officers and instruct members receiving and taking such information to do the same.

III. Terminal Coordinator (Senior Tele-communicator)

The Senior Tele-communicator shall serve as the DCI Terminal Coordinator for the Department, who is responsible for coordinating the Department's DCI activities and

performing certain duties as outlined in the Division of Criminal Information's Terminal Agency Coordinator Manual.

The Department's Terminal Coordinator will:

A. Maintain a copy of the Department's User Agreement with DCI

B. Ensure that the Department's User Fee is included in annual budget considerations

C. Maintain a copy of any Servicing Agreements with other law enforcement agencies, where applicable

D. Ensure compliance of the Department and its personnel with state and national regulations pertaining to the use of the DCI computer system and the systems it accesses

E. Make recommendations to the DCI Advisory Policy Board on behalf of the Department

F. Attend scheduled DCI District meetings and training for Terminal Agency Coordinators, and provide input at these meetings on behalf of the Department

G. Attend DCI Working Group Meetings

H. Notify DCI of information changes regarding Department terminal operations and operator certification

I. Enroll agency personnel designated for assignment as a DCI terminal operator in scheduled training as required

J. Provide Indoctrination and training of personnel assigned to be DCI operators

K. Report violations of DCI regulations to the Internal Affairs Commander (ASD commander)

L. Perform validation functions and procedures for the Department in accordance with DCI requirements

M. Assist the DCI Quality Assurance Unit in performing audits of the Department's DCI records, and maintain necessary documentation in a condition of readiness for audits and inspections

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 8.02

SUBJECT: Mobile Data Terminals

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Mobile Data Terminals; MDT's

DISTRIBUTION: All Personnel

Purpose: To provide departmental members with guidelines for the use of Mobile Data Terminals.

Policy: The Creedmoor Police Department will provide Mobile Data Terminals to enhance communications capabilities and provide access to criminal justice information.

I. Use of Equipment and Software

A. All communications transmitted using the Mobile Data Terminal (MDT) must be duty-related and comply with the same quality standards as voice communications. Any electronic message containing slang or other language that could be reasonably construed as a slur or harassing message against any person or group is prohibited.

B. Only those persons specifically trained in the proper use of the Mobile Data Terminal are authorized to use MDT equipment. Only persons certified through the Division of Criminal Information (DCI) to operate Mobile Data Terminals through the North Carolina Criminal Justice Information Network (CJIN) are authorized to operate the equipment for the purposes of accessing the DCI network. No one may attempt to sign onto the CJIN system or the DCI network through a Mobile Data Terminal unless first authorized and certified for DCI operation.

C. Officers will not attempt to read the Mobile Data Terminal screen or interact with the computer's keyboard or other functions while the vehicle is in motion.

D. No one may attempt to install, delete, or modify any software or hardware associated with the Mobile Data Terminal or the vehicle console without prior authorization from the designated System Administrator.

II. Access and Confidentiality

A. All users of DCI, CJLEADS, NCAWARE and other law enforcement related investigative assistance sites must maintain active access to each of these accounts.

B. No user should share their access information.

C. Any criminal justice information sent or received on a Mobile Data Terminal is confidential and will only be disseminated as directed by CJIN, DCI regulations and Departmental procedures.

III. Management

A. All Mobile Data Terminals will be the administrative responsibility of a System Administrator designated by the Chief of Police.

B. The System Administrator will be responsible for providing and coordinating training in the use of the Mobile Data Terminal.

C. Supervisory personnel will inspect each Mobile Data Terminal and console during vehicle inspections for signs of damage or disrepair.

D. Designated staff may enter, review, and monitor information stored on Mobile Data Terminals at any time without advance notice. Periodic inspection of Mobile Data Terminal communications logs will be authorized to occur at the direction of the Chief of Police.

E. The System Administrator will keep a list of all usernames and passwords for all units.

IV. Security and Care of Equipment

A. Officers will exercise special care in the use and handling of Mobile Data Terminals to minimize excessive wear or damage.

B. At the beginning of each duty shift, the officer assigned to a Mobile Data Terminal will inspect the Mobile Data Terminal for any signs of damage or disrepair and immediately report any findings to his/her supervisor.

C. At the conclusion of each duty shift, the officer will properly shut down the Mobile Data Terminal.

D. Officers will keep the Mobile Data Terminal screen and keyboard clean using supplies provided. Food and drink must be kept away from the Mobile Data Terminal at all times. In the event of spillage, the officer will:

1. Log off of all active sessions and shut down the Mobile Data Terminal as quickly as possible;

2. Clean the affected area; and

3. Make arrangements through his/her supervisor for the System Administrator to inspect the unit

E. Officers will not allow a vehicle to be electrically jump-started or used to jump-start another vehicle when the Mobile Data Terminal is installed.

F. When away from the vehicle while on duty, officers must ensure that the vehicle and docking port (if installed) are each locked to prevent unauthorized access to and use of the Mobile Data Terminal.

V. Restrictions

Internet access, provided only as authorized by the Chief of Police, may be used only for conducting official business for the Department. Officers are prohibited from accessing sites or engaging in e-mail communications pertaining to sexual content, hate groups, chat rooms, merchandising, etc. unless instructed to do so in conjunction with an authorized assignment.

VI. Procedures

A. Officers will perform the network log-on procedure for CJIN and the Division of Criminal Information as trained.

B. Car-to-car messaging is authorized when appropriate to reduce radio traffic. Messages are generally considered public information.

C. Officers who experience difficulty with the Mobile Data Terminal will contact the System Administrator without unnecessary delay.

VII. Access to DCI

Access to the Division of Criminal Information network is provided for official use only. Officers will use the provided Mobile Data Terminal as the primary source for DCI inquiries. Radio inquiries through Communications should be reserved for urgent requests or information inquiries while the vehicle is in motion to ensure officer safety. DCI inquiries for any purposes other than the transaction of official business are prohibited.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 8.03

SUBJECT: Information and Records/Telecommunication Management

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** 1- 03/02/2017

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Records/Telecommunication; Forms; Reports; Field Reports

DISTRIBUTION: All Personnel

Purpose: To provide administrative guidelines for the retention of Records/Telecommunication, procedures for the collection and submission of crime data, and maintenance of Department forms.

Policy: The Creedmoor Police Department will maintain Records/Telecommunication of its activities to meet the management, operational and information needs of the Department. The Records/Telecommunication/Tele-Communication Section will coordinate administrative reporting, field reporting, central Records/Telecommunication activities, and crime analysis functions.

Definitions:

Records/Telecommunication Management System: The Department's computerized system for central Records/Telecommunication management.

Uniform Crime Reporting (UCR): A systematic crime reporting program that results in local, state and national crime statistics.

I. Administration

A. Privacy and Security of Records/Telecommunication

1. Separation of Juvenile and Adult Records/Telecommunication

a. Records/Telecommunication pertaining to the custody or handling of Juveniles will be maintained separately from similar

Records/Telecommunication pertaining to adult arrests. In addition, the pink Juvenile Contact forms will be used to further identify juvenile reports prior to the data being entered into the computer (when not filing the report electronically). All contacts with juveniles requiring immediate secure custody or delayed filing of petitions are to be forwarded to the assigned detective.

b. All attachments (photographs, identification Records/Telecommunication, statements, interviews...etc) that are related to the custody or handling of a juvenile suspect, including copies of juvenile petitions/applications for petitions, will be separated from adult reports. Access shall be limited to Department members only on a need to know basis.

2. Physical Security and Access

Passwords will be required for member access to the various Records/Telecommunication modules within the computerized Records/Telecommunication Management System. Requests for access will be directed to and processed by the Department's System Administrator. Access to paper files in the file room is restricted to supervisors and Records/Telecommunication personnel.

3. Release of Records/Telecommunication

Records/Telecommunication/Tele-Communication Section personnel control the release of Department Records/Telecommunication in compliance with applicable state and federal laws. Before the release of any Department record, Records/Telecommunication personnel will inspect the information to ensure that its release is in accordance with these laws.

B. Records/Telecommunication Retention

The Department maintains a Records/Telecommunication retention schedule in compliance with state law. Records/Telecommunication of the results of medical examinations, emotional stability, and psychological fitness examinations are confidential and retained in compliance with state law.

C. Procedures for Collecting Crime Data

The Department participates in the National Incident-Based reporting system (NIBRS). This information is taken from the Records/Telecommunication Management System using the Uniform Crime Reporting (UCR) audit, and is sent

electronically to the Division of Criminal Information (DCI) at the State Bureau of Investigation (SBI).

D. Central Records/Telecommunication Accessibility

The Records/Telecommunication/Tele-Communication Section assists officers and citizens with requests for Records/Telecommunication. After hours, Records/Telecommunication information is accessible to all personnel through the Records/Telecommunication Management System.

E. Report Procedures

Command, supervisory and line personnel will submit all reports to RMS/Records/Telecommunication. Copies of reports will be forwarded or made accessible to the Patrol and Investigations Division Commander for review and case assignment. Any original printed reports and case file documents will be maintained by the primary investigating officer and/or provided to Records/Telecommunication/Tele-Communication Section for data entry and appropriate filing.

F. Audit of Central Records/Telecommunication

In order to maintain the integrity of the system and the security of Records/Telecommunication contained within the department's filing and Records/Telecommunication system, a bi-annual audit may be conducted of portions of the Records/Telecommunication Management System by the SBI.

G. Use of Computer Software

All computer media using e-mail will be scanned for virus infection prior to introduction into any Department computer or computer system. In addition, Department members will follow instructions from the City’s Services Support technician to perform routine, periodic virus scans using provided software. Virus scan software will be updated as directed in order to check for the most current virus definitions.

The City’s Assistant City Manager will ensure that all programs are properly licensed.

H. Computer File Backup and Storage

Computer files in the Department’s Law Enforcement Records/Telecommunication Management System are backed up on a daily basis

and in compliance with state law pertaining to Records/Telecommunication retention.

I. Criminal History Files

1. The Department's Records/Telecommunication Management System contains files documenting arrests that occur within the Department's jurisdiction. Juvenile local arrest files are not released to the public. All arrest information in the Department's computer files may be shared with other criminal justice agencies and law enforcement personnel.

2. The Department maintains criminal arrest identification files relating to incidents that occur in the Department's jurisdiction. Arrest reports and arrest Records/Telecommunication are maintained by the Records/Telecommunication/Tele-Communication Section. State and Federal Criminal History transcripts are accessible through the DCI/NCIC network.

3. A Criminal History may be requested through the National Crime Information Center (NCIC) and the NC Division of Criminal Information (DCI). A Criminal History and Record may be requested for purposes of criminal investigations, criminal justice employment background checks, or for licensing. Personnel are required to request this information from a certified DCI operator and personally receive any printed copies. Each request is documented to provide accountability to the dissemination process. Information from DCI/NCIC is not public record. Personnel receiving printed copies of this information will ensure that it is kept secure and not accessible to unauthorized persons. Unneeded printed copies will be shredded when no longer administratively useful.

J. Department Forms

The Records/Telecommunication/Tele-Communication Section will serve as repository for forms used by the Department. All forms used by the Department will be listed on the Forms Control list. Each form will be assigned a number, brief purpose, and date revised if applicable.

The Chief of Police, or designee, will have final approval authority for any and all departmental forms to include the review and modification of forms as the need arises.

If the implementation of new forms are requested, the Chief of Police, Division Commander, or other designee, should check for the following.

1. The form is beneficial to the agency.

2. There are no duplications.

3. After all forms are received and reviewed by the Chief and approved, the electronic forms file will be updated.

II. Field Reporting and Management

A. Field Reporting System

Officers will use appropriate field case reports and forms to document incidents and investigations**.** Incident/Investigation Reports, Arrest Reports, and Juvenile Contact Reports will be completed in accordance with the guidelines published in the IBASE Report Writing Manual published by the State Bureau of Investigation, Division of Criminal Information. Motor vehicle collision reports will be completed on a DMV-349 in accordance with the guidelines set forth in the Motor Vehicle Collision Reports manual.

B. Submission and Processing of Reports

Officers will submit completed original reports to a supervisor for initial review. The Patrol and Investigative Division Commander will determine case management status.

The Criminal Investigations Division Commander, or designee, will review all criminal incidents for case assignment.

C. Case Numbering System

The Record management System (RMS) system assigns a unique number to each reported incident, arrest, or juvenile contact. A unique call number is also assigned to each dispatched or recorded call for other police services.

D. Supervisory Review of Reports

All written reports submitted will undergo supervisory review as follows:

1. The Section Commander (Lieutenant) or Supervisor (Sergeant) will initially review reports for acccuracy, thoroughness, content and legibility. Reports not approved will be returned to the officer for corrections.

2. The reviewing supervisor will approve/disapprove and forward the report accordingly.

3. Completed reports from supervisory personnel shall be routed to Patrol and Criminal Investigations Division Commanders. Records/Telecommunications personnel will enter appropriate data into

the Records/Telecommunication Management System and then file the original documents in accordance with established file plans.

4. During the monthly report completion process, Records/Telecommunications personnel will audit recording, and reporting for accuracy, completeness, and numerical integrity.

E. Distribution of Reports and Records/Telecommunication

1. Internal

Records/Telecommunication personnel will make available to Command Staff members all reports for review and case assignment.

2. External

Records/Telecommunication personnel will be responsible for the release of reports to law enforcement personnel, legal agencies for prosecution purposes, and the public only in accordance with state law and departmental directives. Information may be released to news media reporters only as directed by a Command Staff member.

F. Central Records/Telecommunication

1. Master Name Index

The Master Name Index is an automated feature of the Records/Telecommunication Management System that includes the names of persons identified in field reports. The initiation of a global name search will cross-reference all related cases for a person by the person's name.

2. Index Files

The incident by type file is an automated feature of the Records/Telecommunication Management System that reveals information on categories of activities.

3. Incidents by Type

Records/Telecommunication personnel prepare a monthly statistical summary report of incidents by type, which is generally broken down by Part I and Part II Uniform Crime Reporting offenses and indicates crimes that are reported. Included in that report is an activity component that documents the general activity of the Department, including traffic stops,

and incident reports. A call activity and calls for service component is also included, which provides information by beat, time of day, and day of week. This report includes year-to-date cumulative information in order to highlight quarterly, semi-annual, and annual trends.

4. Incidents by Location

Information on incidents by their location is available using any computer terminal attached by network to the Records/Telecommunication Management System (RMS) and/or Computer Aided Dispatch (CAD) System. Specialized listings are available upon request to Records/Telecommunication personnel.

5. Stolen, Found, Recovered, and Evidentiary Property

Records/Telecommunication personnel are responsible for entering pertinent data for all property listed in the property and drugs sections of Incident/Investigation Reports. All stolen property meeting NCIC/DCI requirements is entered into the computer system.

G. Traffic Records/Telecommunication System

1. Traffic Collision Data

The on-duty Division Commander or Supervisor reviews collision reports for accuracy and thoroughness. Reports are then forwarded to Records/Telecommunication Personnel for proper dissemination. Originals are mailed to the Division of Motor Vehicles within 10 days of the collision date. All certified crash reports must be obtained through NCDMV. In cases where the agency has caused a delay in the approval of a crash report, a Supervisor may authorize the release of an unofficial copy to an involved party.

2. Traffic Enforcement Data

Records/Telecommunication personnel enter all data pertinent to citations and traffic arrests into the appropriate module of the Records/Telecommunication Management system. This information is available through the Records/Telecommunication Management System.

3. Traffic Citation Records/Telecommunication

Information from all citations will be entered into the Citation module of the Records/Telecommunication Management System by Records/Telecommunication personnel.

H. Decentralized Records/Telecommunication

Generally, the Records/Telecommunication/Tele-Communication Section is the central Records/Telecommunication repository for original documents and reports prepared by Police Department members. Report data is entered into the Department's Records/Telecommunication Management and Filing System. Access to case reports is provided to Staff members and Investigating officers. Investigative Services Division Commander may maintain certain cases for additional security and control, as approved by the Chief of Police. The Investigative Services Division Commander will maintain the Department's intelligence information and informant files in a secured cabinet or other secured storage utility.

I. Warrant and Wanted Persons Files

Warrants, in all cases, that are pending arrest or service are transferred to the Records/Telecommunication/Tele-Communication Section for entry into the Warrants module of the Records/Telecommunication Management System or are entered into the NCAWARE program by the issuing magistrate.

1. Criteria for Entering, Receiving and Canceling DCI/NCIC Wanted Entries

The Department participates in the North Carolina Division of Criminal Information (DCI) system and the National Crime Information Center (NCIC, which maintain computerized wanted persons files. The Department adheres to NCIC/DCI procedures for entering, receiving, clearing and canceling information on wanted persons. Prior to placing any person in these systems as wanted, the following is required:

a. The officer must obtain extradition approval from a prosecutor in the office of the District Attorney

b. The NCIC/DCI entry form and the original warrant listing the assigned case number must be forwarded to the Records/Telecommunication/Tele-Communication Section for processing in the Records/Telecommunication Management System, DCI, and NCIC.

2. Recording Criminal Process Information in Department Files

Names will be cross-referenced whenever possible using the global name feature of the Records/Telecommunication Management Systems. The following will also apply:

a. When an officer initiates or obtains a warrant or other Criminal Process issued through the magistrate's office,

Records/Telecommunication personnel will enter the information into the Warrants module of the Records/Telecommunication Management System when required to do so.

b. Once the Records/Telecommunication/Tele-Communication Section receives a Criminal Process, it will be marked with the date received and the date the data was entered into the warrants module.

c. The officer serving the criminal process will document service of the warrant, and Records/Telecommunication personnel will enter the status and date of service in the Records/Telecommunication Management System.

d. Records/Telecommunication personnel will update the Warrants module and return documents to the Clerk of Court in the County of issuance.

3. Verifying Identify and Information

The Records/Telecommunication Management Systems allow for name searches and cross-referencing of related identification information.

4. Accessibility to Warrant Information

Warrant and other Criminal Process information is accessible through the Records/Telecommunication Management system (RMS), Computer Aided Dispatch (CAD), and the North Carolina Warrant Repository (NCAWARE).

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 8.04

SUBJECT: Dissemination of Information

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** **1- 03/02/2017**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Public Records; Release of Information;
DCI/NCIC

DISTRIBUTION: All Personnel

Purpose: To establish a system for the management and dissemination of information originated or received by the Creedmoor Police Department.

Policy: The Creedmoor Police Department will disseminate information to the public in accordance with local, state and federal laws. The State Bureau of Investigation's administrative rules closely regulate dissemination and receipt of criminal history and other information from DCI/NCIC concerning the administration of justice. Violation of these rules may result in loss of access to this essential information. Improper access or dissemination of information by an employee may result in disciplinary action.

Definitions:

DCI – Division of Criminal Information. This is a subdivision of the North Carolina State Bureau of Investigation, which operates under the authority of the North Carolina Department of Justice and the State Bureau of Investigation (SBI).

NCIC – National Crime Information Center, the national network of criminal information regulated by the FBI.

Criminal Justice Agency – Means (1) Courts; (2) A governmental agency or any sub-unit thereof which performs the administration of criminal justice pursuant to statute or executive order, and which allocates a substantial part of the actual budget to the administration of criminal justice.

Certified Operator – A person properly trained and certified by DCI to access the criminal information network.

Criminal History and Criminal Record –

1. Local Criminal History/Record – A record of arrests made by officers of the Creedmoor Police Department.

2. Local Criminal Record - A record of a person's arrests and convictions, which is maintained by the Administrative Office of the Courts and the Granville County Clerk of Superior Court.

3. DCI Criminal History – A record of a person's arrests in North Carolina, which is maintained by the SBI.

4. DCI Criminal Record – A record of a person's arrests and convictions in North Carolina, which is maintained by the State Bureau of Investigation.

5. NCIC Criminal History – A record of a person's nationwide arrests, which is maintained by the FBI.

6. NCIC Criminal Record – A record of a person's nationwide arrests and convictions, which is maintained by the FBI.

7. NCAWARE Check – A check of NC issued or outstanding process

Outstanding warrant check – Normally includes:

1. Check of local warrants

2. DCI records of outstanding warrants

3. NCIC records of outstanding warrants and

4. NCAWARE

Master Name File – this term refers to the index record of an individual maintained in the Police Department's records system indicating instances where that person was arrested or listed as a suspect, victim, complainant, reporting party etc..

Criminal Investigation Records – All records or any information that pertains to a person or group of persons that is compiled by a public law enforcement agency for the purposes of attempting to prevent or solve violations of the law, including information derived from witnesses, laboratory tests, surveillance, investigators, confidential informants, photographs and measurements.

Criminal Intelligence Records – All records or information that pertain to a person or group of persons that is compiled by a public law enforcement agency in an effort to anticipate, prevent or monitor possible violations of the law.

Procedure

I. Public Records

A. Documents or media including the following information are specifically identified as public record by Chapter 132 of the North Carolina General Statutes:

1. The date, time, location and nature of a violation or apparent violation of the law reported to a public law enforcement agency.

2. The name, sex, age, address, place of employment and alleged violation of the law of a person arrested, charged or indicted.

3. The circumstances surrounding an arrest including the time and place of arrest, whether the arrest involved resistance, possession or use of a weapon or pursuit and a description of any items seized in connection with the arrest.

4. The contents of 911 and other emergency telephone calls received by or on behalf of public law enforcement agencies, except for such contents that reveal the name, address, telephone number or other information that may identify the caller, victim or witness.

5. The contents of communications between or among employees of public law enforcement agencies that are broadcast over public airways.

6. The name, sex, age and address of a complaining witness. (Complainant)

B. Records of criminal investigations or records of criminal intelligence are not public records as defined by G.S. 132-1.

C. The name or address of a complaining witness shall be temporarily withheld from the public if the release of information is reasonably likely to pose a threat to the mental health, physical health or personal safety of the complaining witness or material to compromise an on going or future investigation or criminal intelligence operation. Information temporarily withheld shall be made available for release to the public in accordance with the public records statutes as soon as the circumstances that justify withholding it cease to exist.

D. If an officer believes that release of information that is a public record will jeopardize either the right of the State to prosecute a defendant or the right of a defendant to receive a fair trial or will undermine an ongoing or future investigation, an order from a court of competent jurisdiction may be sought to

prevent disclosure of the information. Officers shall contact the police departments' attorneys for assistance in securing a court order in these cases.

E. G.S. 132-1.4 and G.S. 15A shall govern disclosure of records of criminal investigation and criminal intelligence information that have been transmitted to the District Attorney. When release of these records is sought, the District Attorney should be notified.

F. The following court records are considered to be public records and may not be withheld unless sealed by a court order:

1. Arrest and search warrants that have been returned by law enforcement agencies (including inventory sheets)

2. Indictments

3. Criminal Summons

4. Non-Testimonial Identification Orders.

G. The following records are maintained by the Creedmoor Police Department and are available to any member of the public on request. All requests for these records are to be made to the Telecommunication/Records Section.

1. Crash reports (unofficial only, official copies via NCDMV, see Directive 8.03)

2. The following portions of the Incident Report:

   a. The front portion of the two-sided incident report (all narratives withheld)

   b. Lost, stolen or recovered property listed on the Incident Report, or on a Supplement Report.

Supplemental reports may be released to the public only if they contain property listed as lost or stolen, and all narrative information is blacked out (redacted).

Information contained in the investigative reports other than that specifically regulated in this General Order will be released only with the approval of the investigating officer and his supervisor if, in the opinion of the investigating officer, it will not interfere with the investigation.

H. Local records of arrest and issuance of citations for infraction violations made of persons age sixteen or older are public record. Certified copies of arrest records and copies of citations are maintained by the Clerk of Superior Court. Persons

requesting arrest records or copies of citations should be referred to the Clerk of Superior Court's office to obtain certified copies of those records.

II. Release of Information to Criminal Justice Employees

Records which may be released to criminal justice employees will be obtained from the Telecommunication/Records Section, provided that the requestor has demonstrated a "need to know." Such records include:

A. Vehicle registration information

B. In-state Driver's History. Creedmoor Police Officers may obtain out of state driver's histories if requirements for a criminal history check are met.

C. Incident reports

D. Copies of arrest reports

E. Complete individual master name file

F. Juvenile arrest information (restricted release and supervisor approval required)

III. Records Which May Be Released to the Public

A. Vehicle ownership information for vehicles registered in North Carolina obtained from DMV may be released to members of the public upon a showing of a reasonable "need to know." Examples of a "reasonable need to know" are:

1. Vehicle abandoned on private property; property owner wants the vehicle removed or wishes to provide notice to the vehicle owner to remove the vehicle; or

2. Vehicle is involved in an unreported accident; the other party wishes to contact the owner.

This information is to be obtained from the Telecommunication/Records Section only. Members of the public are to be directed to the Telecommunication/Records Section to complete the required form(s) to obtain this information.

B. Photographs of accidents may be released to either the persons involved in the accident or their representatives, in the discretion of the officer investigating the case.

C. Crime scene photographs may be released to members of the public only with the specific approval of the assigned investigator after the criminal investigation is closed. When the final disposition of a criminal case is still pending, the assigned

investigator may approve the release of crime scene photographs, but only after consultation with the District Attorney.

IV. Other Information

A. Information not specifically described in this general order will be released only upon the approval of the Chief or his/her designee.

B. All subpoenas and court orders for the release of information that is maintained in the Telecommunication/Records Section will be directed to the Chief or his/her designee for compliance.

C. Fees charged for obtaining records, photographs, etc. will be determined by the police department and be posted in the Telecommunication/Records Section.

D. In the event that an investigating officer is no longer employed by the Creedmoor Police Department, his supervisor or the former employee's Division Commander will be charged with the decision for the release of information.

V. Destruction of Records

A. Orders for Expungement will be directed to the Chief or his/her designee for compliance.

B. Destruction of all records relevant to this general order will follow the guidelines set forth in the Creedmoor Police Department's Records Retention Schedule.

VI. Inspections

A. The Chief or his/her designee shall conduct periodic inspections to ensure that the Department is in compliance with the applicable rules and regulations.

B. The results of the inspection, and any recommendations necessary for compliance, shall be immediately reported to the Chief of Police.

VII. Access to DCI/NCIC

A. Only certified operators (personnel who possess a valid certificate to operate DCI equipment) shall access the DCI/NCIC computer system.

B. Regulations which govern access to and dissemination of DCI/NCIC information shall be compiled with by all operators, and it shall be the responsibility of each operator to be familiar with the rules and regulations which govern access and dissemination.

C. The Telecommunication/Records Supervisor will maintain a listing of all certified operators. Any limitations on the right of access will be recorded in said listing.

The responsibility for ensuring compliance with all DCI/NCIC logging, dissemination and security requirements shall be the responsibility of the Division Commander to which any terminal is assigned. Separate rules and regulations may be published, by authority of the Chief of Police, to directly govern access to DCI/NCIC by certified operators, and will be maintained in each Division Commander's office and disseminated to all certified operators.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 8.05

SUBJECT: Records/Telecommunications Management

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** #2 – 03/02/2017

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:**

Purpose: To establish a general protocol regarding the governance of employees assigned to or assisting with Records/Telecommunications

Policy: All employees assigned to or assisting with Records/Telecommunications shall conduct themselves in accordance to the following guidelines to ensure the integrity of the unit and the department.

I. Confidentiality

By the very nature of their employment, communications personnel will treat confidentially any information they become aware of during their employment. This will include criminal information, motor vehicle, driver information, or any information pertaining to any employee of this Department. Communications personnel will not make any false reports nor will they allow entry into any log, report, or electronic communication any information they know or suspect to be false or in error.

II. Damage to Equipment

Any damage to communications equipment will immediately be reported to the shift supervisor and Patrol Division Commander.

III. Radio Failure

A. In the event the base radio should fail, the telecommunicator will immediately contact the Patrol Division Commander or Shift Supervisor.

B. The tele-communicator should immediately switch to a hand held portable radio or alternate radio channel on the base station if the main radio channel goes down.

IV. Security

A. It is of the utmost importance that the Communications Center be kept secure always due to the confidentiality of information and the necessity to keep confusion to a minimum.

1. The doors to the police department shall remain closed always except allowing entry or exit to authorized persons.

2. Never open either door for anyone unless authorized to enter.

3. Personnel of the Police Department and from other agencies, either on-duty or off-duty, shall not be in the Communications Center unless on official business.

V. Visitors

A. It is permissible for visitors to tour the Communications Center during periods of minimum activity.

1. All visitors must always be escorted and supervised.

2. All visitors of approximately elementary school age should view the Communications Center through the windows in the hallway.

3. All visits should be coordinated through the Communications Supervisor or the shift supervisor.

4. All visits should be limited to a maximum amount of time, e.g., 5-10 minutes.

5. If visitors do enter the communications center, DCI screens must be closed or minimized where they are not visible.

VI. Privileged Information

A. The telecommunicator will come in contact with information that is of a sensitive or privileged nature. This includes all investigations that the telecommunicator may assist in. These investigations can be simple or most serious in nature. All information should be treated as confidential.

B. Prohibited Communications

Under no circumstances are telecommunicators to discuss with anyone any privileged information that comes to their attention while performing their duties.

1. The following are exceptions:

a. Squad supervisors

b. Officer assigned to the incident

c. Investigators assigned to the case

d. Superiors in the Communications Division chain of command

e. Persons authorized by the Chief of Police.

C. Personnel are not to discuss privileged information with friends and family members.

D. Under no circumstance shall official information of any kind be used for personal purposes.

VII. Basic Telephone Techniques

A. As a tele-communicator, you are the basic link between emergency services and the public. Each telephone conversation you have as a telecommunicator is as important as a face to face meeting.

1. Answer each call promptly and as if it was an emergency.

2. Speak in calm, competent, decisive, and courteous voice for this will assure the caller of prompt action.

3. Take charge of the conversation.

a. After initial exchange of pertinent information, maintain a courteous but firm attitude.

b. Write down complete information concerning the incident.

c. Show interest in the person’s call.

d. Never keep a caller on hold for an extended period of time.

e. When transferring a caller to another extension, keep a check for delays on the call being answered.

f. Terminate all calls in a positive and courteous manner.

B. Telephone Call Priority

It is difficult to set down hard and fast rules in determining call priority. Due to the unpredictability of various situations, a routine, non-emergency call can suddenly become a life-threatening matter. It is however, necessary to put down a set of guidelines that will give the telecommunicator a pattern to follow. Calls are ranked in the following manner:

1. Priority One: In-progress calls involving threat to life or the possibility of bodily injury. This will include structural fires, rapes, robberies, injuries, crimes involving weapons, accidents with injuries.

2. Priority Two: In-progress calls where threat is to property only. Breaking into commercial businesses, accidents without personal injury.

3. Priority Three: Calls involving crimes with no suspect present. Incidents reported after the fact.

4. Priority Four: Calls requiring police presence without any type of crime being committed.

5. Priority Five: All calls of an administrative nature.

C. Police Personnel Home Telephone Numbers

No member of the department shall give the home telephone number, cell number or address of any other member of the Department to any person not employed by the Police Department without permission of a supervisor.

D. Phonetic Alphabet

1. To eliminate misunderstanding when broadcasting the names of persons or unfamiliar locations the Standard Phonetic Alphabet will be used. All personnel that use the police radio will memorize and use the following alphabet:

A- Adam	G- George	M- Mary	S- Sam	Y- Young
B- Boy	H- Henry	N- Nora,	T-Tom	Z- Zebra
C-Charles	I- Ida	O-Ocean	U- Union	

D- David	J- John	P- Paul	V- Victor
E- Edward	K- King	Q- Queen	W- William
F- Frank	L- Lincoln	R- Robert	X- X-ray

2. If possible the operator shall pronounce the name and follow with the spelling using the phonetic alphabet.

   a. Example: SMITH: S-Sam, M-Mary, I-Ida, T-Tom, H-Henry.

   b. Incorrect example would be: S- as in Sam, M- as in Mary, etc.

   c. Incorrect example would be: Sam, Mary, Ida, Tom, Henry.

E. Ten Codes/ Signal Codes versus Plain Language

1. For the sake of brevity communications personnel and field units will use the authorized Ten Codes, Signal Codes and plain English adopted by the Police Department.

2. When operating with outside agencies, plain language should be considered as the preferred communications method to avoid conflicting codes and confusion.

F. Special Broadcast

1. The Tele-communicator will announce to all police units a special broadcast is to follow.

2. The Tele-communicator should pause briefly and then deliver the message to all units.

3. Upon receiving the message, all units will acknowledge their receipt and understanding of the message by responding with their unit number over the radio.

G. Multiple Calls in the Same Area

When the telecommunicator receives more than one call for police service in a given area, the following procedures should be followed:

1. Assign the most important call to the unit responsible for that particular zone.

2. Assign subsequent calls to the next nearest unit.

3. DO NOT assign more than one call at a time to a given unit.

H. Holding Calls

If the telecommunicator has calls and all field units are busy, the following procedures are to be followed:

1. Notify the shift supervisor that you have calls pending. Advise the shift supervisor what they are and location by zone.

2. If the sergeant is not available notify the senior shift officer.

3. If there is any delay due to it being a very busy time, it should be noted in the narrative of the C.A.D. entry that fully explains the situation.

I. Criminal/Driver's History Information

1. The communication of driver's history or criminal history information over the communication airways is prohibited.

2. Criminal/driver's history does not include "wants and warrants" which may be outstanding on the subject.

3. Requests for Criminal History will be submitted in writing. Authorized persons requesting this information will be required to complete a standard Creedmoor Police Department Form Request and Security Agreement for Criminal History Information.

4. DCI Operator will sign and date form

J. Division of Criminal Information

All telecommunicators will be familiar with and conform to the rules and regulations of the Division of Criminal Information (DCI).

VIII. Vehicle Description

When giving out a vehicle description, telecommunicators will use a set sequence. This same sequence should be used each and every time for sake of uniformity. The sequence shall be:

A. C Y M B A L S

1. Color

Use only primary colors such as red, green, blue, etc. Descriptions such as "light" or "dark" are acceptable; however, expressions such as "robin-egg" blue or "cherry" red should not be used.

2. Year

   Give out the full year: 1967, 1983, 1987.

3. Make

   When giving the make, telecommunicators will give full information such as Chevrolet as opposed to "Chevy".

4. Body Style

   Three door, four door, convertible, pickup truck, etc.

5. Additional information

   Body damage, rust, unusual markings, or paint pattern, wanted for, etc.

6. License number

7. State

B. EXAMPLES:

1. Transmission with complete information:

   Be on the lookout for a red 1987 Ford 4-door with damage to the right front side, license number will be A-Adam, B-Boy, C-Charles, 1,2,3 State of North Carolina.

2. Transmission with incomplete information:

   Be on the lookout for a red, year unknown, Ford 4-door with damage to the right front side, license number and state of registration unknown.

C. Prior to making transmission, the telecommunicators will know what they are going to say and will make the effort to have as much information as possible available. There will not be an unusual delay in transmitting. It is better to give partial description and update later than to wait and endanger personnel in the field.

1. Should this vehicle be wanted in relationship to a crime or if it is a stolen vehicle, same will be entered into NCIC via the DCI terminal.

IX. Physical Description

A. When giving out the physical description of a person it should be done in the same sequential order each and every time. This will enable the field unit and the telecommunicator to give out complete information.

1. Any weapons the subject may have or may have used.
2. What the person is wanted for.
3. Description should be given out as follows:
    a. Race and sex
    b. Approximate age
    c. Approximate height and weight
    d. Hair color, hair style, facial hair, and complexion
    e. Easily seen identifiable features:
        i. Glasses
        ii. Tattoos
        iii. Amputations
        iv. Marks and scars
    f. Clothing
        i. Hat or cap
        ii. Jacket or coat
        iii. Shirt
        iv. Trousers
        v. Shoes and socks

B. Often a caller will not give the information in the order that is most desirable. It is better to take the description as given since the caller will have it in his or her own order. The telecommunicator should not question what is given and only ask for the descriptive details that are missing. It is important to reassure the caller that assistance is on the way and that the information you are requesting is necessary.

C. When giving the description to field units, all information available should be given. The units should be made aware of what information we do not have as this should prevent needless radio communication from field units to the Communications Center.

D. EXAMPLE

1. Be on the lookout for a:

   a. white male
   b. 55 years old
   c. 603 feet tall, 230 pounds
   d. graying hair, no facial hair, clear, ruddy complexion
   e. will be wearing a sport coat, color unknown, light color shirt and tie, light color trousers, brown shoes
   f. may be armed with a large caliber handgun
   g. wanted for questioning regarding threats against an elected official.

X. Complaints Against City Personnel

A. In the event that the telecommunicator receives a complaint from the public regarding a police officer, telecommunicator, or other employee, the telecommunicator shall observe the following:

1. If the complaint concerns a police officer, transfer the call to the shift supervisor.

2. If the complaint concerns a telecommunicator, the complaint will be transferred to the shift supervisor or communications supervisor during normal working hours or to the shift supervisor after normal working hours.

3. If the complaint concerns any other employee, the complaint should be forwarded to the employee's supervisor during normal working hours or to the uniform commander during normal working hours.

B. Recording Radio/Telephone Communications

All emergency radio and telephone communications will be recorded on a 24 hour basis. These recordings are an indispensable source for criminal investigations, internal investigations, training and audits of the delivery of police service.

1. All recordings will be maintained in a secure place at the Police Department.

2. Access to the recordings will be controlled by the Communications Supervisor.

3. All recordings will be stored and maintained for at least 30 days.

4. All requests for reviewing radio/telephone recordings will be submitted to the Communications Supervisor. All requests for review will be supported by sufficient reason, e.g. criminal investigation, internal investigations, training, audits of police services, etc.

C. Clearing Radio Channel for Emergencies

There will be occasions when there is an emergency in progress during which the radio channel should be maintained as clear as possible in order to be available without delay for use by units involved in the emergency.

1. As a matter of routine, the telecommunicator should clear the air for emergency traffic during the following "in-progress" incidents:

   a. Officer injured
   b. Incidents involving the use of weapons
   c. Pursuits
   d. Robberies or robbery alarms

2. To clear the channel, the telecommunicator should announce **"hold all traffic, All units- emergency traffic only"**. After the incident has been cleared, the telecommunicator should advise "All units resume normal operations."

D. In-Progress Crimes

Upon receiving a call of a crime in progress, where the caller is in possible danger or has view of the crime, the telecommunicator should dispatch one or more field units to the location of the crime as soon as sufficient information is determined as to the location and nature of the crime.

1. The caller should be kept on the line until the responding units arrive on the scene.

2. This allows the telecommunicator the opportunity to obtain additional information which can be relayed to the responding unit.

3. If the call involves a prowler, burglar, peeping tom, etc., the telecommunicator should ascertain from the caller whether they are armed and if so, to put the weapon away once the officer(s) arrive on scene for their safety as well as the officers that will be responding.

4. While waiting for the responding units to arrive at the scene, the telecommunicators will contact the Shift Supervisor and advise them of the in-progress crime.

5. When the responding units advise of their arrival on the scene, the telecommunicator should advise the caller that the police have arrived and that the caller should stay in place until contacted by the officers.

E. Police Pursuits

When notified by a field unit that they are involved in a pursuit, the telecommunicator will advise all units to cease radio traffic unless they have an emergency. The telecommunicator will attempt to establish the following information from the unit in pursuit as soon as practical:

1. Present location
2. Direction of travel
3. What the vehicle is wanted for
4. Description of vehicles and occupants

a. The telecommunicator should ensure that the on-duty Shift Supervisor is notified of the pursuit in progress.

b. The telecommunicator will ensure that nearby law enforcement agencies are notified of the pursuit if the pursuit may possibly affect their jurisdiction.

c. The field unit in pursuit should constantly advise communications of its location. Should the pursuit unit not be heard from for more than 15 seconds, the telecommunicator should contact the unit for its location.

d. At no time under any circumstances shall the pursuing unit leave the frequency while a pursuit is in progress. The telecommunicator who took the original transmission of a pursuit will remain on that call until the pursuit is terminated or the vehicle being pursued is stopped.

XI. Civil, Business and Family Disturbances

A. Upon receiving of a call reporting a disturbance, the telecommunicator should ask certain questions:

1. Ascertain the location of the disturbance
2. Is the disturbance of a verbal nature or is their physical assault involved?
3. How many people are involved?
4. Are weapons involved?
5. What type weapon is being used?
6. If weapons are not being used, is there a weapon available in the area where the disturbance is taking place?

a. All information concerning answers to the above questions should be given to the officer at the time of dispatch.

b. The telecommunicator will assign a backup unit to assist the primary unit. Maintain a close watch on the incident and attempt to contact the officers if they are not heard from for five (5) minutes after arrival at the scene of the disturbance. It is preferable to contact the officers by radio when possible.

B. Bomb Threats

Upon receiving a call involving a bomb, explosive device, or military ordinance, the telecommunicator will dispatch a field unit to the location and notify the Shift Supervisor. The telecommunicator will also notify the Fire Department and advise the on-duty fire commander of the nature and location of the call.

C. Police Response to Fire and Rescue Calls

Upon receiving a fire or rescue call within the city limits, the telecommunicator will dispatch a field unit to the location to assist those agencies. The telecommunicator will ensure notification of the Shift Supervisor as to the nature and location of the call.

D. Other Agency Dispatching

When receiving a request for police services from an agency that the Communications Center dispatches calls for, the telecommunicator will handle the call in the same manner as if it were an in-city call. This will include obtaining all necessary information, and completing a proper CAD entry, dispatching the appropriate unit, and keeping check on the unit until the call is completed.

E. Officer Initiated Incidents

When an officer in the field initiates an action or discovers an incident, it is the officer's responsibility to provide the telecommunicator with sufficient information to help ensure their safety. If the officer fails to provide proper information, it is the duty of the telecommunicator to ascertain it.

1. The officer should routinely advise you:

   a. Location (street address as well as business name)

   b. Nature of incident

   c. Vehicle license and description (if applicable.)

2. In the case of the officer-discovered incident, the telecommunicator will complete the proper CAD entry.

F. Failure to Report by Radio

If a field unit is observed as being off the air for an unusually long period, the telecommunicator will attempt to contact the unit by radio. If the unit cannot be contacted, the telecommunicator will immediately inform the shift supervisor.

F. Transporting Prisoners of the Opposite Sex

When a field unit reports that it will be transporting a prisoner of the opposite sex, the telecommunicator shall note the time and mileage of departure and arrival.

G. Burglar Alarms

Upon receiving a burglar alarm or holdup (not bank) alarm, the telecommunicator will dispatch the zone unit and a backup unit.

1. If a "trouble" burglar or holdup alarm is received, it will be handled in the same manner as a regular burglar alarm.

2. Responsible parties for buildings or businesses, where alarms are activated, whether trouble or actual, will be contacted and advised of same.

H. Bank Alarms

Police Department personnel will observe the guidelines regarding response to bank robberies and bank alarms outlined by *Bank Alarm Response Procedures*

1. Administrative Responsibility

a. The Patrol and Investigative Division Commanders will be responsible for the coordination of all procedures that are established regarding police responses to bank robberies and bank alarms and maintaining an active liaison with all financial institutions located within the City.

2. Operations Responsibility

a. Upon receiving a bank alarm, the on-duty telecommunicator will immediately clear the radio network of all non-emergency traffic. Police units will hold all routine calls.

b. The telecommunicator will initially dispatch two units to the scene of the alarm. This will include the zone car and nearest available unit. If the zone car is on other traffic, dispatch the units closest to the bank. The telecommunicator will dispatch the on-duty supervisor.

c. All police units will remain on a standby alert if not dispatched to the alarm. This standby alert will be until the alarm is cleared through proper procedure.

d. The telecommunicator will alert all units of the alarm, and will advise each unit to stop transmitting at that time. Telecommunicators will transmit this notification to all units using ten-code.

e. The responding units will advise the Communications Center of their arrival at the scene.

f. The Communications Center will then contact the bank to determine the nature of the alarm.

g. When a responsible party contacts the officer outside the bank, the officer will verify this party by the White Paper, and information from the party about the situation inside the bank.

h. If the alarm is false, the telecommunicator will advise the responding units to go back in service. The telecommunicator will clear the alarm situation.

i. In the event the officers determine from the responsible party that a robbery has occurred, the officers will:

i. Enter the bank only after it has been determined the suspects have left.

ii. Secure the bank by not allowing anyone to enter or leave except police personnel that as part of their duty must do so (evidence technicians, investigators, etc.).

iii. Secure descriptive information as to possible suspects or vehicles and cause same to be dispatched to all local units and surrounding jurisdictions.

iv. In the event the responding party does not come out of the bank, the shift supervisor will contact the Criminal Investigation Supervisor to arrange for plainclothes officer to enter the bank to check out the situation.

3. Supervisory Responsibility

a. The on-duty telecommunicator will advise the on-duty shift supervisor of the alarm as soon as possible.

b. The on-duty supervisor will be responsible for the implementation of any tactical deployment such as; surveillance, tactical team, etc.

c. The on-duty supervisor will cause an evidence technician and investigator to be dispatched to the scene of a confirmed robbery.

XII. Telephone Number for Supplemental Services

Reference material containing telephone numbers for supplemental services will be maintained with the Communications Center and kept up to date.

A. Animal Control

1. Upon receiving a call of an animal bite to a person, the telecommunicator will dispatch a field unit to the location.

a. The officer, upon arrival at the scene, will determine the nature of the call and will advise the telecommunicator to notify a county animal control officer, if needed.

b. After normal working hours, the shift supervisor will make the determination to call the on-call county animal control officer.

B. Vehicle Towing

When it becomes necessary for a vehicle to be towed, the tele-communicator will act in accordance with the City Ordinance and departmental policies regarding the towing of vehicles and will cause entries to be made in the proper logs maintained in the Communications Center.

C. Locked Vehicles

It is the policy of the Department to provide aid to citizens by unlocking car doors upon request in accordance with the guidelines established by this policy. Police Department personnel will observe the following procedure pertaining to unlocking car doors:

1. The Department will respond to all requests by citizens to unlock cars within the city limits where the need exist. Police Department personnel will consider the following factors to determine if an emergency situation exists:
    a. Proper proof of ownership/legal possession;
    b. Availability of a secondary; and
    c. A signed waiver must be obtained

D. Traffic Signals

Upon receiving notification that a traffic signal is malfunctioning, the telecommunicator will promptly contact the necessary agency for maintenance. After normal working hours for these maintenance agencies, the telecommunicator will contact the shift supervisor. The telecommunicator will then ascertain from the supervisor whether or not the malfunction should be referred immediately or not.

E. Streets, Sanitation and Public Works

1. Upon receiving notification of a street, sanitation, or public works defect or malfunction, the telecommunicator shall do the following.
    a. The tele-communicator will promptly contact the respective department of any malfunctions or problems. Contact information will be kept in the communications center and up to date. CAD call will reflect this information.

F. Helicopter Landings

Upon receiving information of a planned helicopter landing within the city limits, the tele-communicator will notify the on-duty shift supervisor.

G. Escorts

1. Upon receiving a request for an escort from a business to a banking institution, the telecommunicator will dispatch the appropriate zone unit to the scene of the escort.

    a. If no units are immediately available, the telecommunicator should advise the caller of that fact and that a unit will be sent when available.

    b. Upon receiving a request for an escort for a funeral, etc. the telecommunicator will notify the appropriate zone unit and the Shift Supervisor.

H. Emergency Medical Services (EMS)

Upon receiving a call requesting services supplied by EMS, the tele-communicator will transfer the call to the appropriate agency.

I. Police Assistance

1. Upon receiving a call for EMS/Fire within the city limits, the telecommunicator will notify police units of the call. Officers should respond to the scene, if available.

J. Deliver of Messages

1. There will be occasions when requests are made of the Police Department to deliver messages. It is necessary to set guidelines for the types of messages that will be delivered. The following are messages that will be delivered:

    a. Death notification

    b. Serious illness

    c. Message from other law enforcement agencies

2. When a telecommunicator has an uncertainty as to whether a message should be assigned to a unit for delivery, the telecommunicator should contact the Shift Supervisor.

K. Stolen Vehicles

The following procedure will be observed by all personnel regarding reported stolen vehicles.

1. Upon receiving a stolen vehicle report the officer or telecommunicator will obtain information regarding the circumstances surrounding the theft and a description of the vehicle.. The telecommunicator will immediately cause the vehicle description to be broadcast over the radio frequency to all area police units and surrounding law enforcement agencies. All units at this time will be advised that the lookout is for an unofficial stolen vehicle.

2. An officer will be sent to the scene of the reported theft and obtain sufficient information to complete a preliminary investigation report and verify whether a lookout should be continued. If the officer establishes the report is legitimate, the telecommunicator will cause the message to be sent via DCI to all terminals within a 50 mile radius.

3. The officer will then be responsible for insuring that the vehicle is entered into NCIC by Communications Center personnel. This will be done without any undue delay. The officer will complete the stolen vehicle report and turn the completed report over to the shift supervisor immediately. It will be the responsibility of the shift supervisor to verify the accuracy of the report and attach a copy of the NCIC entry to the report prior to submitting the report to the Records Center.

4. A report will be completed anytime a vehicle is recovered. This will include vehicles that are recovered by other agencies that were stole from this jurisdiction. When a telecommunicator receives a message that a vehicle reported stole in this city has been recovered by another jurisdiction, the telecommunicator will contact the shift supervisor. The shift supervisor will designate an officer to complete the necessary report of the recovered vehicle. A copy of the recovery report and DCI cancellation will be submitted to the Records Center after being approved by the officer’s supervisor.

L. Failure to Return Rental Vehicle

If the information gathered by the officer taking the report constitutes a misdemeanor violation of N.C. General Statute 14-167 (Failure to Return Hired Property) or 14-168 (Hiring with the Intent to Defraud), the complainant should be instructed to obtain a warrant from the magistrate's office. After a warrant is issued the officer will cause the vehicle to be entered into N.C.I.C as stolen. This will be done ONLY after a warrant is obtained.

M. Receiving Fire Calls

Upon receiving a call of a Fire/EMS, the tele-communicator will transfer call to Granville County Emergency Communications/911 center.

N. Police Assistance

After contacting the 911 center, the tele-communicator will dispatch a police unit to the location of the call to check in/assist the responding Fire/EMS units.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 8.06

SUBJECT: Records

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:** 1- 03/02/2017

APPROVED:

K. E. King
Chief of Police

INDEX AS: **DISTRIBUTION:** All Personnel

Purpose: To ensure the maintenance and integrity of departmental records

Policy:

I. Responsibility of the Telecommunication/Records Division

The Telecommunication/Records Division will serve the Police Department as a centralized depository for all police reports, files, records, documents, external and internal written communications, statistical, and case records for court presentations. The only exceptions are personnel records, training records, and internal investigation case records maintained by the Office of the Chief of Police. The Telecommunication/Records Division will provide a complete and accurate retrieval system to aid department personnel in the investigation of crime, departmental planning, training, crime analysis, and program evaluation. The centralization of police records will reduce duplication of effort and increase efficiency.

A. Establishment of the Telecommunication/Records Division

The Telecommunication/Records Division will be considered a supportive division ready to assist all other functions within the Department. The Telecommunication/Records Division will operate on a 24-hour basis, ready to receive or disseminate information in various forms. The activities of the Telecommunication/Records Division will include:

1. Report review

2. Report control

3. Records maintenance

4. Records retrieval

B. Chain of Command

The Telecommunication/Records Division will be the responsibility of the Patrol Services Division Commander. The Commander will be responsible for administration of the Telecommunication/Records Division. The Commander will ensure adherence to any programs or directives issued. The Supervisor of the Telecommunication/Records Division will be responsible for supervising the Division's activities

C. Staffing

The Telecommunication/Records Division will be staffed with personnel who possess those skills and abilities necessary to carry on an effective and efficient operation.

D. Security of Telecommunication/Records Division

Access to the Department's Telecommunication/Records Division where criminal history information is collected, stored, processed, and disseminated, as well as access to said information, shall be limited to:

1. Telecommunication/Records Division personnel

2. DCI Personnel

3. Designated inspection units

4. Division Commanders

5. Chief of Police

II. Reporting

A. Written police records, on appropriate forms, will be required on the following:

1. Citizen complaints

2. Citizen reports of criminal activity

B. The following records will be maintained as computerized records:

1. Follow-up investigations

2. Incidents involving arrests, citations or summons

3. All situations involving a criminal offense where an officer is dispatched

4. All situations where an officer is assigned to take action at a later time

5. Criminal and noncriminal cases initiated by officers

C. Field Reports

The Police Department maintains the following forms for field reporting on the main sever and Police Pak Records Management System for access by all officers:

1. Investigative Report

2. Missing Person

3. Supplemental

4. Arrest

5. Traffic Accident Report

6. Uniform Traffic Citation

7. Property Report

8. Vehicle Report

9. Suspect Report

D. Case Identification

All offense/incident reports initiated by the Police Department will be Assigned a case number (OCA) obtained from the Communications Center. These numbers will be issued in sequence. No two cases will be assigned the same number.

E. Report Status

All reports, along with supplemental reports, will be forwarded to the Records Division. Commanders will be responsible for ensuring those officers and personnel under their command complete the proper reports for offenses/incidents.

1. The shift supervisor will be responsible for reviewing all reports completed in on his/her shift and ensuring the report is accurate, complete and legible. The shift supervisor will review the reports and route all completed reports to the Commander of the Criminal Investigations Division or Senior Detective.

2. The Commander of the Criminal Investigations Division and the Director of the Telecommunication/Records Division will annually review recording and reporting procedures to identify and correct any deficiencies or discrepancies.

3. The status of each report, including each supplemental report, will be marked in the space provided on each case and forwarded to the Commander of CID or the Senior Detective. The following are the different status categories of a case:

    a. Further Investigation: The case is open.

    b. Inactive: When a case cannot be cleared and there is not enough information to continue the investigation, the case can be inactivated, and the investigation reactivated should more information be received.

    c. Cleared by Arrest: When an arrest is made in connection with the case.

    d. Cleared by Exceptional Means: When there is enough information to clear a case but the victim does not wish to prosecute or the case is cleared by other than arrest.

    e. Unfounded: When the reported crime or incident did not occur.

    f. Closed: When a case has gone through the court system and a disposition of the case has been made or is cleared by exceptional means.

F. Repository of Records

A central repository of records is maintained in the Telecommunication/Records Division. This repository will be computerized.

G. Records Management System/Criminal History Files

The Telecommunication/Records Division will maintain a criminal history file on all persons arrested by officers of the Oxford Police Department. The criminal history file will contain current information for each arrest to include:

1. Photographs (to be kept in the Arrest Folder in the computer)
2. Name used (alias)
3. Address
4. Physical description information, e.g., height, weight, tattoo etc.

III. Warrant/Wanted Person File

If a warrant for arrest is served by an officer of the Department, the warrant will be turned in to the telecommunicator on duty. The telecommunicator on duty will enter a copy of warrant into the automated warrant file. The warrant/wanted file consists of components to include:

A. Document file- warrants and summons are filed by suspect's last name

B. Wanted persons are normally entered into NCIC by Communications personnel. NCIC guidelines will be followed for entering or canceling wanted persons.

C. Prior to approving entry of any wanted person into NCIC, approval from the investigating officer should be obtained.

D. Audits of wanted persons, entered into NCIC will be conducted monthly by the Patrol Commander.

E. Telecommunicator will scan all entry documents to added to the RMS case files.

IV. Master Name Index

The Police Pak Records Management System will maintain a master name index that serves as a cross-reference to documents in which a person has been named. The master name file will list all names alphabetically. This list will include the following:

1. Victims
2. Complainants
3. Arrestees
4. Persons issued traffic citations
5. Persons involved in traffic accidents

A. Other Indexes

Police Pak also maintains master computer indexes on:

1. Offenses by type
2. Location
3. Dates and times
4. Stolen property
5. Found and recovered property

V. Correction of Reports by Officers

When a report submitted by an officer is found to be deficient in any way, the original report will be routed to the reporting officer's supervisor. The supervisor will be responsible for making certain that corrections are made and the report is rerouted to the Commander of CID or Senior Detective.

A. Dissemination of Reports Outside of the Police Department

1. Accident, theft and vandalism reports may be released to the victim, legal representatives or insurance agent. Reports for release to the news media will be according to the procedures on public information. Reports are to be redacted before releasing to victim, legal representative or other.

2. All criminal history record information contained in the Records Center is controlled by Title 28 of the U.S. Code (Privacy Act). Under the Privacy Act, the only information that is public record is conviction data. This information may be disseminated to anyone who requests this information. All other information may be shared with a law enforcement officer or criminal justice agency having an official criminal investigative interest in the case or suspect.

B. Retention of Records

1. The Department will maintain a schedule of retention of all records and reports. This schedule is in accordance with State Archives.

    a. Retention of misdemeanor cases will be at least five (5) years, at which time the records may be destroyed.

    b. Retention of felony cases will be at least twenty (20) years, at which time the records may be destroyed.

C. Uniform Crime Reporting

1. The Telecommunication/Records Division will be responsible for submitting entries and statistical information into the UCR system.

D. Responsibility of Records Director Regarding Arrest Information

It will be the responsibility of the Telecommunication/Records Division Director to ensure:

1. Criminal history inquiries are processed according to state laws and rules and regulations of this Department.

2. Juvenile arrest records are collected, disseminated, retained and disposed or according to federal and state laws.

E. Dissemination of Adult Criminal History Information

1. All criminal history information shall be disseminated in accordance with N.C.G.S. Chapter 123. Information may be disseminated to:

    a. Authorized officers or employees of criminal justice agencies, e.g. municipal police officers, sheriff's deputies, SBI agents, Federal Law Enforcement agencies, probation and parole authorities.

    b. Agencies of state and federal governments conducting investigations to determine employment suitability or eligibility for security clearances allowing access to classified information.

    c. Agencies or individuals authorized by court order or rule.

    d. Agencies of any political subdivision of the state conducting applicant investigations for public employment permit or license.

    e. All persons requesting a copy of their own criminal history will be directed to contact.

(Note: If questions arise regarding to whom information may be released, check with the Telecommunication/Records Supervisor and/or the available Patrol Services Commander.)

F. Dissemination of Criminal History Information for Employment

Requests for criminal history by prospective employers are prohibited except for those specifically authorized by law. Administrate Proceeding Code T12:04E0401

G. Expungement

In an event an expungement order under G.S. 15A-145 or 15A-146 is directed to the Department, the Commander in charge of CID and the Records Director will ensure that all records of the arrest be shredded. These records include records, photographs, fingerprints and other documents from the arrest. These records will then be shredded.

H. Retention of Juvenile Arrest Information

Juvenile fingerprint cards, photographs, and arrest records authorized for retention will be maintained separate from adult criminal information and secured within the Telecommunication/Records Division. Automated juvenile criminal history information will be protected by password. Those authorized accesses to this information will be limited to Telecommunication/Records Division personnel and officers assigned to the Juvenile Investigations Division.

I. Dissemination of Juvenile Arrest Information

North Carolina law requires that all law enforcement agencies take special precautions to ensure those law enforcement records concerning a child are protected against disclosure to any unauthorized person. Juvenile arrest information/records may be disseminated on a need-to-know basis to:

1. A court having the child currently before it in any proceeding.
2. The officers or public and non-governmental institutions or agencies to which the child is currently committed and those responsible for supervision after release.
3. Any other person, agency, or institution, by court order, having legitimate interest in the case or the work of the law enforcement agency.
4. Law enforcement officer of other jurisdictions by order of the court, when necessary for the discharge of their current official duties.
5. The probation and other professional staff of a court in which the child is subsequently convicted of a criminal offense for the purpose of a pre-sentence report or other disposition proceedings, or by officials of penal institutions considering parole or discharge or in executing supervision.
6. The child, parent, guardian, or other custodian and counsel for the child by order of the court.

Note: Police officers may release, upon request to one another and to other local, state or federal law enforcement officer, current information on juvenile arrests, limited to name, address, physical description, date of arrest, and charge for which arrest was made. Such information may only be used for current investigation and not for creation of new individual files or records.

J. Expungement of Juvenile Records

Provisions for the expungement of juvenile arrest records are explained in detail In Chapter 7A Article 54 of the N.C. General Statues and will be adhered to as mandated.

K. Record of Disposition of Cases Presented for Prosecution

Officers wanting to know dispositions of case may contact the Clerk of Courts Office

L. Control of Citation Books

1. It will be the responsibility of the individual officer to account for all citation books which are issued by the Clerk of Court. New citation books will be issued to officers when they turn in their old one. All yellow copies of citations will be maintained by the individual officer in the citation book from which the original was written.

2. If the officer voids a citation, the officer will write “VOID” on the citation and sign it. The officer will turn in all 4 copies of the voided citation to the Clerk of Courts Office.

3. The top white copies will be turned in to the Telecommunication/Records Division. The Telecommunication/Records Division will review the white copies each day and submit them to the Office of the Clerk of Court.

4. Citations will be stored in the Telecommunication/Records Division and cross-referenced to the issuing officer, defendant, date, time, and location of violation. Defendants that receive citations will be listed in the master name index.

5. When a citation book has been completed, the officer will coordinate with the Telecommunication/Records Division and carry all yellow copies and the citation cover to the Clerk of Courts. Same will be turned in and a new one issued at that time.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 9.01

SUBJECT: Media Relations and Cooperation with News Reporters

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
News Reporters; News Media; Press Policy; Media Relations

DISTRIBUTION: All Personnel

Purpose: To establish guidelines which will assist Creedmoor Police Department personnel in providing assistance, cooperating with, and releasing information to news reporters and other media representatives with regard to cases and/or incidents over which the Department has primary responsibility and jurisdiction.

Policy: The Creedmoor Police Department will cooperate impartially with recognized news reporters and representatives of the news media in their efforts to gather and disseminate factual information.

Procedure

I. Direct Release of Information to Reporters

A. Direct Release of Information to Reporters should be done by a supervisor. Any officer directly involved with the investigation of a crime or incident that possesses accurate, factual information may be authorized by a supervisor to answer inquiries in accordance with the provisions of this order. If a press / information release has already been distributed, additional information should be released only if approved by the Chief of Police or his designee.

B. Information concerning administrative and personnel matters may not be released without authorization from the Chief of Police. Official statements about department policy, personnel matters, internal investigations and discipline, civil litigation against the department or its employees, changes in department policy,

confidential investigations and operations, and administrative changes or plans shall be released only by the Chief of Police, or his designee.

C. Police department personnel who receive inquiries from news media representatives concerning administrative matters shall direct such persons to the Chief of Police.

D. Members of the department must exercise care, common sense and discretion to avoid releasing information or rendering statements that, if later quoted, may create a misunderstanding or compromise the effectiveness of police services, or might jeopardize an ongoing investigation.

E. No preferential treatment will be offered to any individual representative of the news media. This statement will not be construed to prohibit initiative reporting, nor does it require the department to notify all news reporters and media representatives prior to the release of information.

F. To insure that confirmed, official accounts of events are reported, the officer in charge of the scene of any major event or incident, or his designee, will contact the on-call Commander or Division Commander at the earliest possible moment with an oral summary of the incident or event.

1. Information to be passed on to the commander will generally cover the who, what, where, when and how of an event and any other supporting data not restricted herein.

2. The officer in charge will also answer general inquiries made by any representative of the news media who responds to the scene of an event. However, inquiries for investigative information will be referred to the appropriate Division Commander or the commander- on -call.

II. News Release Guidelines in Criminal Cases

A. The following information may be released and made available to news reporters and other representatives of the news media in criminal matters:

1. The arrestee’s name (if known and confirmed) as provided by law, if age 16 or over, sex, residence, employment, marital status and any similar identifying biographical information available;

2. The substance or text of any charge, complaint, indictment or information

3. The identity of the investigating officer and/or investigating agency, or both as appropriate

4. The circumstances immediately surrounding an arrest, including the time and place of arrest, resistance (if any), pursuit (if any), and possession or use of any weapons at the time of arrest.

5. The name, address, age, sex, and occupation of any victim, and any property taken, subject to all conditions listed hereafter;

6. The type of force used against the victim and extent of any injuries to either an arrestee or a victim;

7. The age and sex of a victim, and general location of occurrence only. where rape or any other sex offense is involved.

B. The following information **should not** be released or provided to news media representatives in criminal matters:

1. The identity of victims, or suspects (including those who are interviewed but not charged), temporarily withheld in accordance with N.C.G.S. 132-1.4

2. The contents of criminal investigative records or criminal intelligence records as defined in N.C.G.S. 132-1.4

3. Exact, identifying information about any evidence connected with a case

4. Any information about the method of operation employed that would only be known by the person who committed the offense

5. The identity of juvenile offenders or suspects, who may come within the jurisdiction of the court (N.C.G.S. 7A – et. Seq.). Exception – The identity of a juvenile victim in a traffic collision is generally regarded as public information and may be released, unless the juvenile is suspected of an offense (i.e., DWI);

6. Statements or speculation related to the guilt, character or reputation of an accused person or prospective witness;

7. Any comment about the existence of admissions or confessions, or their content;

8. Any statement or speculation concerning an alibi attributable to an accused person;

9. Any information about the suspect's performance on, or the results of, any tests or examinations;

10. Any information concerning the refusal of the accused to take a test or participate in any lineup, except that which is a matter of public record;

11. Statements concerning the credibility or anticipated testimony of a prospective witness;

12. The possibility of a plea of guilty to the offense charged or any lesser offense, or any possible disposition;

13. Opinions concerning evidence or any argument in the case, whether or not it is anticipated that the evidence or argument will be used at trial;

14. The name, address or present location of any victim of sexual assault;

15. Names or addresses of any witnesses of UCR Part 1 Crimes [Murder, Rape, Robbery, Aggravated Assault, Burglary, Larcenies (including shoplifting), Motor Vehicle Thefts, Arsons];

16. Name and address of any subject sought for a crime, but not yet formally charged, unless the news media may be helpful in an effort to locate the person;

17. Names or addresses of juveniles charged or arrested (as provided by law);

18. The contents of any suicide note.

NOTE: The name or address of a deceased person will not be released until the next of kin has been notified. When reasonable efforts to locate the next of kin have failed, the Division Commander or On-call Commander may release the information.

III. Special Considerations

A. At Crime Scene or Incident

1. General Access

Officers shall extend every reasonable courtesy to accredited news media representatives (reporters, cameramen and photographers) who are actively covering an incident at the scene. These courtesies shall permit closer access than is generally provided to the public, and shall provide for vehicles and equipment to be located close to the scene, so long as such courtesy does not interfere with the conduct of the investigation or the flow of traffic through the area.

2. Direct Access At Crime Scenes

a. Direct access to secured crime scenes by news media representatives shall only be allowed after all evidence has been processed and the on-site search and investigation has been completed. This restriction is necessary to preserve the integrity of the scene during the investigation.

b. Officers shall not otherwise restrict the mobility of news media representatives. Media representatives should obtain permission from property owners or their representatives when they wish to take photographs, films or video tape recordings when on private property.

3. Hostage or Barricade Situation

In hostage or barricade situations, the officer in charge shall designate a preliminary press area immediately upon arrival at the scene and establish it closer to the scene when, in his judgment, it is safe to do so.

IV. Photographing, Televising, Recording by News Media Representatives

A. In Public Places

Officers will allow news media representatives to freely photograph, film or make video tape recordings at the scene of any incident, so long as their activity does not take them into a protected crime scene or significantly interfere with an investigation.

Officers may take protective measures, such as humanely covering a body, in order to prevent photographs or video records from being taken, if the officer in charge deems such actions to be necessary.

B. Suspects and Accused Persons

1. Officers shall not deliberately pose suspects or persons in custody for photographs, or arrange for them to be photographed, televised or interviewed by any news media representative. Officers shall not direct any action against the news media to prevent or impede their lawful right to photograph such persons in public places.

2. Officers may make mug shot photographs of arrested persons available to the media, with the permission of the investigating case officer or at the direction of a Division Commander or the Chief of Police. Officers should

normally avoid the release of suspect photographs when such publication may jeopardize in-court identification.

C. At Fire Scenes

Media access to, and movement within, fire lines at commercial and residential fire scenes is controlled by the officer in charge. When news media representatives arrive at such events, the ranking officer on the scene shall confer with the fire official in charge and assist in establishing an observation point from which news media representatives may observe and/or photograph proceedings.

D. Interviewing Persons In Custody Not Permitted

Officers shall not permit news media representatives to interview persons who are in police custody without the express permission of the Chief of Police and the accused.

E. Confidential Internal Investigations

1. Confidential Operations

Confidential Intelligence or investigative information will not be publicly disclosed by anyone except by express permission of the Chief of Police.

2. Internal Administrative Investigations

Sensitive or investigative information (particularly the identity of officers involved) concerning internal administrative investigations will not be disclosed except by express permission of the Chief of Police or his designee. Any information released in connection with an internal administrative investigation will be released in conformance with state law concerning the confidentiality of municipal personnel records.

V. Authority and Responsibility for Release of Information

A. Role of Officer in Charge at Scene of Incident/Event

To insure that confirmed, official accounts of events are reported, the officer in charge of the scene, or his designee, will contact his Division Commander or, after business hours, the On-Call Commander at the earliest possible moment, and provide an oral summary of the details surrounding the incident.

B. Responsibility of Division Commander

Ultimate responsibility for the action of the officer in charge, with regard to the release of information to the media, rests with the Division Commander or On-

Call Commander. This applies both to submission of an oral summary to the Chief of Police and to answering media inquiries as necessary at the scene.

VI. Media Credentials & Identification

The Creedmoor Police Department does not issue media credentials, except during anticipated special events. Credentials issued to local news reporters, and other media representatives, for these events are subject to review and authorization by the Chief of Police.

A. The Creedmoor Police Department recognizes valid identification from all news agencies, including (but not limited to) press cards issued by the Chief or other law enforcement agencies. Appropriate media privileges are extended to properly identified news reporters and news media representatives due to the public purpose served by news agencies. News media privileges are not extended to unaffiliated (free-lance) writers, photographers or other members of the general public.

B. Credentials issued by the Police Department shall be subject to revocation by the Chief of Police when the action of the news representative jeopardizes the safety of the community or members of any law enforcement agency. Whenever such actions have been taken, a statement will be sent to the concerned individual's employer citing the circumstances that led to such action.

VII. Media Participation in Policy

The contents of this standing general order shall be furnished to accredited media representatives upon request. All changes to this standard shall likewise be furnished upon request.

Accredited news media agencies will be invited and encouraged to participate in the formulation of policy as it effects or pertains to this general order.

VIII. News Releases/Press Conferences

A. News or informational releases will be necessitated by specific occurrences within the Police Department's jurisdiction. The Chief of Police, or his designee, will approve the contents of all news releases. News releases may be made in written form, by fax, by e-mail, and/or in person.

B. In instances in which more than one law enforcement agency is involved, the commanding officer of the agency having primary jurisdiction will normally be responsible for releasing or coordinating the release of information.

C. News conferences will be held at the discretion of the Chief of Police. Conferences may include prepared statements, a question-answer format, or a

combination of both. The Chief of Police, or his designee, will make arrangements for location, notification of news media, and assistance to news agency correspondents.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 9.02

SUBJECT: Community Relations

EFFECTIVE DATE: 1201/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Community Relations; Community Concerns

DISTRIBUTION: All Personnel

Purpose: The members of the Creedmoor Police Department recognize that the support of the community is essential for effective policing. Since the police officer is continuously visible in the community setting, the public is able to examine the conduct of individual officers and thus develop attitudes and perceptions toward the entire department. Therefore, it is important for each member of the department to understand that their actions as a police officer must always be as a representative of the department, not as an individual.

Policy: The Chief of Police shall initiate and provide the necessary leadership to implement such programs, services and activities that may be required to:

- Develop a mutual respect between members of the department and the community they serve;
- Insure community relations is an ongoing and integral part of the Police Department operation;
- Encourage all members of the department to actively seek, cultivate and maintain open communication with individuals and groups in the community for the purpose of imparting an understanding of the law enforcement process.
- Establish without reservation that the denial of human and civil rights constitutes police misconduct and will not be tolerated.
- Provide opportunities for community members to meet and share views and information with members of the department regarding police activities.

Procedure:

I. Members of the Command Staff and others designated by the Chief of Police shall establish and maintain a working relationship with all community organizations including those engaged in human and civil rights activities.

A. The department shall work with such organizations in conducting programs designed to enhance the police-community relations.

B. The Chief of Police shall assign, from time to time, an officer of the rank of Sergeant or above to attend community meetings / school meetings. His purpose shall be to:

1. Act as a liaison between the community and the department

2. Act as a liaison between the schools and the department

3. Share views and information regarding police activities

4 Obtain input in the development of agency

II. Community concerns as voiced by citizens and potential problems that have a bearing on police activities within the community will be discussed, and corrective actions proposed, at regular staff meetings. These corrective actions shall include:

A. Initiating corrective actions

B. Initiating attitudinal changes

C Reviewing policy and practices within the department

III. A survey of citizen attitudes and opinions will be conducted from time to time, at least every three years, with respect to:

A. Agency performance

B. Officer's attitude and behavior toward citizens

C. Recommendations and suggestions for improvements

D. Overall competence of department employees

E. Concern over safety and security within the City of Creedmoor

IV. Programs instituted for community relations will be evaluated on an ongoing basis to insure that they do, in fact, still respond effectively to community concerns.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 9.03

SUBJECT: Community Services

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Community Services; Crime Prevention;
Community Relations Programs

DISTRIBUTION: All Personnel

Purpose: To establish the Department's Community Services function and activities, and to direct the organizational placement and responsibilities of Department components and personnel.

Policy: The Creedmoor Police Department conducts Community Services activities intended to:

1. Foster and improve police/community relations and elicit public support;
2. Identify real and potential community problems, concerns, and risks;
3. Initiate action to solve identified problems, alleviate concerns, and reduce or remove involved risks; and
4. Form a partnership with the community through the sharing of timely and relevant information.

The Patrol Services Division Commander assigns duties and responsibilities for this function to appropriate personnel.

Procedure:

I. Organization

A. Responsibilities of Officers assigned to Community Outreach

Additional duties and responsibilities of officers assigned to Community Outreach efforts include, but are not limited to:

1. Planning, coordinating, and implementing the crime prevention and community services activities of the Department;

2. Working in close cooperation with Command Staff and other departmental components to support and facilitate the crime prevention function

3. Serving as police/community liaison with interested community groups;

4. Establishing community groups where needed and conveying information from those groups to the Department;

5. Facilitating and assisting with the Community Watch Program and maintaining the contact list of Community Watch members;

6. Scheduling crime prevention, community service, and public safety presentations to be presented by patrol officers for schools, daycare centers, senior citizens groups, and other civic groups

7. Publicizing agency crime prevention objectives, problems, and successes through the local media

8. Identifying training needs through interviews with citizens representatives, consultations with those involved in internal investigations, and conferences with supervisors;

9. Soliciting, maintaining, and distributing to other components of the Department information regarding foreign language specialists. This information may be gathered by contacting volunteers and community organizations staffed by linguists and through direct appeal via the news media.

II. Responsibilities of other Department Components

A. All departmental components will in joint cooperation in all matters related to crime prevention and other community service functions. Department employees will forward to the Patrol Services Commander any information received that is relevant to crime prevention and/or community involvement activities.

B. The Tele-Communications/Records Section will distribute copies of the monthly Crime Report to all Command Staff members, and will provide other necessary information to assist in the development of crime prevention strategies and programs.

III. Crime Prevention and Community Relation Programs

A. The development and implementation of crime prevention and community relations programs will be prioritized according to the needs of the community. The following guidelines will be followed as appropriate:

1. Programs will be targeted by crime type and geographic area on the basis of an analysis of local crime data;

2. Programs will be targeted to address community perceptions or misperceptions of crime;

3. The Patrol Section Commander and Shift Supervisors will assist in organizing crime prevention groups in business and residential areas, and will maintain liaison with these groups.

B. Crime prevention programs will be conducted in all areas targeted for crime prevention activity, and upon request from community members. Activities that may result in positive outcomes include:

1. Drug-related crime prevention programs in schools and within the community

2. Security surveys conducted for businesses and residences

3. Dissemination of information to the community regarding the prevailing types of local crimes

C. To ensure that crime prevention concerns are addressed prior to construction, the Department will actively seek the opportunity to participate in the development and/or revision of zoning policies, building codes, fire codes, and residential and commercial building permits.

IV. Achieving Community Relations Objectives

The responsibility for achieving the Department's community service objectives is shared by all personnel. All teams within the Department are expected to participate in community relations and crime prevention programs specific to their scope of responsibility.

V. Community Policing

A. Community policing is a comprehensive philosophy and strategy developed to encourage community involvement in the control of crime. The Department maintains a patrol sector management system as its core of service delivery.

B. Officers will be assigned to a patrol area for an extended period of time in order to develop interactive relationships with the citizens on a daily basis. Officers are viewed as problem-solvers for their assigned sector.

VI. Area Teams

A. In a cooperative effort between the Department and the community, officers assigned a patrol area will operate as a team to identify and solve problems within the community. Citizen input and involvement in identifying problems and finding solutions is an integral part of this effort.

B. All officers are responsible for identifying areas where Community Watch groups, other crime prevention groups, and various types of crime prevention programs and presentations are needed.

VII. Community Services Programs

A. Community Watch – The Community Watch Program consists of groups within neighborhoods that are organized for the purpose of increasing awareness of human social trends and to explore solutions, with special emphasis on the reduction of vandalism and burglary.

B. Other programs that may be established.

VIII. Reporting Requirements

A. The Patrol Commander will prepare a quarterly report providing information on current community services activities and conditions within the community. This report will be submitted to the Chief of Police. Command staff will discuss the findings and recommendations of this report and use implemented Department response to alleviate concerns and avert problems within community neighborhoods.

B. The quarterly report will include, at a minimum, the following:

1. A description of current concerns voiced by members of the community

2. A description of potential law enforcement problems within the community

3. A statement of progress made and/or recommended actions toward addressing previously identified concerns and problems.

IX. Annual Summary Report

The Patrol and Investigative Commanders will evaluate the effectiveness of crime prevention and community relations programs at least annually, and will prepare an annual summary report to be forwarded to the Chief of Police.

X. Citizens' Survey

A. At least once every three years, a survey of citizen's attitudes and opinions will be conducted by the Police Department with respect to:

1. Overall Department performance

2. Overall competence of Department employees

3. Officers' attitudes and behavior toward citizens

4. Concerns regarding safety and security within the Department's service area as a whole

5. Recommendations and suggestions for improvements.

B. This survey may be conducted by mail, in person, by electronic media and/or by telephone and may be combined with questions relating to victimization and other pertinent law enforcement issues, as well as other City government issues.

C. Citizen input received from the survey will be used to assist in the Department's decision-making process and in the development of directives. The results of this survey may be made available to the community.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 9.04

SUBJECT: Crime Prevention and Analysis

EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:
K. E. King
Chief of Police

INDEX AS:
Crime Prevention; Crime Analysis; Loss Prevention; Crime Prevention Officer; Neighborhood Watch

DISTRIBUTION: All Personnel

Policy: It shall be the policy of this department to develop and implement comprehensive procedures and programs designed to anticipate, recognize and appraise crime risks and to initiate action to reduce or remove such risk.

Procedure:

I. Functions:

A. To coordinate the activities of the Department in the field of crime and loss prevention.

B. To educate all personnel of the Department in the merits of participation in crime and loss prevention efforts.

C. To coordinate the preparation and implementation of long and short term programs dealing with prevention of crime and loss of property.

D. To coordinate the education of the general public, home and business owners in the advantages of planned programs designed to reduce risk and provide optimum protection for dollars spent or systems changed.

E. To coordinate such programs with civic business, private groups, city organizations and individuals towards a common goal of preventative action.

F. To provide a broad base for citizen participation in self-involvement in loss prevention.

G. To produce a quarterly report showing crime trends. This report will be distributed to the Chief of Police, Division Commanders and Squad/Unit Commanders.

II. Staffing and Organizational Placement

Crime analysis shall be a joint function of the department's Command Staff. The Patrol Section Commander shall coordinate the crime prevention functions and crime analysis functions.

III. Crime Analyst Function:

The Patrol and Investigative Division Commanders will:

A. Provide for the research and study of crime trends and losses that are generally considered preventable. Emphasis will be placed on, but not limited to, street crimes, crimes against the person, security, business losses, property identification and related preventative areas.

B. Provide for the periodic evaluation of crime scenes, when possible, in order to formulate preventative plans for future use.

C. Consult with Patrol Officers, Supervisors and Detectives in order to determine what courses of preventative action may best be taken to meet changing trends.

D. Develop expertise with security hardware, protective systems, glazing, screening and related protective hardware.

E. Establish and maintain departmental relations with building inspectors, insurance firms, building contractors, building material companies and other persons wherein updating merchandise in security work can be implemented. In addition, the Department shall maintain a close liaison with the Coty's Planning Department for the purpose of seeking input to the development and/or revision of zoning policies, building codes, fire codes, and residential and commercial building permits.

F. Establish working relationship with news media for crime and loss prevention advertising and coverage.

G. Provide current, useful information to aid operational personnel in meeting their tactical crime control and prevention objectives. Specific duties and responsibilities will be covered by standard operating procedure.

1. The data source for crime analysis shall include, but is not limited to, incident reports, arrest reports, accident reports, supplemental reports, and field contact reports.

2. A comprehensive report of the crime trends for the enforcement area should include:

   a. Frequency of crime by type

   b. Geographic location of crimes

   c. Time of day/day of week

   d. Modus Operandi data

   e. Victim and target descriptors

   f. Suspect descriptors

   g. Suspect vehicle descriptors

   h. Physical evidence information

   The Patrol Section Commander will disseminate this information to the Chief of Police, Investigative Section Commander, and Shift Supervisors as necessary.

3. The Chief of Police, Section Commanders, and Shift Supervisors will meet as necessary to review strategies and/or tactics employed to address selected crime targets or situations.

H. Prepare and submit proposed ordinances of a security nature that deal with minimum standards for building, security, anti-theft and entry provisions.

I. Coordinate security efforts with that of the Fire Department's fire prevention personnel to ensure exchange of information gained by individual inspections.

J. Establish working relationship, as needed, with foreign language specialists to assist in bridging communication barriers in those selected communities (Ex. Mexican-American).

IV. Programs:

A. The Patrol and Investigative Section Commanders shall prepare and submit for approval, programs in crime and loss prevention developed to address the community's crime trends. General programs may include but are not limited to:

1. Training of police personnel in prevention programs and how all units and personnel may assist.

2. Residence and business protection program

3. Worthless check prevention program

4. Operation Identification

5. Neighborhood Watch Programs

    a. Priority for neighborhood watch programs shall be based upon an analysis of neighborhood crime patterns; targeting programs to address community perceptions or misperceptions of crime; and shall be evaluated annually on the effectiveness of their program.

    b. The patrol areas, or “zones” shall assist in organizing crime prevention groups in residential areas targeted as a result of priorities established by paragraph 5 (a) above.

    c. As programs are planned and approved, all members of the Department will be updated in the program prior to public release. Programs will be evaluated at least once every three years by the Departmental Command Staff, to assess impact on targeted crime(s) or condition(s).

V. Dissemination of Information:

The Chief of Police or his designee is responsible for the release of crime trend data to the news media. Specified crime information will be released as necessary to enhance public knowledge and generate community support. Distribution to other Criminal Justice components will be made on the basis of "Need to Know" and upon request.

CREEDMOOR POLICE DEPARTMENT

GENERAL ORDER #: 10.01

SUBJECT: All Hazards/ Unusual Occurrences Recall and Mobilization

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EFFECTIVE DATE: 12/01/2015 **REVISION NUMBER/DATE:**

APPROVED:

K. E. King
Chief of Police

INDEX AS:
Unusual Occurrences; Recall procedures; Mobilization procedures; Tactical Alert; All Hazards

DISTRIBUTION: All Personnel

Purpose: To establish policy and general procedure concerning response, mobilization and recall to unusual occurrences.

Policy: In the event of high-risk incidents such as those involving barricaded subjects, snipers or hostage situations, Officers of the Creedmoor Police Department will endeavor to seal avenues of escape and assume positions of cover that do not necessitate their returning gunfire. Where action is required to protect persons in immediate danger, officers will take reasonable actions to stop ongoing threats without waiting for further authority. Officer should not feel compelled to take quick actions that might endanger their own safety or that of any hostage.

I. Definitions

A. Command Personnel**:** Includes all sworn officers at the rank of Lieutenant and above, and the primary Evidence Technician.

B. Incident Command System: Establishes an alternate command structure to coordinate police response to unusual occurrences. Under the Incident Command System, personnel may assume additional responsibilities during an unusual occurrence.

C. Mobilization: The controlled redistribution, deployment or use of on-duty and off-duty police personnel for occurrences that cannot be managed by on-duty patrol personnel and/or appropriate units. This level of response may require the redistribution of on-duty personnel and organized recall of off-duty personnel.

D. Standby for Recall: The notification and preparation of personnel for probable response to an unusual occurrence.

E. Tactical Alert: Managed department response to unusual occurrences using on-duty patrol personnel with assistance from appropriate units. This level of response may require the redistribution of on-duty personnel, the extension of duty shifts and/or a request for the early deployment of the next scheduled duty shift.

F. Unusual Occurrences:

1. Natural and Man Made Disasters - Including, but not limited to severe weather (hurricanes, floods, tornadoes), aircraft accidents, explosions, construction accidents, building collapses, and hazardous material spills.

2. Public Safety Incidents - Including, but not limited to, civil disturbances, riots, non-peaceful demonstrations, hostage/barricaded subjects, emergencies at correctional institutions, bomb threats and vast area searches for missing person(s).

II. Response Planning

A. The Patrol Section Commander is responsible for planning police response and implementing orderly mobilization procedures during unusual occurrences. He will also be the principal advisor to the Police Chief.

B. The Patrol Section Commander or designee will annually review departmental response procedures to unusual occurrences and submit a report detailing his findings to the Police Chief. These findings shall include recommendations for revisions and updating of these procedures. A copy of all revisions will be distributed to all command personnel.

C. The plan for response to critical incidents such as natural and man-made disasters, civil disturbances, mass arrests, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual incidents will follow standard Incident Command System (ICS) protocols.

III. Duties and Responsibilities of Initial Responders

A. The first officer on the scene of an unusual occurrence will:

1. Provide the Communications Center with a preliminary evaluation;

2. Attend to injured persons and/or remove bystanders;

3. Request a patrol commander/supervisor;
4. Request needed assistance, maintain surveillance;

5. Contain area, divert pedestrian and vehicular traffic (inner perimeter); and

6. Observe and identify persons involved.

B. The on-duty Patrol Shift Supervisor (or, in his/her absence, the senior patrol officer) on the scene of an unusual occurrence will:

1. Evaluate the situation and request needed support;

2. Implement and direct actions to contain and control the situation;

3. Request the response of the Patrol Section Commander (or, after normal duty hours, the Section Commander On-Call);

4. Serve as the Incident Scene Commander until properly relieved by a higher-ranking supervisor; and

5. Review and implement response procedures contained in the Unusual Occurrence Manual as necessary, and initiate Tactical Alert or request Mobilization procedures if needed.

C. The Patrol Section Commander (or, until his arrival, the Section Commander On-Call) will:

1. Respond promptly to the scene of any unusual occurrence governed by this procedure;

2. Evaluate the situation and request additional personnel and support as needed;

2. Direct actions to contain and control the situation;

3. Begin evacuation of area if needed;

4. Ensure that the Police Chief is appraised of the situation;

5. Request appropriate units as needed, e.g.: Hostage Negotiation specialists, Bomb Squad specialists, EMS, Fire Department, Red Cross, Utilities, etc.

6. Define equipment needs and assign personnel to procure, issue, and account for all equipment (use outside resources if necessary).

7. Evaluate inner and outer perimeters;

8. Establish and staff central command post/staging areas

9. Designate a media liaison and media access points;

10. Review and implement procedures contained in the Unusual Occurrence Manual as necessary; and

11. Initiate Tactical Alert or request Mobilization procedures if needed.

At the conclusion of the occurrence, the Patrol Section Commander shall complete and forward a written After-Action Summary to the Police Chief which includes expended man hours, police and citizen injuries, equipment usage, problems encountered, duration of the occurrence and recommendations for revisions to Unusual Occurrence plans as needed.

IV. Specific Unusual Occurrences

A. Hostage/barricaded subject:

1. First Officer(s) and Immediate Supervisor:

a. Isolate the scene, establish inner perimeter (divert pedestrian and vehicular traffic);

b. Establish outer perimeter;

c. Attempt to avoid confrontation in favor of controlling the situation until deployment of specialist bomb technicians, hostage negotiators, or other crisis specialists.

2. Patrol Commander

a. Evaluate situation and improve inner and outer perimeters as needed;

b. Request Communications notify the Patrol Commander, Section Commander On-Call, and the Police Chief as appropriate;

c. Establish a Command Post inside the outer perimeter;

d. Request that Communications contact hostage negotiators, EMS, Fire Department and any other equipment or specialist assistance as needed.

e. Establish staging areas as appropriate for responding personnel and equipment. (The hostage negotiator, bomb technician, or other specialist personnel should communicate and coordinate operations from separate locations inside the outer perimeter, but away from the Command Post);

f. Ensure all participating personnel, especially assisting agency/unit command personnel, are briefed upon their arrival;

g. Make contact with the on-scene Fire Commander as soon as practical to advise him of the situation.

h. Establish and assign personnel to maintain a Media Post inside the outer perimeter, but away from the Command Post and staging areas;

i. Constantly monitor status of involved personnel, ensuring adequate relief is given to alleviate fatigue, and;

j. Coordinate operations until relieved by the Patrol Commander or the Section Commander On-Call. The Patrol Section Commander will serve as the Incident Scene Commander (ISC), unless otherwise directed by the Chief of Police.

B. Bomb Threat

All reports of a bomb or explosive device will be considered a valid threat.

1. Communications personnel receiving a call will attempt to:

a. Determine caller's sex, age, race, voice characteristics, and demeanor;

b. Listen for background noises;

c. Identify origin of call using enhanced 911 capabilities;

d. Ascertain exact location and type of device;

e. Ascertain time of intended detonation;

f. Physical description of the device, if any; and

g. Intended target/victim and motive of the caller(s);

h. Notify the Command Post;

i. Simultaneously contact patrol units and the patrol section commander by radio and instruct them to immediately call the Communications Center by telephone. Details pertaining to an explosive device will not be given over the radio.

j. The Patrol Section Commander will be notified if a school, hospital, or government building is the intended target.

2. Responding units will make telephone contact with Communications personnel as directed, and will:

a. Proceed directly to the scene;

b. Cease all radio/cellular phone communications within 300 feet of the target location; turn off radio and any Mobile Data Terminals (MDTs).

c. After arrival at the scene, contact with Communications or other outside resources will be made with “land-line” telephones only (no wireless communications). Should land lines not be available, officers shall leave the area (at least 300 feet) to a safe location before using a radio or other wireless communication device.

d. Make contact with the owner or person in apparent control of the premises. The decision to search and evacuate will be at the discretion of the person in control of the premises. The Police Department will provide assistance as needed.

e. If time of threatened detonation is a factor, it will be recommended to the person in control of the premises that search efforts should be discontinued at least 30 minutes prior to the threatened detonation time and not resumed until at least 30 minutes thereafter.

f. If the decision is made to evacuate, advise all persons within the structure to leave all doors, desks, lockers and file cabinets open or unlocked and turn off all electrical machinery and appliances. Suggest that evacuee's follow fire escape routes.

g. During a search, personnel familiar with the premises should attempt to identify any suspicious objects or packages and be advised not to touch any item that they consider suspect. Responding officers should explain that police personnel are not familiar with building operations and therefore may be unable to

determine what may be suspicious. Officers will not conduct a search, but may assist if requested.

h. If an unusual device is not located, the decision to return occupants to the area will be made by the person in control of the premises. POLICE DEPARTMENT PERSONNEL WILL NOT MAKE ANY STATEMENT THAT AN EXPLOSIVE DEVICE DOES NOT EXIST.

i. If no device is located and/or a search is not conducted, the responding officer will document all police activities in an Incident/Investigation Report and brief all specialists/technicians upon their arrival.

3. If a suspicious device, actual or suspected bomb or explosive device, are located the Patrol Section Commander will:

a. Request that Communications contact the Explosive Ordinance Detail of the U. S. Army (at Ft. Bragg, NC) for activation of the Bomb Squad.

b. Evaluate the situation and establish or improve inner and outer perimeters as needed;

c. Request that Communications notify the Patrol Division Commander and the Police Chief as appropriate;

d. Establish a Command Post inside the outer perimeter;

e. Request Communications contact EMS, Fire Department and any other equipment or assistance as needed.

f. Establish staging areas as appropriate for responding personnel and equipment.

g. Ensure all participating personnel, especially assisting agency/unit command personnel, are briefed upon arrival;

h. Make contact with the on-scene Fire Commander as soon as practical to advise him of the situation.

i. Establish and assign personnel to a Media Post inside the outer perimeter, but away from the Command Post and staging areas;

j. Constantly monitor status of involved personnel, ensuring adequate relief is given to alleviate fatigue;

k. Coordinate operations until relieved by the Patrol Section Commander or his designee, who will serve as the Incident Scene Commander.

l. The Incident Scene Commander may initiate a Tactical Alert and/or use any applicable considerations contained in this General Order and/or in the Unusual Occurrence Manual to effect a successful conclusion of the occurrence; and

m. Insure that the on-scene Fire Commander is kept abreast of all developments regarding the incident, i.e., by Bomb Squad personnel, information on construction of device, etc., and insure that an open line of communication is maintained throughout the investigation process and until conclusion of the incident to avoid any confusion and maintain security measures.

4. Once called out, the Patrol Section Commander (or, until his arrival, the Section Commander On-Call) shall assume the duties of Incident Scene Commander and will be responsible for:

a. Providing for or obtaining logistical and technical assistance in locating, disarming, and removing the device;

b. Arranging for the collection of evidence for investigation and prosecution;

c. Requesting assistance from, and providing operational support to, the Army Explosive Ordinance Disposal Team (EOD) and/or the Division of Alcohol/Tobacco and Firearms as necessary;

d. At the conclusion of the occurrence, completing and forwarding a written After-Action Summary Report to the Police Chief which includes expended man hours, police and citizen injuries, equipment usage, problems encountered, duration of the incident and recommendations for revisions to Unusual Occurrence plans as needed.

5. The Patrol Section Commander is responsible for the annual review of current procedures relating to police response to threatened, suspected or actual use of explosive devices, and recommending revisions to the Unusual Occurrence plans as needed.

V. Tactical Alert

A. Tactical Alert may be implemented when an occurrence generates response demands that inhibit normal field operations but can be managed by on-duty patrol personnel, with the assistance from appropriate units. Situations in which Tactical Alerts may be implemented include severe weather, hostage/barricaded subjects, major fires, major traffic accidents, child abductions, missing-endangered persons and civil disturbances.

B. The Patrol Section Commander (or Section Commander On-Call) may initiate Tactical Alerts as necessary, and will be responsible for coordination of field and support unit response.

C. The Patrol Section Commander will request that Communications notify the Patrol Section Commander (or the On-Call Commander) as soon as practical.

D. The Patrol Section Commander (or Section Commander On-Call) may consider the following strategies during a Tactical Alert:

1. Redistribution of on-duty personnel;

2. Extending the duty shift for on-duty personnel, (not to exceed a 12 hour shift except at the direction of the Police Chief);

3. Re-deploying officers as two-man units;

4. Authorizing early deployment of next scheduled duty shift from the Patrol Section.

VI. Mobilization

A. Mobilization may be implemented when an occurrence generates response demands which exceed the capabilities of on-duty personnel and Tactical Alert deployments; severely inhibits normal field operations; and/or threatens the City for an extended period of time. Mobilization events may include weather catastrophes, large scale civil disturbances, multiple alarm fires, and large scale evacuations, and large-scale searches for missing-endangered persons.

B. Mobilization may only be authorized by the Police Chief or a Section Commander.

C. The following may be considered during Mobilization:

1. Designate primary and alternate points of assembly for personnel mobilized.

2. Implement “stand-by for recall” status for off duty personnel;

3. Use of Contingency Plans.

VII. Recall Procedures

A. Recall procedures will follow the chain of command and will be initiated by the Police Chief or a Section Commander.

B. Section Commanders are responsible for maintaining current and accurate phone listings of personnel under their command. Copies of all listings will be maintained in each Section Commander’s office.

C. The Police Chief, or his designee, will request that Communications notify and instruct Section Commanders to begin a systematic recall of personnel. This may include specific units/squads or all departmental personnel, deployment times, and changes in duty hours. The Police Chief or a Section Commander may also initiate a Standby-For-Recall Order for personnel.

D. Section Commanders will notify Squad/Unit Commanders of the nature and scope of the recall.

E. Squad/Unit Commanders will notify and provide instructions for all personnel under their supervision. This should include reporting times, assembly point location(s), and equipment needed. The primary assembly point should be the Patrol Squad Briefing Room. Squad/Unit Commanders will inform the Patrol Section Commander of their subordinates’ status and anyone not contacted or located during the initial recall.

F. Squad/Unit Commanders will maintain a list of police personnel responding to the recall and attempt to notify those not initially contacted or located. The list will include:

1. Officer’s name, unit/call number;

2. Date/time the officer was contacted;

3. Phone number(s) called and message(s) delivered;

4. Sign in / out date and time; and

5. Officer assignments

G. The recall listing will be included in the "After-Action Report" as described in the Unusual Occurrence Manual.

H. In the event of an unusual occurrence, officers with take-home vehicles will use those to respond to the designated area and provide transportation for other employees as needed. Supervisors will insure that transportation is provided for any of their assigned employees who are unable to respond.

VIII. "Stand By For Recall" Status Procedures

A. During the "Stand By For Recall" notification process, supervisors will instruct their subordinates to prepare for a probable response by informing personnel to:

1. Constantly monitor their radio;

2. Refrain from consuming alcoholic beverages or any other activity that may prohibit a rapid response, and;

3. Gather needed equipment.

B. When necessary and only after Stand-by status has been initiated, Communications will broadcast an alert tone on all channels accompanied by the following announcement: "CODE 911- Squad ___". The squad number indicated during the announcement will then respond to the designated area. (EXAMPLE: "CODE 911- Squad A" means a recall of all Patrol A Squad personnel. "CODE 911-ISD" indicates a recall of all Investigative Services Section personnel.

C. Personnel should direct all calls to the Patrol Commander's Office, the Commander On-Call or their immediate supervisor. DO NOT CALL THE COMMUNICATIONS CENTER FOR INFORMATION.

IX. Demobilization Procedures

A. The Police Chief, or his designee, will determine when and how demobilization procedures will take place.

B. In the event of a Mobilization, every possible effort will be made by the Police Chief or designee to release other law enforcement, military and non-CPD personnel first.

C. Gradual integration of officers back into their normal work schedules should be planned to ensure personnel are rested and able to resume regular duties.

X. Rehearsals

The nature, the scope and number of department wide Tactical Alerts, Mobilizations, Recalls and Stand By for recall rehearsals will be implemented at the discretion of the Police Chief.