

# Mead Police Department

## Policy Manual

---

### **CHIEF'S PREFACE**

I am committed to building and maintaining partnerships with the citizens and businesses in our community. We will work together on problem-solving strategies to address public safety, quality-of-life issues, and crime prevention. We will continue to be responsive by providing a high level of quality law-enforcement services that meet those needs of the Town of Mead community.

I also personally believe in creating and fostering a quality organization by providing the men and women of the department with the necessary training, equipment, and career development so that they may achieve personal and professional growth and excellence.

Together, as equal partners with the community, we will continue to make sure the Town of Mead is a great place to visit and do business, but most importantly, a great place to call home.

Brent Newbanks

Chief of Police

# Mead Police Department

## Policy Manual

---

### **LAW ENFORCEMENT CODE OF ETHICS**

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will 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 both in my personal and official life, I will be exemplary in obeying the law 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, political beliefs, aspirations, 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 abuse 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 never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

# Mead Police Department

## Policy Manual

---

### **MISSION STATEMENT & CORE VALUES**

The Mead Police Department is a dedicated and diverse group of professionals who are committed to working with the community to make the Town of Mead a safe and desirable place to live, work or visit.

Our **mission** is to provide excellent service to the Mead community and make it a safer place to live and work.

#### **Core Values:**

**Courage** – Perseverance in the face of adversity and peril

**Leadership** – Setting the precedent of service to the community

**Commitment** – Unwavering dedication to the mission

**Honor** – Superior standing as a model of character, respect, and pride

**Integrity** – Displaying high moral principles and honesty above all else

**LAW ENFORCEMENT OATH OF HONOR**

On my honor, I will never betray my integrity, my character, or the public trust.

I will treat all individuals with dignity and respect and ensure that my actions are dedicated to ensuring the safety of my community and the preservation of human life.

I will always have the courage to hold myself and others accountable for our actions.

I will always maintain the highest ethical standards and uphold the values of my community, and the agency I serve.



Mead Police Department  
Policy Manual

---

## Table of Contents

<b>Chief's Preface.</b>	<b>1</b>
<b>Law Enforcement Code of Ethics.</b>	<b>2</b>
<b>Mission Statement &amp; Core Values.</b>	<b>3</b>
<b>Law Enforcement Oath of Honor.</b>	<b>4</b>
<b>Chapter 1 - Law Enforcement Role and Authority.</b>	<b>10</b>
100 - Law Enforcement Authority.	11
101 - Chief Executive Officer.	13
102 - Oath of Office.	14
103 - Policy Manual.	15
<b>Chapter 2 - Organization and Administration.</b>	<b>18</b>
200 - Organizational Structure and Responsibility.	19
201 - Special Order and Special Orders.	21
202 - Emergency Management Plan.	22
203 - Special Events.	24
204 - Training.	25
205 - Electronic Mail.	29
206 - Administrative Communications.	31
207 - Supervision Staffing Levels.	32
208 - Concealed Handgun Permit.	33
209 - Retiree Concealed Firearms.	35
<b>Chapter 3 - General Operations.</b>	<b>38</b>
300 - Use of Force.	39
301 - Use of Force Review Boards.	51
302 - Handcuffing and Restraints.	54
303 - Control Devices and Techniques.	59
304 - Conducted Energy Device.	62
305 - 40mm Launcher.	68
306 - Officer-Involved Shootings and Deaths.	72
307 - Firearms.	81
308 - Vehicle Pursuits.	93
309 - Officer Response to Calls.	106
310 - Canines.	110
311 - Domestic Violence.	115
312 - Search and Seizure.	120
313 - Temporary Custody of Juveniles.	122
314 - Adult Abuse.	132
315 - Discriminatory Harassment.	137
316 - Child Abuse.	140

# Mead Police Department

## Policy Manual

---

317 - Missing Persons. . . . .	148
318 - Public Alerts. . . . .	155
319 - Victim and Witness Assistance. . . . .	160
320 - Bias-Motivated Crimes. . . . .	164
321 - Standards of Conduct. . . . .	167
322 - Information Technology Use. . . . .	170
323 - Report Preparation. . . . .	173
324 - Media Relations. . . . .	177
325 - Subpoenas and Court Appearances. . . . .	181
326 - Mutual Aid and Outside Agency Assistance. . . . .	184
327 - Registered Offender Information. . . . .	187
328 - Major Incident Notification. . . . .	191
329 - Death Investigation. . . . .	193
330 - Identity Theft. . . . .	196
331 - Private Persons Arrests. . . . .	198
332 - Limited English Proficiency Services. . . . .	200
333 - Communications with Persons with Disabilities. . . . .	208
334 - Pupil Arrest Reporting. . . . .	216
335 - Biological Samples. . . . .	217
336 - Public Safety Video Surveillance System. . . . .	219
337 - Child and Dependent Adult Safety. . . . .	223
338 - Service Animals. . . . .	226
339 - Native American Graves Protection and Repatriation. . . . .	228
340 - Off-Duty Law Enforcement Actions. . . . .	230
341 - Department Use of Social Media. . . . .	232
342 - Community Relations. . . . .	235
343 - Portable Fingerprint Scanner Use. . . . .	240
344 - Extreme Risk Protection Orders. . . . .	242
345 - Municipal Court Security. . . . .	256
<b>Chapter 4 - Patrol Operations. . . . .</b>	<b>258</b>
400 - Patrol Function. . . . .	259
401 - Bias-Based Policing. . . . .	262
402 - Pre-Shift Briefing. . . . .	265
403 - Crime and Disaster Scene Integrity. . . . .	266
404 - Tactical Team / SWAT / CNT - NOT FOR PUBLIC RELEASE. . . . .	268
405 - Ride-Alongs. . . . .	272
406 - Hazardous Material Response. . . . .	275
407 - Hostage and Barricade Incidents - NOT FOR PUBLIC RELEASE. . . . .	278
408 - Response to Bomb Calls - NOT FOR PUBLIC RELEASE. . . . .	283
409 - Civil Commitments. . . . .	288
410 - Summons Releases. . . . .	291
411 - Foreign Diplomatic and Consular Representatives. . . . .	293
412 - Rapid Response and Deployment - NOT FOR PUBLIC RELEASE. . . . .	297
413 - Immigration Violations. . . . .	300
414 - Aircraft Accidents. . . . .	304
415 - Field Training Officer Program. . . . .	308

# Mead Police Department

## Policy Manual

---

416 - Contacts and Temporary Detentions. . . . .	312
417 - Criminal Organizations - NOT FOR PUBLIC RELEASE. . . . .	317
418 - Shift Sergeants. . . . .	321
419 - Mobile Data Terminal Use. . . . .	322
420 - Portable Audio/Video Recorders. . . . .	325
421 - Public Recording of Law Enforcement Activity. . . . .	333
422 - Medical Marijuana. . . . .	336
423 - Foot Pursuits. . . . .	342
424 - Homeless Persons. . . . .	347
425 - Suspicious Activity Reporting. . . . .	350
426 - Crisis Intervention Incidents. . . . .	352
427 - First Amendment Assemblies. . . . .	357
428 - Civil Disputes. . . . .	364
429 - Medical and Fire Aid and Response. . . . .	366
430 - Service of Court Documents. . . . .	371
431 - Canine Police Use. . . . .	375
432 - Patrol Rifles. . . . .	376
<b>Chapter 5 - Traffic Operations. . . . .</b>	<b>379</b>
500 - Traffic Function and Responsibility. . . . .	380
501 - Traffic Accident Response and Reporting. . . . .	383
502 - Vehicle Towing and Release Policy. . . . .	387
503 - Vehicle Impound Hearings. . . . .	392
504 - Impaired Driving. . . . .	394
505 - Traffic Citations. . . . .	400
506 - Disabled Vehicles. . . . .	402
507 - Abandoned Vehicle Violations. . . . .	403
<b>Chapter 6 - Investigation Operations. . . . .</b>	<b>404</b>
600 - Investigation and Prosecution. . . . .	405
601 - Sexual Assault Investigations. . . . .	410
602 - Asset Forfeiture. . . . .	415
603 - Informants - NOT FOR PUBLIC RELEASE. . . . .	421
604 - Eyewitness Identification. . . . .	426
605 - Facial Recognition Use and Accountability Report. . . . .	437
606 - Unmanned Aerial System. . . . .	449
607 - Warrant Service. . . . .	453
608 - Operations Planning and Deconfliction - NOT FOR PUBLIC RELEASE. . . . .	458
609 - Surveillance and Undercover Operations - NOT FOR PUBLIC RELEASE. . . . .	464
610 - Sexting Investigations. . . . .	465
<b>Chapter 7 - Equipment. . . . .</b>	<b>466</b>
700 - Department-Owned and Personal Property. . . . .	467
701 - Personal Communication Devices. . . . .	471
702 - Vehicle Maintenance. . . . .	475
703 - Vehicle Use. . . . .	477
704 - Cash Handling, Security and Management. . . . .	482

# Mead Police Department

## Policy Manual

---

705 - Personal Protective Equipment. . . . .	484
706 - Hair and Mustaches. . . . .	486
<b>Chapter 8 - Support Services. . . . .</b>	<b>487</b>
800 - Crime Analysis. . . . .	488
801 - Weld County Regional Communications Center. . . . .	489
802 - Property and Evidence. . . . .	492
803 - Records Department Procedures. . . . .	505
804 - Records Maintenance and Release. . . . .	508
805 - Front Desk and Lobby Procedures. . . . .	514
806 - Protected Information. . . . .	515
807 - Animal Control. . . . .	519
808 - Crime Prevention. . . . .	522
809 - Computers and Digital Evidence - NOT FOR PUBLIC RELEASE. . . . .	524
<b>Chapter 9 - Custody. . . . .</b>	<b>528</b>
900 - Temporary Custody of Adults. . . . .	529
901 - Custodial Searches. . . . .	540
902 - Prison Rape Elimination. . . . .	545
903 - Transporting Detainees. . . . .	555
<b>Chapter 10 - Personnel. . . . .</b>	<b>559</b>
1000 - Recruitment and Selection. . . . .	560
1001 - Evaluation of Employees. . . . .	565
1002 - Promotional and Transfer Policy. . . . .	569
1003 - Grievance Procedure. . . . .	572
1004 - Anti-Retaliation. . . . .	574
1005 - Reporting of Employee Convictions. . . . .	577
1006 - Drug- and Alcohol-Free Workplace. . . . .	579
1007 - Sick Leave. . . . .	582
1008 - Communicable Diseases. . . . .	584
1009 - Smoking and Tobacco Use. . . . .	589
1010 - Personnel Complaints. . . . .	590
1011 - Seat Belts. . . . .	600
1012 - Body Armor. . . . .	602
1013 - Personnel Records. . . . .	605
1014 - Commendations and Awards. . . . .	610
1015 - Fitness for Duty. . . . .	614
1016 - Meal Periods and Breaks. . . . .	617
1017 - Lactation Break Policy. . . . .	618
1018 - Payroll Records. . . . .	620
1019 - Overtime Compensation Requests. . . . .	621
1020 - Outside Employment / Special Events. . . . .	623
1021 - Occupational Disease and Work-Related Injury and Death Reporting. . . . .	628
1022 - Personal Appearance Standards. . . . .	630
1023 - Police Uniform Regulations. . . . .	633
1024 - Nepotism and Employment Conflicts. . . . .	640

# Mead Police Department

## Policy Manual

---

1025 - Department Badges. . . . .	643
1026 - Temporary Modified-Duty Assignments. . . . .	645
1027 - Employee Speech, Expression and Social Networking. . . . .	648
1028 - Line-of-Duty Deaths. . . . .	653
1029 - PEACE OFFICER CREDIBILITY (BRADY) DISCLOSURE NOTIFICATIONS. . . . .	664
1030 - Wellness Program. . . . .	668
<b>Attachments. . . . .</b>	<b>671</b>
Weld_County_Inter-Agency_Pursuit_Policydocx (1).pdf. . . . .	672
2023 Apr.pdf. . . . .	673
2023 Mead Peer Support Policy and Operational Guidelines.pdf. . . . .	674
U_Visa_Law_Enforcement_Resource_Guide.pdf. . . . .	675
Legal Instruction on U Visa 070623.pdf. . . . .	676
Oct 2022.pdf. . . . .	677
Cash Receipting TOM.pdf. . . . .	678
Weld County DA SB 21-174 Peace Officer Credibility Disclosure Policy.pdf. . . . .	679
2019 IA release and redaction guidance.pdf. . . . .	680

## **Chapter 1 - Law Enforcement Role and Authority**

## Law Enforcement Authority

### 100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Mead Police Department to perform their functions based on established legal authority.

### 100.2 POLICY

It is the policy of the Mead Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

### 100.3 PEACE OFFICER AUTHORITY

Certified members shall be considered peace officers pursuant to CRS § 16-2.5-101 through CRS § 16-2.5-148 and CRS § 24-7.5-103.

#### 100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE MEAD POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Mead Police Department includes (CRS § 16-3-102):

- (a) In compliance with an arrest warrant.
- (b) When any crime is being, or has been, committed in a peace officer's presence.
- (c) When there is probable cause to believe that an offense was committed by the person to be arrested.

#### 100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE MEAD POLICE DEPARTMENT

The arrest authority of officers outside the jurisdiction of the Mead Police Department includes:

- (a) When a felony or misdemeanor is committed in the officer's presence in another jurisdiction in the state of Colorado, the local law enforcement agency is notified of the arrest and the arrestee is transferred to that agency (CRS § 16-3-110).
- (b) When the officer is in fresh pursuit from within the jurisdiction of the Mead Police Department and any of the following conditions exist (CRS § 16-3-106):
  1. An arrest warrant has been issued for the person or the officer knows that such warrant has been issued for the person.
  2. An offense was committed in the officer's presence.
  3. The officer has probable cause to believe that the person committed an offense.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Law Enforcement Authority*

---

- (c) When officers are accompanied by law enforcement officers who have the authority to make an arrest in that jurisdiction, are present at the scene of the arrest and participate in the arrest process (CRS § 16-3-202).
- (d) When another agency has requested temporary assistance during a state of emergency (CRS § 29-5-104).

An officer making an arrest under this subsection shall, as soon as practicable after making the arrest, notify the agency having jurisdiction where the arrest was made (CRS § 16-3-110).

#### **100.4 INTERSTATE PEACE OFFICER POWERS**

Peace officer powers may be extended within other states:

- (a) As applicable under interstate compacts and memorandums of understanding in compliance with the laws of each state (CRS § 24-60-101; CRS § 29-1-206).
- (b) When an officer enters Arizona, Nebraska, New Mexico, Oklahoma or Utah in fresh pursuit of a felony subject (ARS § 13-3832; Neb. Rev. Stat. § 29-416; NMSA § 31-2-1 (New Mexico); 22 O.S. § 221; Utah Code 77-9-1).
- (c) When an officer enters Kansas in fresh pursuit of a subject who committed any offense (K.S.A. § 22-2404).
- (d) When an interstate compact exists with the state of Wyoming that permits an officer to pursue and arrest an offender who has fled Colorado (Wyo. Stat. § 7-3-103).

Whenever an officer makes an arrest in another state, the officer shall take the offender to a magistrate in the county where the arrest occurred as soon as practicable (ARS § 13-3833; K.S.A. § 22-2404; Neb. Rev. Stat. § 29-417; NMSA § 31-2-2 (New Mexico); 22 O.S. § 222; Utah Code 77-9-2).

#### **100.5 CONSTITUTIONAL REQUIREMENTS**

All members shall observe and comply with every person's clearly established rights under the United States and Colorado Constitutions.



## Chief Executive Officer

### 101.1 PURPOSE AND SCOPE

The Colorado Peace Officer Standards and Training Board (POST) has mandated that all certified peace officers employed within the State of Colorado shall be certified by POST (CRS § 16-2.5-102).

#### 101.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

Any chief executive officer of this department shall be certified by POST (CRS § 16-2.5-102). An out-of-state candidate for Chief of Police may be appointed provided the candidate qualifies for and is granted a provisional certificate prior to appointment (CRS § 24-31-308).

## Oath of Office

### 102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

### 102.2 POLICY

It is the policy of the Mead Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

### 102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. Prior to assuming the duties of a peace officer, certified members shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Colo. Const. art. XII, § 8).

The Mead Police Department oath of office is;

I, (name), do solemnly swear,

That I will support the Constitution of the United  
State of America, the constitution and laws of the  
State of Colorado, the Mead Municipal Code  
and faithfully perform the duties of the office of  
Mead Police Officer.

So help me God.

### 102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed in accordance with the established records retention schedule.

# Policy Manual

## 103.1 PURPOSE AND SCOPE

The manual of the Mead Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

## 103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

### 103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Mead Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Town, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Mead Police Department reserves the right to revise any policy content, in whole or in part.

## 103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Special Orders, which shall modify those provisions of the manual to which they pertain. Special Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

## 103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

**Adult** - Any person 18 years of age or older.

**CCR** - Code of Colorado Regulations.

**CFR** - Code of Federal Regulations.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Policy Manual*

---

**Town** - The Town of Mead.

**Civilian/Non-Sworn** - Employees and volunteers who are not certified law enforcement officers.

**Department/MPD** - The Mead Police Department.

**DMV** - The Colorado Department of Revenue Division of Motor Vehicles.

**Employee/personnel** - Any person employed by the Department.

**Juvenile** - Any person under the age of 18 years.

**Manual** - The Mead Police Department Policy Manual.

**May** - Indicates a permissive, discretionary or conditional action.

**Member** - Any person employed or appointed by the Mead Police Department, including:

- Full- and part-time employees
- Licensed, certified peace officers
- Reserve, auxiliary officers
- Civilian/Non-Sworn employees
- Volunteers.

**Officer** - Those employees, regardless of rank, who are POST-certified employees of the Mead Police Department.

**On-duty** - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

**Order** - A written or verbal instruction issued by a superior.

**Peace officer** - An employee who is required to be certified by POST pursuant to CRS § 16-2.5-101 et seq. The term includes certified full-time and reserve peace officers who perform the duties of a peace officer.

**Rank** - The title of the classification held by an officer.

**Shall or will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

**Supervisor** - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Policy Manual*

---

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

**USC** - United States Code.

#### **103.5 ISSUING THE POLICY MANUAL**

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Special Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

#### **103.6 PERIODIC REVIEW OF THE POLICY MANUAL**

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

#### **103.7 REVISIONS TO POLICIES**

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each supervisor, will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisor, who will consider the recommendations and forward them to the Chief as appropriate.

## **Chapter 2 - Organization and Administration**

---

# Organizational Structure and Responsibility

## 200.1 PURPOSE AND SCOPE

The organizational structure of the Department is designed to create an efficient means to accomplish the mission and goals and to provide for the best possible service to the public.

## 200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the Mead Police Department. There are two divisions in the Police Department:

- Administration Division
- Operations Division

### 200.2.1 ORGANIZATIONAL CHART

The Chief of Police or the authorized designee is responsible for developing and updating, at least annually, a chart showing the organizational components and functions. The chart may be attached to this Policy Manual for distribution and should be posted permanently in at least one location in the Department that is accessible to all personnel.

[See attachment: 2023 Apr.pdf](#)

### 200.2.2 ADMINISTRATION DIVISION

The Administration Division is commanded by the assigned Commander, or authorized designee, whose primary responsibility is to provide general management, direction and control for the Administration Division, including management of the Department budget and the designation of the custodian of records. The Administration Division consists of Technical Services and Administrative Services. The Administrative Services Bureau also includes the Criminal Investigative Bureau, which consists of the Detective Bureau and Property Bureau.

Annually, the Administration Commander, or authorized designee, shall develop and submit to the Chief of Police a budget and an inventory of capital property, equipment and assets. Property, equipment and assets with a beginning value of more than \$5,000, and other items specifically identified for inclusion regardless of value, are capital property, equipment and assets.

### 200.2.3 OPERATIONS DIVISION

The Operations Division is commanded by the assigned Commander, or authorized designee, whose primary responsibility is to provide general management, direction and control for the Operations Division. The Operations Division consists of Uniformed Patrol, School Resource Officers, and Special Operations, which includes Traffic, UAV, and SWAT.

## 200.3 AUTHORITY AND RESPONSIBILITIES

Each member will be assigned duties and responsibilities commensurate with the member's assigned position within the Department and will have the delegated authority necessary

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Organizational Structure and Responsibility*

---

to effectively execute those responsibilities. Each member will be held accountable for the appropriate application of that delegated authority.

#### **200.3.1 RANK STRUCTURE FOR SWORN STAFF**

The following ranks will be established as needed within the department. Job descriptions for each rank will be maintained by the Human Resources Department.

Chief of Police - designated as the head of the department. Shall wear 4 stars on the collar of any uniform.

Deputy Chief - designated as the second in command. Shall wear 3 stars on the collar of any uniform.

Commander - designated as the head of at least one division. Shall wear 2 stars on the collar of any uniform.

Lieutenant - designated as shift commander. Shall wear 1 star on the collar of any uniform.

Sergeant - designated as shift supervisor. Shall wear 3 strips on the sleeve of any uniform.

Officer - designated as the line level staff. Shall wear the appropriate uniform or attire for their current assignment.

Officers may be assigned to collateral assignments such as detective, school resource officer, or community service officer. These assignments do not affect their rank within the organization.

#### **200.5 PATROL STAFFING**

The Operations Commander should conduct a workload assessment to determine patrol-staffing needs. In conducting the assessment, the Commander should consider:

- (a) The number and types of incidents (e.g., calls for service, investigation of criminal and non-criminal acts, apprehension of criminal offenders) handled by patrol personnel during the specified period (e.g., an eight-hour shift).
- (b) The average time required to handle an incident at the patrol level.
- (c) The average percentage of uncommitted time that should be available to the patrol officer during a specified period.
- (d) The time lost through days off, holidays and other leave compared to the total time required for each patrol assignment.



## Special Order and Special Orders

### 201.1 PURPOSE AND SCOPE

Special Orders and Special Orders establish interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure.. Special Orders will immediately modify or change and supersede sections of this manual to which they pertain.

#### 201.1.1 SPECIAL ORDER PROTOCOL

Special Orders will be incorporated into the manual, as required upon approval of the staff. Special Orders will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Special Orders have now been incorporated in the updated Policy Manual as of the revision date listed below.

Any Special Orders issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01." For example, 11-01 signifies the first Special Order for the year 2011.

#### 201.1.2 SPECIAL ORDERS PROTOCOL

Special Orders establish a temporary policy or procedure on a given subject for a specific length of time. Special Orders are issued to the organization as a whole, to a division, to a unit or to an individual. Special Orders become inoperative with the passing of the incident or situation that caused the order to be issued.

### 201.2 RESPONSIBILITIES

#### 201.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Special Order.

#### 201.2.2 CHIEF OF POLICE

The Chief of Police or the authorized designee shall issue all Special Orders and Special Orders.

### 201.3 ACCEPTANCE OF SPECIAL ORDER

All employees are required to read and obtain any necessary clarification of all Special Order. All employees are required to acknowledge in writing the receipt and review of any new Special Order. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Administrative Commander or authorized designee.

## Emergency Management Plan

### 202.1 PURPOSE AND SCOPE

In compliance with the State of Colorado Emergency Operations Plan, the Town has prepared or adopted an Emergency Operations Plan (CRS § 24-33.5-707). This plan provides guidance and is to be used by all work groups and employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The plan provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

### 202.2 SEARCH AND RESCUE

The Operations Commander, or authorized designee, shall be responsible for developing procedures for search and rescue (SAR) operations. Search and rescue operation procedures shall be consistent with the requirements of the State of Colorado Emergency Operations Plan and the National Incident Management System (NIMS).

### 202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Police Department, the Chief of Police or the highest ranking official on-duty may activate the Emergency Operations Plan in response to a major emergency.

#### 202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Mead Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

### 202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the plan are available in Administration, the Shift Sergeant's office and in Weld County Regional Communications Center. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles personnel will play when the plan is implemented.

The State of Colorado Emergency Operations Plan and additional regional information can be found on the Colorado Office of Emergency Management website.

### 202.5 UPDATING THE PLAN

The Chief of Police or the authorized designee shall review and update, if necessary, the Emergency Operations Plan at least once every two years to ensure it conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS), and that any needed revisions are appropriately addressed.

# Mead Police Department

Policy Manual

Policy Manual

## *Emergency Management Plan*

---

### **202.6 PLAN REVIEW**

At least once every two years, the Department should conduct a review of the Emergency Operations Plan and responses, incorporating a full or partial exercise, tabletop or command staff discussion.

### **202.7 PLAN TRAINING**

The Department shall provide training in the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles police personnel will play when the plan is activated.

## Special Events

### 203.1 PURPOSE AND SCOPE

This policy provides a written plan for coordinating the public safety needs of special events held within the community.

### 203.2 SPECIAL EVENTS

The Mead Police Department maintains a close working relationship with other city departments and civic organizations. The department is responsible to assist other groups with law enforcement duties at special events within the city. Requests for special events coverage are approved or disapproved by the Chief of Police or authorized designee. Special events are supervised by a sergeant, or authorized designee, or above. The supervisor's duties include, but are not limited to:

- a. Providing written estimates of traffic, crowd size and control, and crime problems expected for any given event;
- b. Determining logistics requirements;
- c. Providing coordination inside the department (i.e., investigations, patrol involvement) and with outside agencies.

### 203.3 VIP SECURITY/PROTECTION

Requests for VIP protection assistance are approved or disapproved by the Chief of Police or authorized designee. VIP protection is coordinated with the VIP's staff. A plan outlining protection of the VIP's, traffic routes, coordination with VIP teams and coordination with other jurisdictions will be drafted.

## Training

### 204.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

### 204.2 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with POST rules and regulations concerning law enforcement training.

### 204.4 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training. The plan shall include a systematic and detailed method for recording all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all training requirements.

#### 204.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations. Additional required training may be identified in individual policies:

- (a) Federally mandated training:
  1. National Incident Management System (NIMS) training
- (b) State-mandated training:
  1. Officers must successfully complete an approved Colorado basic academy pursuant to CRS § 24-31-305 before performing duties of a certified peace officer, as defined by CRS § 16-2.5-102.
    - (a) Officers may alternatively obtain a provisional certificate prior to appointment or otherwise meet the training and certification standards within the parameters, extensions, and exceptions set by POST (CRS § 24-31-308; CRS § 30-10-501.6 (1)).
  2. DNA evidence collection (CRS § 24-31-311) (once)
  3. Eyewitness identification training (CRS § 16-1-109)
  4. Annual completion of any additional training required by POST (CRS § 24-31-315; CRS § 24-31-319; CRS § 30-10-501.6)

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Training*

---

5. Officer-involved shooting and critical incident pre-incident preparation training as required by CRS § 16-2.5-403
- (c) Department-mandated training:
  1. Emergency Operations Plan (supervisors every two years)
  2. CPR/First aid refresher (every two years)
  3. Pursuit driving (all certified employees yearly)
  4. Firearms training (all certified employees quarterly)
  5. Defensive tactics (all certified employees yearly)
  6. (TASER), impact weapon, chemical weapon, or other kinetic energy weapon (yearly)
  7. Use of force policies (all certified employees review yearly)
  8. Search, seizure, and arrest (all certified employees yearly)
  9. Use of body armor (all certified employees every two years)
  10. Ethics (all certified employees every three years)

#### **204.4 TRAINING ATTENDANCE**

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to the following:
  1. Court appearances.
  2. Previously approved vacation or time off.
  3. Illness or medical leave.
  4. Physical limitations preventing the member's participation.
  5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training, as scheduled shall notify the member's supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
  1. Document the absence in a memorandum to the member's supervisor.
  2. Make arrangements through the member's supervisor or the Commander to attend the required training on an alternate date.

#### **204.5 TRAINING REQUESTS AND APPROVALS FOR OUTSIDE TRAINING**

To assist with continued professional development of Department personnel the department will budget for outside training. Members may submit training requests for outside training when that training coincides with their career development program goals OR is deemed to meet current needs of the department.

- (a) Training Request -

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Training*

---

1. Must be associated with career development plan goal OR
  2. Meets a current need of the department.
- (b) Training Approval
1. The direct supervisor may approve a members training request when following criteria have been met.
    - (a) The member has not already attended outside training in the calendar year.
    - (b) The member's request is inline with their career development program goals.
    - (c) The supervisor believes that the member's request is inline with the policy and benefits the department.
  2. The Commander will approve training requests and ensure that the following have been considered.
    - (a) There is sufficient money in the training budget to cover the costs of the training request.
    - (b) Staffing impacts have been considered and appear to be covered.
    - (c) The training serves the needs of the department and/or it is in line with the members career development goals.

#### **204.6 TRAINING RECORDS**

The Commander is responsible for the creation, filing and storage of all training records. Training records shall be retained in compliance with the established records retention schedule.

#### **204.7 TRAINING OF FIELD TRAINING OFFICERS**

A newly selected Field Training Officer receives in-service training and may be sent to an FTO training school when available. The basic criteria for the selection of FTO's are:

- (a) Minimum of one year experience (beyond recruit training) with the Department;
- (b) Two-year commitment to the special assignment;
- (c) Recommended by a Police Department supervisor;
- (d) Demonstrated interest and abilities in the specific assignment; and
- (e) Overall acceptable job knowledge and performance.

#### **204.8 SUPERVISION OF FIELD TRAINING OFFICERS**

One sergeant, or authorized designee, is assigned as the Field Training Sergeant, with responsibilities for general supervision and evaluation of recruits in field training. That sergeant ensures the training and evaluation processes are complete and objective. The Field Training Sergeant coordinates and administers a recruit's involvement in the field training program to ensure that:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Training*

---

- (a) Field training is based upon a job task analysis of the most frequent assignment of officers completing recruit training; and that
- (b) Evaluation techniques are designed to measure required skill competency, knowledge, and abilities.

#### **204.9 ROTATION OF FIELD TRAINING ASSIGNMENTS**

The recruit normally is transferred to a different FTO every four weeks. The recruit completes an evaluation detailing his/her experience with each FTO.

#### **204.10 GUIDELINES FOR RECRUIT EVALUATION**

Recruit evaluations begin the first week of the field training program. Evaluations are completed each day noting both positive and negative aspects of the recruits performance. An evaluation is submitted daily to the field training sergeant, or the authorized designee, who forwards them to the Commander.

Evaluations are written in compliance with program guidelines and established standards of performance in the recruit manual.

#### **204.11 POLICY**

The Department shall administer a training program that will meet the standards of federal, state, local, and the Colorado Police Officer Standards and Training Board (POST) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

#### **204.12 COMMANDER**

The Chief of Police shall designate a Commander who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Commander should review the training plan annually.



## Electronic Mail

### 205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties. It is to be used in accordance with generally accepted business practices and current law. Messages transmitted over the email system must only be those that involve official business activities or that contain information essential to employees for the accomplishment of business-related tasks and/or communications directly related to the business, administration or practices of the Department.

### 205.2 EMAIL RIGHT OF PRIVACY

All email messages, including attachments, transmitted over the department networks or through a web browser accessing the department system are considered department records and therefore are the property of the Department. The Department reserves the right to access, audit and disclose for any lawful reason, all messages, including attachments, transmitted or received through its email system or placed into its storage.

The email system is not a confidential system and therefore is not appropriate for confidential communications. If a communication must be confidential, an alternate method to communicate the message should be used. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

### 205.3 RESTRICTIONS ON USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire department are only to be used for official business-related items that are of particular interest to all users. All email is subject to review and scrutiny with regard to appropriate content or violation of any prohibitions. In the event that a user has questions about sending a particular email communication, the user should seek prior approval from the Chief of Police or a Commander, or authorized designee. Personal advertisements or announcements are not permitted.

It is a violation of this policy to transmit a message under another user's name or email address or to use the password of another to log into the system. Users are required to log off the network or secure the workstation when the computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password.

# Mead Police Department

Policy Manual

Policy Manual

## *Electronic Mail*

---

### **205.4 EMAIL RECORD MANAGEMENT**

Email may, depending upon the individual content, be a record under the Colorado Criminal Justice Records Act (CRS § 24-72-301 et seq.) and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

## **Administrative Communications**

### **206.1 PURPOSE AND SCOPE**

Administrative communications of this department are governed by the following policies.

### **206.2 DEPARTMENT E-MAILS**

Department E-mails may be issued periodically by the Chief of Police or the authorized designee to announce and document all promotions, transfers, hiring of new personnel, separations, individual and group awards and commendations or other changes in status.

### **206.3 CORRESPONDENCE**

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on Department letterhead. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead shall not be used for personal purposes.

Internal correspondence should use appropriate memorandum forms. These may be from line employee to employee, supervisor to employee or any combination of employees.

### **206.4 SURVEYS**

All surveys made in the name of the Department shall be authorized by the Chief of Police or the authorized designee or a Commander.

### **206.5 OTHER COMMUNICATIONS**

Special Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee or Commanders.

---

## Supervision Staffing Levels

### 207.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against its need and inherent managerial right to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet the operational requirements of the Department.

### 207.2 MINIMUM STAFFING LEVELS

Minimum staffing levels should result in scheduling at least one officer on-duty whenever possible. Shift Sergeants will ensure that at least one field supervisor is deployed during each shift, in addition to the Shift Sergeant.

#### 207.2.1 SUPERVISION DEPLOYMENTS

In order to accommodate training and other unforeseen circumstances, an officer may be used as a field supervisor in place of a field sergeant.

With prior authorization from the Operations Commander, an officer may act as the Shift Sergeant **for a limited period of time.**

#### 207.2.2 ACTING SERGEANT

In the absence of a supervisor, an officer may be placed in an acting supervisory role. When that assignment is meant to be in place for 30 or more days, the officer may be compensated. This assignment is at the discretion of the Chief of Police and is in no way guaranteed or implied.

The acting Sergeant should be familiar with the responsibilities of the Sergeant. When possible the qualified officers should have completed a supervisory introduction or training that reviews the responsibilities of a sergeant.

## Concealed Handgun Permit

### 208.1 PURPOSE AND SCOPE

The Chief of Police is given the statutory authority to issue a permit to carry a concealed handgun to residents within the community. Applicants who meet the qualifications will be referred to the Weld County Sheriff's Office to make their application. The Mead Police Chief will only grant permits to active officers or retired officers in good standing with the Mead Police Department.

### 208.2 QUALIFIED APPLICANTS

In order to apply for a permit to carry a concealed firearm, an applicant must meet the following requirements (CRS § 18-12-203):

- (a) Be a legal resident of the State of Colorado
- (b) Be at least 21 years of age
- (c) Is not ineligible to possess a firearm pursuant to CRS § 18-12-108 or federal law
- (d) Has not been convicted of perjury under CRS § 18-8-503, in relation to information provided or deliberately omitted on a permit application submitted pursuant to state law
- (e) Does not chronically and habitually use alcoholic beverages to the extent that the applicant's normal faculties are impaired
  - 1. An exception would apply if the applicant provides an affidavit signed by a licensed professional counselor that the applicant has refrained from using alcohol for at least three years.
- (f) Is not an unlawful user of, or addicted to, any controlled substance
- (g) Is not subject to:
  - 1. A protection order that is in effect at the time the application is submitted
  - 2. A permanent protection order
  - 3. A temporary protection order that is in effect at the time of the application
  - 4. An extreme risk protection order or a temporary extreme risk protection order
- (h) Demonstrates competence with a handgun by submitting:
  - 1. Evidence of experience with a firearm through participation in organized shooting competitions or current military service
  - 2. Evidence that, at the time the application is submitted, the applicant is a certified instructor
  - 3. Proof of an honorable discharge from a branch of the United States armed forces within three years preceding submittal of the application
  - 4. Proof of an honorable discharge from a branch of the United States armed forces that reflects pistol qualifications obtained within the 10 years preceding submittal of the application

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Concealed Handgun Permit*

---

5. A certificate showing retirement from a Colorado law enforcement agency that reflects pistol qualifications obtained within 10 years preceding submittal of the application; or
6. A training certificate from a handgun training class obtained within 10 years preceding submittal of the application

## Retiree Concealed Firearms

### 209.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Mead Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Colorado law (18 USC § 926C).

### 209.2 POLICY

It is the policy of the Mead Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

### 209.3 LEOSA

The Chief of Police should issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

#### 209.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Mead Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

#### 209.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) Is in possession of photographic identification that identifies him/her as having been employed as a law enforcement officer and one of the following:
  1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Retiree Concealed Firearms*

---

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
  - (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
  - (c) Not prohibited by federal law from receiving a firearm.
  - (d) Not in a location prohibited by Colorado law or by a private person or entity on his/her property if such prohibition is permitted by Colorado law.

#### **209.4 FORMER OFFICER RESPONSIBILITIES**

A former officer with a card issued under this policy shall immediately notify the Shift Sergeant of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

##### **209.4.1 RESPONSIBILITIES UNDER LEOSA**

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable Department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check (including National Crime Information Center (NCIC) and Criminal Justice Information Services (CJIS) queries) indicating that he/she is not prohibited by law from receiving or possessing a firearm (CRS § 24-33.5-112; CRS § 30-10-524; CRS § 31-30-106; CRS § 23-5-142).
- (e) Pay a fee not to exceed the direct and indirect costs for issuing the card (CRS § 24-33.5-112; CRS § 30-10-524; CRS § 31-30-106; CRS § 23-5-142).

#### **209.5 DENIAL, SUSPENSION OR REVOCATION**

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

The former officer shall be provided a written statement setting forth the reason for a denial or revocation (CRS § 24-33.5-112; CRS § 30-10-524; CRS § 31-30-106; CRS § 23-5-142).



# Mead Police Department

Policy Manual

Policy Manual

## *Retiree Concealed Firearms*

---

### **209.6 FIREARM QUALIFICATIONS**

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

## **Chapter 3 - General Operations**

## Use of Force

### 300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the following:

- Policy 302 – Handcuffing and Restraints;
- Policy 303 – Control Devices and Techniques;
- Policy 304 – Conducted Energy Device;
- Policy 305 – 40mm Launcher;
- Policy 308 – Vehicle Pursuits;
- Policy 310 – Canines;
- Policy 327 – Mutual Aid and Outside Agency Assistance; and
- Policy 409 – Civil Commitments; and
- Policy 427 – First Amendment Assemblies.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

**Chokehold** – A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing or reduce intake of air. “Chokehold” also means applying pressure to a person’s neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

**De-escalation** – Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisement, warnings, verbal persuasion, and tactical repositioning.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

**Physical force** - The application of physical techniques or tactics, chemical agents or weapons to another person.

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**Serious bodily injury** - Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

**Totality of the circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

### **300.2 POLICY**

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Mead Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

It is the policy of the Mead Police Department that its officers apply nonviolent means, when possible, before resorting to the use of physical force. When effecting an arrest, preventing an escape, or preventing an imminent threat of serious bodily injury or death to an officer or another person, members of this department may use physical force only if nonviolent means would be ineffective. Any use of physical force must be objectively reasonable.

#### **300.2.1 DUTY TO INTERVENE AND DUTY TO REPORT**

Any officer who witnesses another officer use physical force which exceeds the degree of physical force permitted by this policy and state law must report such use of force to such officer's immediate supervisor.

In addition, officers shall intervene to prevent or stop another officer from using physical force that exceeds the degree of force permitted, if any, by this policy and state law.

officer

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

##### **300.2.2 ADDITIONAL INTERVENTION AND REPORTING**

An officer shall also intervene to prevent or stop another peace officer from using physical force that exceeds the degree of force permitted by CRS § 18-1-707.

An on-duty officer who witnesses another peace officer using force in excess of that permitted by CRS § 18-1-707 shall report such use of force in writing to the officer's immediate supervisor. Such report shall be within 10 days of the occurrence and include the date, time, and place of the occurrence; the identities, if known, and description of the participants; a description of the events and the force used; and must be included with all other reports of the incident (CRS § 18-8-802).

An officer shall intervene to prevent or stop another peace officer from using or directing the use of ketamine to effect an arrest, detention, restraint, transport, or punishment; to prevent the escape from custody; or to facilitate ease and convenience in the law enforcement encounter and report the intervention as required by CRS § 18-8-805 and 4 CCR 901-1:17.

##### **300.2.3 PERSPECTIVE**

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject. Nothing contained in this paragraph shall be construed to allow an officer who has a reasonable belief that another officer is using force beyond that permitted to fail to intervene in such perceived excessive force.

##### **300.3 USE OF FORCE**

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. Any such uses of force shall be consistent with the use of force standards articulated in this policy and under applicable law.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

Officers shall apply nonviolent means, when possible, before resorting to the use of physical force. When effecting an arrest, preventing an escape, or preventing an imminent threat of serious bodily injury or death to an officer or another person, members of this department may use physical force only if nonviolent means would be ineffective.

When officers use physical force, officers shall:

- (a) Not use deadly physical force to apprehend a person who is suspected of only a minor or nonviolent offense;
- (b) Use only a degree of force consistent with the minimization of injury to others;
- (c) Ensure that assistance and medical aid are rendered to any injured or affected persons as soon as practicable; and
- (d) Ensure that any identified relatives or next of kin of persons who have sustained serious bodily injury or death are notified as soon as practicable.

#### 300.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit.

These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Whether nonviolent means could be used to resolve the situation.
- (s) Any other exigent circumstances.

#### 300.3.2 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

#### 300.3.3 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Mead Police Department for this specific purpose.

#### 300.3.4 ALTERNATIVE TACTICS - DE-ESCALATION

Officers shall use de-escalation techniques and other alternatives to physical force consistent with the officer's training whenever possible and appropriate before resorting to physical force and to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources,formulating a plan, attempting verbal persuasion).

#### 300.3.5 PROHIBITION ON CHOKEHOLDS

An officer is prohibited from using a chokehold upon another person except when deadly force would be authorized. A chokehold is defined as a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible. It also includes pressure to stop the flow of blood to the brain via the carotid arteries (CRS § 18-1-707).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

#### 300.3.6 DISPLAY OR DEPLOYMENT OF WEAPONS

##### Deployment of Handgun

- (a) Members may deploy a handgun in any circumstance where the member can articulate a reasonable expectation that the use of deadly force may be needed. Examples of some general guidelines for deploying a handgun may include, but are not limited to:
1. Situations where the member reasonably anticipates an armed encounter.
  2. Situations that present a close quarters encounter where the suspect is likely to be armed.
  3. Situations where the officer could be ambushed and would lack the time to draw their firearm in response.
  4. Anytime the officer is responding to a call for service where the occupants are known to carry firearms or have been reported to have firearms.

##### Deployment of Rifle

- (a) Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:
1. Situations where the member reasonably anticipates an armed encounter.
  2. When a member is faced with a situation that may require accurate and effective fire at long range.
  3. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
  4. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
  5. When a member reasonably believes that a suspect may be wearing body armor.
  6. When authorized or requested by a supervisor.
  7. When needed to euthanize an animal.

Securing firearms should occur as timely as possible when the scene is deemed secure and the weapon is no longer needed in a ready state. If there are still outstanding suspects or the extent of the situation is still unknown, the officer may keep the weapon deployed until such questions have been resolved.

#### **300.4 DEADLY FORCE APPLICATIONS**

An Officer is justified in using deadly physical force to make an arrest only when all other means of apprehension are unreasonable given the circumstances and:

- (a) The arrest is for a felony involving conduct including the use or threatened use of deadly physical force;



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

- (b) The suspect poses an immediate threat of deadly physical force to the officer or another person; and
- (c) The force employed does not create a substantial risk of injury to other persons.

For example, the use of deadly physical force may be justified when a person:

- (a) (a) Has committed or attempted to commit a felony involving the use of a deadly weapon;
- (b) Is attempting to escape by the use of a deadly weapon; or
- (c) Otherwise indicates, except through a motor vehicle violation, that the person is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay.

Notwithstanding the foregoing, an officer is justified in using deadly force if: (1) the officer has an objectively reasonable belief that a lesser degree of force is inadequate, and (2) the peace officer has objectively reasonable grounds to believe **and does believe** that the officer or another person is in imminent danger of being killed or receiving serious bodily injury.

Officers shall identify themselves as a police officer and give a clear verbal warning of their intent to use firearms or other deadly physical force, with sufficient time for the warning to be observed, unless to do so would unduly place the officer at risk of injury, or would create a risk of death or injury to other persons.

Officers shall ensure that assistance and medical aid are rendered to any injured or affected persons as soon as practicable. If serious bodily injury or death is sustained during the use of force, notification will be made to any identified relatives or next of kin as soon as practicable.

In all situations in which deadly force is used against a person, a thorough investigation shall be conducted in accordance with this department's policies. Officers must include the following in their written report when deadly force is used: (1) why a lesser degree of force was inadequate, (2) steps taken, if any, before using deadly force, and (3) why the officer believed that the officer and/or others were in immediate danger.

#### 300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

### **300.5 REPORTING THE USE OF FORCE**

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

#### **300.5.1 NOTIFICATIONS TO SUPERVISORS**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the conducted energy device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

#### **300.5.2 REPORTING TO COLORADO DIVISION OF CRIMINAL JUSTICE**

Statistical data regarding all qualifying incidents shall be reported to the Colorado Division of Criminal Justice as required by CRS § 24-31-903 (see the Records Department Procedures Policy). For the purposes of this section, a qualifying incident means any (CRS § 24-31-903):

- (a) Incident involving the use of force by an officer that results in death or serious bodily injury.
- (b) Incident involving the use of force by an officer that involved the use of a weapon.
- (c) Contact with the public conducted by officers, including entries into a residence.
- (d) Instance of unannounced entry into a residence.

### **300.6 MEDICAL CONSIDERATIONS**

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

#### **300.7 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
  1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a property or other report.
  3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
  - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
  - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

#### **300.7.1 SHIFT SERGEANT RESPONSIBILITY**

The Shift Sergeant shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

#### **300.8 TRAINING**

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

#### **300.9 USE OF FORCE ANALYSIS**

At least annually, the Operations Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

### **300.10 WARNING SHOTS**

Officers shall NOT fire their weapons under the following circumstances:

- (a) Shots shall NOT be fired to induce the surrender of any person.
- (b) Shots shall NOT be fired at persons who have committed only a misdemeanor or traffic violation.
- (c) Shots shall NOT be fired merely to prevent the destruction or theft of property.
- (d) Shots shall NOT be fired to halt any person who simply runs away to avoid arrest.

### **300.11 EXCITED DELIRIUM**

Officers periodically come into contact with subjects exhibiting bizarre and violent behavior. This behavior can be the result of alcohol and/or drug intoxication, mental illness, uncontrolled anger, or a combination of these or other factors. However, in some cases bizarre and violent behavior may be associated with a serious medical condition called Excited Delirium. It is important for Officers to recognize that subjects suffering from Excited Delirium are persons with an acute, potentially life threatening medical condition. Unfortunately, almost everything taught to law enforcement officers about control of subjects relies on a suspect to either be rational, appropriate, or to comply with painful stimuli. Tools and tactics available to officers such as pepper spray, impact batons, joint lock maneuvers, punches and kicks, and ECD's, especially when used for pain compliance that are traditionally effective in controlling resisting subjects, are likely to be less effective on subjects suffering from Excited Delirium.

"Excited Delirium" or "Excited Delirium Syndrome" is a condition of the brain that manifests as a combination of delirium, psychomotor agitation, anxiety, hallucinations, speech disturbances, disorientation, violent and bizarre behavior, insensitivity to pain, elevated body temperature, and superhuman strength. Excited delirium arises most commonly in male subjects with a history of serious mental illness and/or acute or chronic drug abuse, particularly stimulant drugs such as cocaine. Alcohol withdrawal or head trauma may also contribute to the condition. Excited delirium can result in sudden death, usually via cardiac or respiratory arrest, an outcome that is sometimes associated with the use of physical control measures, including police restraint.

The Mead Police Department provides officers with training to aid in the recognition and management of subjects suffering from Excited Delirium. When identified, Excited Delirium should be treated as a Medical Emergency. The role for law enforcement when dealing with a subject suffering from excited delirium is to contain the subject and call for EMS. The subject should be taken into custody as quickly, safely, and efficiently as possible so care of the subject can be turned over to EMS personnel when they arrive for potential sedation, treatment, and transport to definitive medical care. It is the role of EMS to recognize that this is a medical emergency and to assume responsibility for assessment and care of the patient.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force*

---

Police officers shall use nonviolent and nonphysical means when possible to control and/or detain a subject who poses a threat to the officer, the public, or themselves. All uses of force shall be consistent with the minimization of injury to the subject and others and shall otherwise comply with this Policy and state law. To the extent reasonably possible, efforts should be made to minimize the duration of the subject's resistance, and to avoid engaging in a potentially prolonged struggle. Control and restraint of the subject may be accomplished through the use of less-lethal force options, to include the use of an Electronic Control Device (TASER). If the subject is safely restrained prior to the arrival of EMS, officers should monitor the subject's breathing and note tactile temperature. The subject should be placed in a sitting position, or laying on their side. During transport, an officer will ride in the ambulance with the subject.

## Use of Force Review Boards

### 301.1 PURPOSE AND SCOPE

This policy establishes a process for the Mead Police Department to review the use of force by its employees.

This review process may be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

### 301.2 POLICY

The Mead Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

### 301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

### 301.4 INVOCATION OF THE REVIEW BOARD

It is at the discretion of the Chief of Police as to whether the review board will be assembled.

### 301.4 REVIEW BOARD

The Use of Force Review Board may be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Board may also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Administration Commander, or authorized designee, will convene the Use of Force Review Board when directed by the Chief of Police to do so. It will be the responsibility of the Commander or supervisor of the involved employee to notify the Administration Commander of any incidents approved for board review. The involved employee's Commander or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

#### 301.4.1 COMPOSITION OF THE BOARD

The Administration Commander, or authorized designee, will serve as chairperson and select up to five Use of Force Review Board members from the following, as appropriate:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Use of Force Review Boards*

---

- Representatives of each division
- Commanding officer in the involved member's chain of command
- Commander
- Non-administrative supervisor
- A peer officer
- A sworn peace officer from an outside law enforcement agency
- Department instructor for the type of weapon, device or technique used

#### 301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with the department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The employee's actions were within department policy and procedure.
- (b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional



# Mead Police Department

Policy Manual

Policy Manual

## *Use of Force Review Boards*

---

actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Commander, or authorized designee, for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

## Handcuffing and Restraints

### 302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

### 302.2 POLICY

The Mead Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

### 302.3 USE OF RESTRAINTS

Only members who have successfully completed Mead Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

#### 302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

#### 302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Handcuffing and Restraints*

---

No person who is in labor delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

#### **302.3.3 RESTRAINT OF JUVENILES**

A juvenile under 14 years of age should not be restrained unless the juvenile is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure themselves, injure the officer, or damage property.

An officer working as a school resource officer or responding to a public school or school-sanctioned event shall not handcuff any juvenile unless the juvenile poses a threat to self or others or during transport after arrest (CRS § 26-20-111).

#### **302.3.4 NOTIFICATIONS**

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

#### **302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS**

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

#### **302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS**

Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Handcuffing and Restraints*

---

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

#### **302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

#### **302.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Handcuffing and Restraints*

---

##### **302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS**

When applying leg restraints the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

##### **302.8 REQUIRED DOCUMENTATION**

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Members should consider including the following information in their report:

- (a) The factors that led to the decision to use restraints.
- (b) The types of restraint used.
- (c) The amount of time the person was restrained.
- (d) How the person was transported and the position of the person during transport.
- (e) Observations of the person's behavior and any signs of physiological problems.
- (f) Any known or suspected drug use or other medical problems.
- (g) Any aggressive behavior or lack of cooperation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Handcuffing and Restraints*

---

#### **302.9 TRAINING**

Subject to available resources, the Commander should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

## Control Devices and Techniques

### 303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

### 303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Mead Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

### 303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

### 303.4 RESPONSIBILITIES

#### 303.4.1 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

#### 303.4.2 RANGEMASTER RESPONSIBILITIES

The Rangemaster or assigned instructor shall control the inventory and issuance of all control devices and shall insure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

#### 303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Control Devices and Techniques*

---

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to Town property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

#### **303.5 AUTHORIZED CONTROL DEVICES**

The following control devices are authorized for use by officers of the Mead Police Department.

##### **303.5.1 BATON GUIDELINES**

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the [officer\_deputy] reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the [officer\_deputy] or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

##### **303.5.2 OC GUIDELINES**

The need to immediately control a suspect must be weighed against the risk of causing serious injury.

When carrying OC, uniformed personnel shall carry the OC in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry OC as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

##### **303.5.3 CONDUCTED ENERGY DEVICE (TASER) GUIDELINES**

See Policy 304.

##### **303.5.4 40MM LAUNCHER GUIDELINES**

See Policy 305.

#### **303.6 TRAINING FOR CONTROL DEVICES**

The Commander shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Control Devices and Techniques*

---

Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

#### **303.7 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES**

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

#### **303.8 ADDITIONAL CHEMICAL AGENT DEPLOYMENT CONSIDERATIONS**

In response to a protest or demonstration, officers shall not use any chemical agents, including pepper spray or tear gas, without first issuing an order to disperse. The order shall be given in a reasonably sufficient manner to be heard, and repeated if necessary, and followed by sufficient time and space to allow compliance with the order (CRS § 24-31-905).

## Conducted Energy Device

### 304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

### 304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

### 304.3 ISSUANCE, CARRYING, AND MAINTAINING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform, officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.
- (c) While carrying a Taser 7, cartridge bay 1 will be loaded with the Close Quarters (12 degree) cartridge. Cartridge bay 2 will be loaded with the Standoff (3.5 degree) cartridge.
- (d) All Taser 7 batteries will be docked at least once every 30 days.
- (e) CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

### 304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Conducted Energy Device*

---

- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

#### **304.5 USE OF THE CED**

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

##### **304.5.1 APPLICATION OF THE CED**

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

##### **304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Conducted Energy Device*

---

- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

#### 304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

#### 304.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

#### 304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

#### 304.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Conducted Energy Device*

---

##### 304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

##### **304.6 DOCUMENTATION**

Officers shall document all CED discharges in the related arrest/crime reports and the CED report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

##### 304.6.1 TASER DEVICE FORM

Items that shall be included in the TASER device report form are:

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Commander, or authorized designee, should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Commander should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

##### 304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Conducted Energy Device*

---

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

#### **304.7 MEDICAL TREATMENT**

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or officers trained in probe removal and handling should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

#### **304.8 SUPERVISOR RESPONSIBILITIES**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. When on-duty, a supervisor should respond to all incidents where the TASER device was activated.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Conducted Energy Device*

---

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by a supervisor or Rangemaster and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

#### **304.9 TRAINING**

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Commander. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Commander is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Commander should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

## 40mm Launcher

### 305.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of 40mm less lethal launchers.

### 305.2 POLICY

The 40mm launcher is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of this device is intended to result in fewer serious injuries to officers and suspects. The use of a 40mm launcher is considered a use of physical force and, therefore, the use must comply with the Use of Force Policy and C.R.S. § 18-1-707.

### 305.3 DEPLOYMENT AND STORAGE OF 40MM LAUNCHER

Only members who have successfully completed department-approved training may deploy the 40mm launcher.

Officers should consider the need for at least a second officer prior to deploying the 40mm launcher.

Officers shall only use the 40mm cartridges that are issued by the department and in a manner consistent with their training.

Officers will immediately report any apparent problems with the launcher or defects in cartridges. Officers should inspect the 40mm launcher and cartridges at the beginning of their shift.

### 305.4 VERBAL WARNINGS

A verbal warning of the intended use of the 40mm launcher should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the 40mm launcher may be deployed.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the 40mm launcher in the related report.

### 305.5 USE OF THE 40MM LAUNCHER

The 40mm launcher has limitations and restrictions requiring consideration before its use. Although the 40mm launcher is generally effective in subduing most individuals, officers should be aware that the application may not achieve the intended results and be prepared with other options. Officers should have a plan to effect the safe arrest of the subject, once the 40mm has been applied.

#### 305.5.1 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *40mm Launcher*

---

When possible, officers should only use the number of rounds necessary to gain compliance.

In response to a protest or demonstration, a 40mm launcher shall not be used in a manner that targets the head, neck, chest, pelvis/groin, or back.

#### 305.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the 40mm launcher on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

#### 305.5.3 APPLICATION OF THE 40MM LAUNCHER ON COMBATIVE SUBJECTS

The 40mm launcher may be used for deploying kinetic impact projectiles (KIPs) in any of the following circumstances, when nonviolent means or a lesser degree of force is not possible or would be ineffective in effecting an arrest, preventing an escape, or preventing an imminent threat of serious bodily injury or death to the officer or others:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, or a third party.
- (c) The subject has committed a violent felony and is currently being sought for that crime.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the 40mm launcher to apprehend an individual.

#### 305.5.4 APPLICATION OF THE 40MM LAUNCHER DURING CIVIL DISOBEDIENCE

The 40mm launcher may be used for deploying chemical agents in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to protect the public, officers or property:

- (a) The individual or group of individuals has created and been designated as an unlawful assembly.
- (b) An area has been designated as needing to be kept clear for the safety of the public or police.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *40mm Launcher*

---

##### **305.5.5 APPLICATION OF THE 40MM LAUNCHER FOR BARRICADE OPERATIONS**

The 40mm launcher may be used for deploying chemical agents in the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to expel a fugitive from justice for the purpose of arrest:

- (a) The individual is inside of a structure that creates a hazard for officers attempting to enter and arrest them; AND
- (b) The individual is armed with weapons and threatened to use them against officers; AND
- (c) The individual is wanted for felony crimes against a person; AND
- (d) Officers have exhausted all non-violent means of safely arresting the individual.

##### **305.5.6 ACTIONS FOLLOWING DEPLOYMENTS**

Officers shall notify a supervisor of all 40mm device discharges. When practical the expended cartridge and projectile should be collected and submitted to evidence. Photographs of any injury or marks caused by the deployment, or acceptable documentation that the subject was unavailable for photographs, shall be submitted in the officer's case report.

Ensure that any injured or affected persons receive medical aid or assistance as soon as practicable. If the use of a 40mm launcher results in death or serious bodily injury, the officer shall ensure that notification is provided to the injured person's identified relatives or next of kin.

##### **305.5.7 DANGEROUS ANIMALS**

The 40mm launcher may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

#### **305.6 DOCUMENTATION**

Officers shall document all 40mm applications in the related arrest/crime report and the Use of Force report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges and pointing the launcher at a person will also be documented in the officer's report.

##### **305.6.1 REPORTS**

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing 40mm devices.
- (b) Identification of all witnesses.
- (c) Medical care provided to the subject.
- (d) Observations of the subject's physical and physiological actions.
- (e) Any known or suspected drug use, intoxication or other relevant medical issues.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *40mm Launcher*

---

### **305.7 MEDICAL TREATMENT**

Any individual exhibiting signs of distress or who was struck by a 40mm round shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible. The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the 40mm.

### **305.8 SUPERVISOR RESPONSIBILITIES**

1. When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the 40mm may be used.
2. When on-duty, a supervisor should respond to all incidents where the 40mm was deployed.
3. A supervisor shall review each incident where a person has been exposed to a deployment of the 40mm and ensure that the following tasks are fulfilled;
  - (a) Photographs of any injuries or marks were taken.
  - (b) All available witnesses shall be interviewed and their statements included in the associated report.
  - (c) Medical attention shall be provided to anyone struck by a 40mm projectile.

### **305.9 TRAINING**

Personnel who are authorized to deploy the 40mm launcher shall be permitted to do so only after successfully completing the initial department-approved training. Proficiency training for personnel who are authorized to use the 40mm launcher should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Sergeant. All training and proficiency for the 40mm launcher will be documented in the officer's training file. Command staff, supervisors and investigators should receive 40mm training as appropriate for the investigations they conduct and review. The less lethal instructor is responsible for ensuring that all members of the department have received initial and annual proficiency training. Periodic audits should be used for verification. The less lethal instructor should ensure that the yearly training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (d) De-escalation and tactical considerations for evaluating the necessity and enhancing the effectiveness of using the 40mm.
- (e) Restraint techniques that do not impair respiration following the application of the 40mm impact or chemical rounds.

## Officer-Involved Shootings and Deaths

### 306.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

This policy is intended to work in coordination with the county wide Critical Incident Response Team (CIRT) protocol.

### 306.2 POLICY

The policy of the Mead Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

### 306.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

### 306.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

#### 306.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Mead Police Department would control the investigation if the suspect's crime occurred in Mead.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

##### **306.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS**

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval. Unless, the member being requested is a part of the CIRT and is following preapproved response guidelines.

##### **306.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION**

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

#### **306.5 INVESTIGATION PROCESS**

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

##### **306.5.1 UNINVOLVED OFFICER RESPONSIBILITIES**

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved MPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

##### **306.5.2 SUPERVISOR RESPONSIBILITIES**

Upon arrival at the scene, the first uninvolved MPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any MPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
  1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

- scene, identity of known or potential witnesses and any other pertinent information.
2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Shift Sergeant and Weld County Regional Communications Center. If feasible, sensitive information should be communicated over secure networks.
  - (d) Take command of and secure the incident scene with additional MPD members until properly relieved by another supervisor or other assigned personnel or investigator.
  - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
    1. Each involved MPD officer should be given an administrative order not to discuss the incident with other involved officers or MPD members pending further direction from a supervisor.
    2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

#### 306.5.3 COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Commander, or authorized designee, shall be responsible for coordinating all aspects of the incident unless relieved by the Chief of Police.

All outside inquiries about the incident shall be directed to the Chief of Police, or authorized designee.

The Commander will coordinate with the Chief of Police to determine if a CIRT response is necessary. Per the CIRT response protocol;

- (a) A request for the CIRT will be made through the Weld County Regional Communications Center.
- (b) A CIRT Team Coordinator will be notified and respond.
- (c) The Mead Commander will assign a liason to the CIRT.

#### 306.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Investigations Commander, or authorized designee
- Critical Incident Response Team rollout team
- Outside agency investigators (if appropriate)
- Internal Affairs Unit supervisor or authorized designee

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

- 
- Psychological/peer support personnel
- Coroner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

#### 306.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
  1. Involved MPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  2. Requests from involved non-MPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved MPD officer. A licensed psychotherapist may also be provided to any other affected MPD members, upon request.
  1. Interviews with a licensed psychotherapist will be considered privileged.
  2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
  4. Communications between the involved officer and a peer support member are addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved MPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death or appropriate duty reassignment as agreed upon by the involved officer and the Department to allow the officer to receive services and manage the impact of the incident on the officer and the officer's family and significant others. It shall be the responsibility of the Shift Sergeant to make schedule adjustments to accommodate such leave.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

##### **306.6 CRIMINAL INVESTIGATION**

The Weld County Critical Incident Response Team (CIRT) is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this department may be assigned to partner with investigators from the CIRT to avoid duplicating efforts in related administrative investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) MPD supervisors and Internal Affairs Unit personnel should not participate directly in any voluntary interview of MPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

##### **306.6.1 REPORTS BY INVOLVED MPD OFFICERS**

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved MPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

Involved officers should not view any body camera or other video footage of the incident until after their interview with CIRT has been conducted.

While the involved MPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved MPD officer of the right to consult with legal counsel prior to completing any such criminal report.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

#### 306.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
  - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
  - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
  - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c)

#### 306.6.3 MULTI-AGENCY INVESTIGATION (CIRT)

Officer-involved shootings that result in injury or death or other uses of force by an officer that result in death shall be investigated by a multi-agency team. The multi-agency team shall include at least one other police or sheriff's agency or the Colorado Bureau of Investigation. The Chief of Police or the authorized designee shall ensure this protocol is posted on the Mead Police Department website and is available to the public upon request (CRS § 16-2.5-301).

#### 306.6.4 CIRT LIAISON RESPONSIBILITIES

The Commander in charge of the incident shall designate a liaison officer to assist the CIRT.

The CIRT Liaison officer will:

- (a) Act as a liaison between the CIRT Coordinator and the Mead Police Department.
- (b) Assist in facilitating the CIRT investigation process.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

#### **306.7 ADMINISTRATIVE INVESTIGATION**

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved MPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Internal Affairs Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies (see the Personnel Complaints Policy) and applicable laws.

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
  - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
  - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
  - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
  - 5. The Internal Affairs Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  - 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.

7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

#### **306.8 CIVIL LIABILITY RESPONSE**

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

#### **306.9 AUDIO AND VIDEO RECORDINGS**

Any officer involved in a shooting or death should be advised not to review available body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports per the CIRT procedures.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with the approval of assigned investigators or a supervisor.

Any video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or Town Attorney's Office, as appropriate.

#### **306.10 DEBRIEFING**

Following an officer-involved shooting or death, the Mead Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

##### **306.10.1 TACTICAL DEBRIEFING**

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

#### **306.11 MEDIA RELATIONS**

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Shift Sergeant, Investigations Commander and Public Information Officer in the event of inquiries from the media.

Any media release shall be approved by the Chief of Police when possible.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer-Involved Shootings and Deaths*

---

No involved MPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Commander.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

#### **306.12 POST-INCIDENT SERVICES FOR FAMILY**

The family members and significant others of an officer who has been involved in a shooting or deadly use of force should be provided, as department resources reasonably allow (CRS § 16-2.5-403):

- (a) At least one confidential post-incident meeting with a qualified mental health professional (CRS § 16-2.5-402) in a timely manner following the incident, including through telehealth services.
- (b) Ongoing confidential mental health services from a qualified mental health professional (CRS § 16-2.5-402) as needed, including through telehealth services.
- (c) Peer support, including department peer support or online or telehealth peer support.

#### **306.13 PROTOCOLS FOR RETURN TO DUTY**

The Department shall take steps to facilitate returning department members back to their duty assignments following their involvement in a shooting or deadly use of force, taking into consideration the Department's size and resources (CRS § 16-2.5-403).

##### **306.13.1 REINTEGRATION**

Taking into account that involved officers may experience psychological, physical, or emotional reactions, the Department shall implement a reintegration plan that considers having the officer:

- (a) Return to the scene of the incident.
- (b) Fire the officer's weapon at the range.
- (c) Participate in graded re-entry with a companion officer or peer support officer of the officer's choosing.

##### **306.13.2 ONGOING SUPPORTIVE MENTAL HEALTH SERVICES**

An officer who has been involved in a shooting or deadly use of force shall be provided ongoing supportive mental health services, including confidential follow-up by a qualified mental health professional (CRS § 16-2.5-402), either in person or through telehealth services.

#### **306.14 POLICY REVIEW**

The Department shall review this policy biennially and make any necessary updates to reflect current best practices and available resources (CRS § 16-2.5-403).

## Firearms

### 307.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

#### 307.1.1 AUTHORIZATION TO CARRY FIREARMS

Only certified personnel who have met all state and Colorado Peace Officer Standards and Training (POST) requirements and have been authorized by the Chief of Police shall have the peace officer privilege to carry a firearm both on- and off-duty (CRS § 16-2.5-101).

#### 307.1.2 ELIGIBLE IMMIGRANTS

An eligible immigrant who has been hired by the Department to enroll in a POST-approved training academy may possess and use a firearm in accordance with this policy at the academy and may transport, store, clean, and maintain a firearm as necessary for purposes of completing such training (CRS § 16-2.5-101).

### 307.2 POLICY

The Mead Police Department will approve equipment and firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

### 307.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms on duty that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried on duty by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's supervisor. This exclusion does not apply to the carrying of a single folding pocketknife and one fixed blade knife that is not otherwise prohibited by law.

#### 307.3.1 HANDGUNS

Officers are required to carry a fully loaded, authorized firearm while on duty. The term "fully loaded" means that there will be as many rounds as can be loaded in the weapon without interfering with the reliability or functioning of the firearm, as determined by an armorer. This

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Firearms*

---

requirement may be waived at the discretion of command staff for special assignments. This department authorizes the following types of semi-automatic firearms for primary duty use: auto-loading pistols, with a minimum barrel length of 3.9" determined by the designation of the manufacturer, and chambered in .45 ACP or 9mm. **The Rangemaster will keep a list of all firearms that have been approved for duty use by the Chief of Police. If a request is made to carry a firearm not on the approved list it will be evaluated by the Rangemaster and Chief of Police. A determination will be made after the evaluation whether or not the firearm will be approved for duty use and be added to the approved list.** Furthermore, the Chief of Police or his designee shall make the final determination on the approval on any duty firearm based on the above criteria. All authorized weapons shall be approved at the discretion of the Chief of Police, or the authorized designee.

#### 307.3.2 SHOTGUNS

Currently the Mead Police Department does not authorize the carrying or the use of a shotgun.

#### 307.3.3 PATROL RIFLES

See policy 432 Patrol Rifles

#### 307.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster. An entry into the LEFTA software shall meet this requirement.

#### 307.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.

# Mead Police Department

## Policy Manual

### Policy Manual

#### Firearms

---

- (c) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (d) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (e) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (f) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. **Members shall be trained in the use of firearms, including the deployment from concealed carry. Members shall demonstrate proficiency and safe handling, and that the handgun functions properly.**
- (g) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster. An entry into the LEFTA software shall meet this requirement.

#### 307.3.6 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition yearly in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

#### 307.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

##### 307.4.1 REPAIRS AND MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Firearms*

---

##### 307.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

##### 307.4.3 TACTICAL MOUNTED LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall ensure proper functionality and sighting of the firearm prior to carrying it on duty.

Pistol mounted lights are any authorized flashlight unit designated to mount on a rail system, fit into the pistol grip, or any other internal lighting system.

Pistol-mounted flashlights for patrol use are authorized under the following conditions:

**The light shall be from the approved list kept by the Rangemaster.**

The individual officer desiring a pistol mounted flashlight is responsible for all associated costs of the equipment and holster, including purchase, installation, batteries and maintenance. In addition, before purchasing the equipment it is the responsibility of the officer to insure that the equipment is authorized.

Officers must receive training from a Range Instructor on manipulation of the pistol mounted flashlight.

Officers must meet the following standards before they are allowed to carry the pistol mounted flashlight on duty:

Training is to be completed in low light.

The use of the pistol mounted flashlight will only be in conjunction with the use of the firearm. No officer shall use the light in any manner other than as a tactical illuminator to assist in target identification and acquisition.

Officers should be aware that alternate sighting systems (flashlight units) are not a replacement for standard sights, and that their primary purpose is to quickly acquire a target in low light situations.

##### 307.4.4 MOUNTED RED DOT SIGHT (RDS)

Use of Miniaturized Red Dot Sights (MRDS) is approved for duty handguns under the following requirements:

###### Equipment

- The optic must comply with this policy and be approved by the Rangemaster or Chief of Police. Current acceptable makes and models for optics specifically for handguns are listed on an approved list maintained by the Rangemaster. If the optic is anything other than those listed the member must get approval of the optic from the Rangemaster and the Chief of Police.



# Mead Police Department

## Policy Manual

### Policy Manual

#### Firearms

---

- If the member chooses to use an MRDS for their duty handgun they must have a backup sighting system in the unlikely event the optic goes down. The backup sighting system should be iron sights that are tall enough to co-witness with the optic. Members shall submit the firearm to the Rangemaster for inspection prior to using it for service.
- The optic mounting system:
  - **Milled Slide:** The member can choose to send their slide to an after-market company to have the slide cut to fit the particular MRDS, i.e. (Agency Arms, ATEi, Parker Mountain Machine, Jagerwerks, etc..). The cost of the modification will be at the expense of the member and it will be the member's responsibility to replace their duty firearm while the modification is being performed.
  - **Original Equipment Manufacturer (OEM) Milled Slide:** The member can choose a slide from a manufacturer that comes pre-milled. In many instances these options are modular and can accommodate a variety of optics, i.e. (Glock MOS, FN 509 Tactical, or any other factory firearm that is "optic ready").
  - **Modular Milled Slide:** Similar to the "Milled Slide," modular systems offered by after-market companies can be an option for the members as well. Modular milled slides can accommodate a variety of optics the member may want to use, i.e. (Agency Arms AOS, Unity Tactical ATOM, etc...). The cost of the modification will be at the expense of the member and it will be the member's responsibility to replace their duty firearm while the modification is being performed.
  - **If the member is seeking to have the slide milled, they shall use a reputable company with a history of machine work on firearms;** preferably with a warranty regarding the worked performed.
- Batteries should be in compliance with manufacturers recommendations regarding the optic. Batteries should be exchanged on a regular basis (manufacturers specifications/ recommendations) to ensure proper function of the optic. If the manufacturer does not provide specifications for battery use the member shall exchange batteries on a bi-annual basis at a minimum (every six months). It shall be the responsibility of the member to ensure their batteries are in good working condition. If there is any doubt about the state of the batteries the member shall exchange them as soon as possible to ensure proper function of the optic.
- The most common duty holsters available for MRDS on handguns are through Safariland. The holster shall provide an additional level of retention in addition to the holster body itself, i.e. the ALS or SLS system or similar operating system. The holster shall be inspected by the Rangemaster for approval before utilizing it on duty.
- The cost of the optic, holster, and batteries shall be the responsibility of the member if they choose to carry an MRDS on their duty handgun.
- If the optic becomes damaged it shall be placed out of service until it can be repaired or replaced. The member is responsible for having a duty ready handgun, that complies with department policies, while the repairs are being completed.

#### Training

# Mead Police Department

## Policy Manual

### Policy Manual

#### Firearms

---

- If the member chooses to purchase and use an MRDS for their duty handgun they must first take training and show proficiency in the use of the optic. Training will be provided by the Rangemaster if applicable or an outside training source with approval from the Rangemaster and the Chief of Police.
- If the member cannot show proficiency with the optic, they will not be permitted to carry the MRDS on their duty handgun.
- This training is subject to the availability of department resources and subject to denial for any cause.

#### Zeroing

- The MRDS shall be zeroed. The Rangemaster will provide instruction and information regarding zeroing the MRDS for the member.
- If the MRDS has to be removed in order to replace the battery (Trijicon RMR) the zero shall be checked and confirmed before the handgun is permitted to return to duty use.
- If the member cannot zero the optic themselves, they may seek the assistance of the Rangemaster to aid in the zeroing process.

#### Optic Glass Care

- It is strongly suggested that the member utilize an anti-fogging agent on the glass of the optic, i.e. Cat Crap, Rain X, etc. This will help the optic remain fog free during transitions to humid areas or where temperatures may differ causing condensation.

Reference Material: Sage Dynamics, White Paper: Miniaturized Red Dot Systems for Duty Handgun Use, Second Edition (2019)

#### 307.4.5 RIFLE SUPPRESSOR

The purpose of a suppressor for rifle is to reduce the noise level from discharge. This allows for the discharge of the weapon in a confined space without the need for hearing protection. Members may purchase a suppressor and utilize it for duty use under the following criteria.

#### Equipment

- The suppressor will be approved by the range master and have been manufactured for the use intended.
- The suppressor will be secured to the rifle in a way that it will not inadvertently become loose or fall off.
- The member is responsible for maintaining and caring for the suppressor.

#### Zeroing

- The rifle will be zeroed with the suppressor attached prior to its use in the field.
- If the rifle is capable of maintaining a sufficient zero with and without the suppressor the Range Master may approve the use of the rifle in either suppressed or unsuppressed condition.

# Mead Police Department

## Policy Manual

### Policy Manual

#### Firearms

---

#### **307.5 SAFE HANDLING, INSPECTION AND STORAGE**

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where safe to do so.
- (d) Rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for insuring firearms are not brought into the jail section.
- (f) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

##### **307.5.1 INSPECTION AND STORAGE**

Handguns shall be inspected regularly and upon access or possession by another person. Rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

##### **307.5.2 STORAGE AT HOME**

Members shall ensure that all firearms are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability and possibly criminal charges.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Firearms*

---

##### **307.5.3 ALCOHOL AND DRUGS**

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

##### **307.6 FIREARMS TRAINING AND QUALIFICATIONS**

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least twice a year with their duty firearms. Members will qualify with secondary firearms at least once a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

##### **307.6.1 NON-CERTIFICATION OR NON-QUALIFICATION**

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first two shooting attempts shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
  1. Unauthorized range make-up
  2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

##### **307.6.2 QUALIFICATION STANDARDS**

The qualification standards, including the score required for qualification, target type, timing, distance and other conditions, are noted in an attachment to this policy. In addition to the range course qualification, members must achieve a passing score on any written tests based on the training provided.

##### **307.7 FIREARM DISCHARGE**

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Firearms*

---

Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Commander, or authorized designee, or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

#### 307.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective. Officers should follow their training to identify animal behaviors that may reasonably put local law enforcement officers or other individuals in imminent danger, in addition to animal behaviors that do not reasonably suggest or pose an imminent danger.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, conducted energy device (CED), oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

Subject to safety concerns or other exigent circumstances, officers should consider alternatives to the use of firearms. Such alternatives include using the officer's CED or allowing the owner to control or remove the animal from the immediate area.

#### 307.7.2 INJURED ANIMALS

Officers may euthanize an animal when, in his/her judgment and in the opinion of a licensed veterinarian, the animal is experiencing extreme pain or suffering or is severely injured, disabled or diseased past recovery and where other dispositions are impractical. In the event a licensed veterinarian is not available, the animal may be euthanized at the request of the owner or by the written certificate of two persons called to view the animal (CRS § 35-42-110).

Injured wildlife may be euthanized whenever the officer determines that no other reasonable action would be practical, humane or effective for the rehabilitation of the wildlife (2 CCR 406-14:1405).

#### 307.7.3 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Firearms*

---

#### **307.7.4 NEGLIGENT DISCHARGE**

If firearm discharge is the result of negligence, the involved officer shall undergo remedial firearms training and qualification as determined by the Rangemaster.

#### **307.8 RANGEMASTER DUTIES**

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Commander after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Commander documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Commander.

#### **307.9 FLYING WHILE ARMED**

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Mead Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).

# Mead Police Department

## Policy Manual

### Policy Manual

#### Firearms

---

- (c) The Mead Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Mead Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and should include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

#### **307.10 TRAINING**

In addition to general training regarding the use of firearms, the Commander, or authorized designee, shall ensure that training is provided on encounters with dogs in the course of duty as required by CRS § 29-5-112. At a minimum, the training must cover the policies and procedures adopted by this department.

##### **307.10.1 ADDITIONAL REQUIREMENTS**

Before being authorized to carry any firearm, members will be given access to and receive training on this policy and the Use of Force Policy. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review and understand both policies.

#### **307.10 CARRYING FIREARMS OUT OF STATE**

Qualified, active officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Mead Police Department identification card whenever carrying such firearm.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Firearms*

---

- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

#### **307.12 FIREARMS PROGRAM ADMINISTRATION**

The Rangemaster is a qualified firearms instructor designated by the Chief of Police. The Rangemaster has control over all matters regarding firearms training/qualifications, range usage, and ammunition acquisition. The Rangemaster may appoint a Firearms Training Coordinator to assist with administration of the firearms program. The Rangemaster appoints and oversees officers appointed as department armorers.



## Vehicle Pursuits

### 308.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

#### 308.1.1 DEFINITIONS

Definitions related to this policy include:

**Blocking or vehicle intercept** - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

**Boxing-in** - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

**Failure to Yield** - An event when a suspect is driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

**Ramming** - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

**Roadblocks** - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

**Vehicle pursuit** - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, or turning suddenly.

### 308.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

### **308.3 OFFICER RESPONSIBILITIES**

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law (CRS § 42-4-213).

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property:

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit (CRS § 42-4-108(2)(c)).
- (c) Disregard regulations governing direction of movement or turning in specified directions.

#### **308.3.1 FAILURE TO YIELD**

Officers are authorized to conduct traffic contacts as deemed necessary as a part of their duties. A pursuit is not required when drivers fail to yield to an officer's emergency lights and siren under the following conditions.

- (a) The violator is following all traffic laws with failing to yield to the officer being the only exception.
- (b) The violator in failing to yield is not obviously putting any citizens in jeopardy.

**ANY FAILURE TO YIELD, in which the perpetrator is not apprehended, shall be reported. The purpose of these reports will be to gather important information on the frequency and conditions surrounding these incidents.**

#### **308.3.2 WHEN TO INITIATE A PURSUIT**

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety. As a rule, only violators wanted for violent crimes should be pursued.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others (CRS § 42-4-108).
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as aircraft assistance.
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

While taking current circumstances into consideration, violators wanted for committing the following crimes will be assumed pursuable under this policy; Homicide, aggravated robbery, 1st or 2nd degree assault, 1st or 2nd degree kidnapping, felony menacing with a deadly weapon, felony sex assault, vehicular assault, 1st degree arson, 1st degree burglary, aggravated criminal extortion and illegal discharge of a firearm at a dwelling.

#### 308.3.3 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risk of continuing the pursuit reasonably appears to outweigh the risk resulting from the suspect's escape.

When any supervisor or officer directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

In addition to the factors that govern when to initiate a pursuit, other factors should be considered when deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

#### **308.4 PURSUIT UNITS**

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department vehicles (two units and a supervisor). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

##### **308.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit (CRS § 42-4-213). Officers in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

##### **308.4.2 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close enough to the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.

The primary unit should notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

#### 308.4.3 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining at a safe distance behind the primary unit unless directed to assume the role of primary pursuit vehicle or if the primary unit is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the subject has been stopped.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

### **308.5 PURSUIT DRIVING**

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
  - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
  - 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
  - 1. Request assistance from available air support.
  - 2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
  - 3. Request other officers to observe exits available to the suspect.
- (d) Notify the Colorado State Patrol or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

#### **308.5.1 PURSUIT TRAILING**

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

#### **308.5.2 AIR SUPPORT ASSISTANCE**

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

#### **308.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT**

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

#### **308.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Shift Sergeant is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

- (j) Controlling and managing Mead Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

#### **308.6.1 SHIFT SERGEANT RESPONSIBILITIES**

Upon becoming aware that a pursuit has been initiated, the Shift Sergeant, or authorized designee, should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Sergeant has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Shift Sergeant shall review all pertinent reports for content and forward them to the Commander.

#### **308.7 WELD COUNTY REGIONAL COMMUNICATIONS CENTER**

If the pursuit is confined within the Town limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should follow the direction of dispatch if directed to a channel most accessible by participating agencies.

#### **308.8 LOSS OF PURSUED VEHICLE**

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

#### **308.9 INTER-JURISDICTIONAL CONSIDERATIONS**

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

#### **308.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY**

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Mead Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

#### 308.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

Members of this agency should only respond to and/or join a pursuit that would meet the requirements of this policy.

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Mead Police Department, the officer and supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to join/continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Sergeant should review a request for assistance from another agency. The Shift Sergeant or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the Town limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

#### 308.9.3 INTER-AGENCY PURSUIT POLICY

Assistance to an outside pursuing agency by officers from this department shall be provided in accordance with the Weld County Inter-Agency Pursuit Policy.

See attachment: [Weld\\_County\\_Inter-Agency\\_Pursuit\\_Policydocx \(1\).pdf](#)

#### **308.10 PURSUIT INTERVENTION**

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

##### 308.10.1 WHEN USE IS AUTHORIZED

Whenever practicable, an officer should seek the safest resolution to any pursuit. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

##### 308.10.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

##### 308.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
  - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers or others.
  - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
  4. The suspect vehicle is stopped or traveling at a low speed.
  5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is limited to use by properly trained officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
  2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (e) Tire deflation devices are authorized for use by the Mead Police Department members who have been trained on their proper use.
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public.
- (a) Because of the inherent dangers in the use of roadblocks, the Mead Police Department shall require that roadblocks be approved by a supervisor, and used only as a last resort after considering alternatives.
  - (b) Officers shall retain the authority to block streets and stop traffic at the scenes of accidents, crimes, fires, or special events as long as sufficient warning to motorists is in place.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Pursuits*

---

- (c) Roadblocks for other than the situations listed above shall be approved by a watch supervisor or higher rank.
- (d) Emergency roadblocks to stop fleeing vehicles or felons shall be approved by a watch supervisor or higher rank.
- (e) Preplanned roadblocks for any purpose shall be approved by the patrol commander, or authorized designee.
- (f) Roadblocks shall only be approved when the violator constitutes an immediate and continuing threat to the safety of others, which may result in death or serious bodily injury, and when other efforts have failed.
- (g) The type of roadblock initiated shall be at the supervisor's discretion.
- (h) If a vehicle is utilized as a part of an approved roadblock, no person shall remain in or immediately behind the vehicle.
- (i) Roadblocks for traffic checks shall be preplanned to include at least the following provisions:
  - (a) sufficient visible notice to oncoming traffic;
  - (b) safe parking or stopping areas;
  - (c) and planned escape routes for roadblock personnel.

#### **308.11 CAPTURE OF SUSPECTS**

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

#### **308.12 REPORTING REQUIREMENTS**

Any vehicle pursuit by a member of the Mead Police Department shall be documented promptly, completely, and accurately in an appropriate report. The officer should articulate the factors perceived and why they believed the pursuit was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the department may require the completion of additional report forms, as specified in department policy, procedure or law. See the Report Preparation Policy for additional circumstances that may require documentation.

The Commander shall review pursuits yearly to evaluate training needs, lessons learned, equipment failures and needs.

# Mead Police Department

Policy Manual

Policy Manual

## *Vehicle Pursuits*

---

### **308.13 REGULAR AND PERIODIC PURSUIT TRAINING**

Only officers who have successfully completed department approved training on vehicle pursuits are authorized to be involved in a pursuit. All officers shall be trained annually on vehicle pursuits.

### **308.14 POLICY REVIEW**

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

### **308.15 USE OF TIRE DEFLATING DEVICES**

Tire deflation devices are carried in vehicles by the Mead Police Department members for the primary purpose of disabling a motor vehicle prior to a pursuit. The devices are designed to be deployed on a stationary vehicle.

Members will periodically be trained on the proper use and storage of the deflation devices.

## Officer Response to Calls

### 309.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to all emergency and non-emergency situations.

### 309.2 RESPONSE TO CALLS

Officers responding to any call shall proceed with due regard for the safety of all persons and property.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

Officers responding to a call as an emergency response shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (CRS § 42-4-108(3) and CRS § 42-4-213).

Responding with emergency lights and siren does not relieve the officer of the duty to drive with due regard for the safety of all persons and property and does not protect the officer from the consequences of reckless disregard for the safety of others (CRS § 42-4-108(4)).

The use of any other warning equipment without emergency lights and siren does not generally provide an exemption from the vehicle laws (CRS § 42-4-108(3)).

Officers should only respond to a call as an emergency response when so dispatched or when responding to circumstances the officer reasonably believes involves the potential for immediate danger to persons or property. Examples of such circumstances may include:

- An officer who requires urgent assistance.
- A burglary in process that appears to involve a threat to any person's safety.
- A robbery in progress.
- A person brandishing a weapon.
- An apparent homicide.
- A suicide in progress.
- A fight, riot or other large disturbance involving or injuries.
- An assault or other violence in progress.
- A domestic dispute where injury is reasonably believed to be imminent, or has just occurred and the suspect is present.
- A kidnapping in progress.
- A traffic collision or other event involving a serious injury or the possibility of injury that may reasonably require immediate medical aid.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer Response to Calls*

---

### **309.3 REQUESTING EMERGENCY ASSISTANCE**

Officers may request emergency assistance when they reasonably believe that there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

Where a situation has stabilized and emergency response is not required, the requesting officer shall promptly notify Weld County Regional Communications Center.

#### **309.3.1 NUMBER OF UNITS PARTICIPATING**

Normally, only those units reasonably necessary should respond to a call with an emergency response. The Shift Sergeant or the field supervisor should monitor all emergency responses and reduce or enhance the response as warranted.

### **309.4 INITIATING EMERGENCY CALL RESPONSE**

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify Weld County Regional Communications Center. An emergency response of more than one unit should initiate notification of and coordination by Weld County Regional Communications Center to avoid any unanticipated intersecting of response routes.

An emergency response of more than one unit should initiate notification by Weld County Regional Communications Center to the Shift Sergeant or field supervisor. The Shift Sergeant or field supervisor will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

### **309.5 RESPONSIBILITIES OF THE RESPONDING OFFICER**

Officers shall exercise sound judgment and care with due regard for life and property when responding to a call with an emergency response. During a call involving an emergency response officers may (CRS § 42-4-108(2)):

- (a) Disregard regulations governing parking or standing when using a warning lamp.
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- (c) Exceed any speed limits provided this does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer Response to Calls*

---

The decision to continue as an emergency response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Weld County Regional Communications Center. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon determining that an emergency response is appropriate, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at an emergency response scene should determine whether to increase or reduce the level of the response and notify Weld County Regional Communications Center of their determination. Any subsequent change in the appropriate response level should be communicated to Weld County Regional Communications Center by the officer in charge of the scene unless a supervisor assumes this responsibility.

#### **309.5.1 EMERGENCY RESPONSE SPECIAL CONDITIONS**

While performing certain emergency response tasks, the use of emergency lights or sirens may increase the danger to the responding officers or the public. In the following circumstances, officers may consider the appropriateness of an emergency response without siren, emergency lights or both:

- (a) An officer is attempting to confirm his/her suspicion that a driver has violated the traffic code and there is no other reasonable suspicion or probable cause to stop the driver (CRS § 42-4-108(3)).
- (b) An emergency response requires an element of stealth that would be defeated by the use of emergency lighting or siren. This response should use a siren and emergency lights until a stealth response without lights and siren is required, and the response should then continue accordingly.

Any emergency response without the use of emergency lights and siren shall be conducted with due regard for the safety of the public and property and the recognition that such a response may not provide an exemption from the vehicle laws (CRS § 42-4-108(3)).

Any emergency response without the use of lights or siren shall cease if the circumstances no longer warrant such a response.

#### **309.6 SUPERVISORY RESPONSIBILITIES**

Upon being notified that an emergency response has been initiated, the Shift Sergeant or the field supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Officer Response to Calls*

---

The field supervisor shall, whenever practicable, monitor the response until it has been stabilized or terminated, and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Shift Sergeant or the field supervisor should consider the following:

- The type of call or crime involved
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

#### **309.7 FAILURE OF EMERGENCY EQUIPMENT**

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly.

The officer shall notify the Shift Sergeant, field supervisor or Weld County Regional Communications Center of the equipment failure so that another unit may be assigned to the emergency response.

#### **309.8 TRAINING**

Only staff members who have successfully completed department approved training on this policy are authorized to drive an emergency or department owned vehicle in response to calls. All officers driving a department owned vehicle shall be trained annually on response to calls.

## Canines

### 310.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders. The use of a canine to physically apprehend a person is a use of physical force that must comply with the Use of Force Policy and state law. Using a canine to track a scent without intention of physical apprehension is generally not considered a use of force.

### 310.2 REQUESTS FOR CANINE TEAMS

Mead Police Department members are encouraged to request the use of a canine. Requests for a canine team from members shall comply with this policy and be reviewed by the Shift Sergeant when possible.

#### 310.2.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be reviewed by the Shift Sergeant and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Calling out off-duty canine teams should be evaluated on the nature and seriousness of the suspected offense, as well as the urgency to apprehend the suspect(s).
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

### 310.3 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that nonviolent means or a lesser degree of force are not possible or would be ineffective to effect an arrest, prevent an escape, or prevent an imminent threat of serious bodily injury or death to an officer or another person. Additional factors that may justify the use of a canine where such use of force is permitted include that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Canines*

---

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the Use of Force Policy, the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Shift Sergeant and justification for such use of force consistent with the Use of Force Policy. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect. Involved officers must ensure that any injured or affected persons receive assistance and medical aid as soon as practicable.

#### 310.3.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.
- (h) Whether nonviolent means or a lesser degree of force is possible and would be effective in apprehending the suspect.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

# Mead Police Department

## Policy Manual

### Policy Manual

## *Canines*

---

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

### 310.3.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

### 310.3.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Law enforcement canines are generally exempt from impoundment and reporting requirements (CRS § 18-9-204.5).

## **310.4 NON-APPREHENSION GUIDELINES**

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Canines*

---

responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

#### 310.4.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

#### 310.4.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

#### 310.4.3 BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Canines*

---

- (c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

## Domestic Violence

### 311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

#### 311.1.1 DEFINITIONS

Definitions related to this policy include:

**Court order** - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

### 311.2 POLICY

The Mead Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

### 311.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

### 311.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Domestic Violence*

---

- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Bureau in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, only if required for evidence and legally permitted.. Per C.R.S. 18-6-801(8)(III)(d) the department is not required to provide storage for the weapons of any person.
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
  - 1. Whether the suspect lives on the premises with the victim.
  - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
  - 3. The potential financial or child custody consequences of arrest.
  - 4. The physical or emotional state of either party.
  - 5. Use of drugs or alcohol by either party.
  - 6. Denial that the abuse occurred where evidence indicates otherwise.
  - 7. A request by the victim not to arrest the suspect.
  - 8. Location of the incident (public/private).
  - 9. Speculation that the complainant may not follow through with the prosecution.
  - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
  - 11. The social status, community status, or professional position of the victim or suspect.

#### **311.4.1 IF A SUSPECT IS ARRESTED**

If a suspect is arrested, officers should:



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Domestic Violence*

---

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order should be in effect when the suspect is released from jail.

#### **311.4.2 IF NO ARREST IS MADE**

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
  - 1. Voluntary separation of the parties.
  - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

#### **311.5 VICTIM ASSISTANCE**

Members should refer to policy 319 Victim and Witness Assistance to ensure that all requirements have been met.

#### **311.6 DISPATCH ASSISTANCE**

Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

#### **311.7 FOREIGN COURT ORDERS**

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

#### **311.8 VERIFICATION OF COURT ORDERS**

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Domestic Violence*

---

- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

#### 311.8.1 VERIFICATION OF TRIBAL PROTECTION ORDERS

If any party to a domestic dispute is a member of a tribe or consider themselves a Native American person, officers should ask whether there are any protection orders from a tribal court.

Officers should take reasonable steps to verify the protection order, including calling the relevant tribe's dispatch line, and not rely solely on National Crime Information Center or other databases.

#### 311.9 LEGAL MANDATES AND RELEVANT LAWS

Colorado law provides for the following:

##### 311.9.1 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

- (a) If an officer has probable cause to believe an offender has committed an offense of domestic violence, an arrest shall be made (CRS § 18-6-803.6).
- (b) An officer is not required to arrest both parties involved in an alleged act of domestic violence when both claim to have been victims of such domestic violence (CRS § 18-6-803.6). If an officer receives complaints of domestic violence from two or more opposing persons, the officer shall evaluate each complaint separately to determine if a crime has been committed by one or more persons.
- (c) In determining whether a crime has been committed by one or more persons, the officer shall consider the following (CRS § 18-6-803.6):
  1. Any prior complaints of domestic violence.
  2. The relative severity of the injuries inflicted on each person.
  3. The likelihood of future injury to each person.
  4. The possibility that one of the persons acted in self-defense.
- (d) Unless impractical, if probable cause exists to believe an offender has violated a court order and that such offender had notice of the court order, an arrest shall be made (CRS § 18-6-803.5). If the circumstances make arrest impractical, the officer shall seek a warrant of arrest for the offender (CRS § 18-6-803.5).
- (e) If a restrained person is arrested for violating or attempting to violate any provision of a court order, the arresting officer shall make all reasonable efforts to contact the protected party to notify him/her of such arrest (CRS § 18-6-803.5).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Domestic Violence*

---

##### 311.9.2 REPORTS AND RECORDS

The Records Manager will maintain records on the number of domestic violence-related calls reported to the Mead Police Department and forward such records to the state as required (CRS § 18-6-803.9).

In the event that an individual is arrested by the Mead Police Department for violating a court order, the Records Manager shall forward to the issuing court a copy of the arrest report, a list of witnesses to the violation, and, if applicable, a list of any charges filed or requested against the restrained person. The Records Manager shall also ensure that a copy of the same information is provided to the protected party. The agency shall delete the address and telephone number of a witness from the list sent to the court upon request of such witness, and such address and telephone number shall not thereafter be made available to any person, except law enforcement officials and the prosecuting agency, without order of the court (CRS § 18-6-803.5).

If a restrained person is on bond in connection with a violation or attempted violation of a protection order in this or any other state and is subsequently arrested by the Mead Police Department for violating or attempting to violate a protection order, the Records Manager shall notify the prosecuting attorney so that a motion may be filed with the court that issued the prior bond for the revocation of the bond and for the issuance of a warrant, if appropriate (CRS § 18-6-803.5).

##### 311.9.3 SERVICE OF COURT ORDERS

Officers responding to a domestic violence call who encounter a person named in a court order that has not been otherwise served shall serve the person with a copy of the order (CRS § 13-14-107).

## Search and Seizure

### 312.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Mead Police Department personnel to consider when dealing with search and seizure issues.

### 312.2 POLICY

It is the policy of the Mead Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

### 312.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

The "emergency aid exception" requires the following criteria be met; 1. The officer must have a reasonable basis that approximates PC that an immediate crisis exists; AND 2. The assistance

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Search and Seizure*

---

to be rendered by the officer will be helpful; AND 3. The primary purpose is to render aid; AND 4. The officer must have PC that this is the correct location.

#### **312.4 SEARCH PROTOCOL**

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
  1. Another officer or a supervisor should witness the search.
  2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

#### **312.5 DOCUMENTATION**

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and Department policy have been met.

## Temporary Custody of Juveniles

### 313.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Mead Police Department (34 USC § 11133).

#### 313.1.1 DEFINITIONS

Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent, or alien juvenile who may be legally held for the juvenile's own safety or welfare. Juvenile non-offenders include a juvenile taken into protective custody for being under the influence or incapacitated by substances and clearly dangerous to the health and safety of the juvenile under CRS § 27-81-111, and any runaway taken into temporary custody under CRS § 19-3-401. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for the juvenile's protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

**Juvenile offender** - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (CRS § 19-1-103(21); CRS § 19-1-103(88)). Juvenile offenders include juveniles taken into custody for possession of a handgun under CRS § 18-12-108.5 (28 CFR 31.303).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

**Safety checks** - Direct visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

**Secure custody** - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

**Sight and sound separation** - Located or arranged to prevent physical, visual, or auditory contact.

**Status offender** - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

#### **313.2 POLICY**

The Mead Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Mead Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

#### **313.3 JUVENILES WHO SHOULD NOT BE HELD**

Juveniles who exhibit certain behaviors or conditions should not be held at the Mead Police Department. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Civil Commitments Policy).
  - 1. If the officer taking custody of a juvenile believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior.
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Mead Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

#### **313.4 CUSTODY OF JUVENILES**

Officers should take custody of a juvenile and temporarily hold the juvenile at the Mead Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the Mead Police Department without authorization of the arresting officer's supervisor or the Shift Sergeant. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian, or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable. In no event shall a juvenile be held beyond six hours from the time of his/her entry into the Mead Police Department (34 USC § 11133).

##### **313.4.1 CUSTODY OF JUVENILE NON-OFFENDERS**

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Mead Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

##### **313.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS**

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

##### **313.4.3 CUSTODY OF JUVENILE OFFENDERS**

Juvenile offenders should be held in non-secure custody while at the Mead Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

##### **313.4.4 PETTY OFFENSE TICKETS**

Offenders 10 years of age or older who have committed an offense that would be a petty offense or municipal ordinance violation if committed by an adult may be issued a petty offense ticket. The Mead Police Department shall maintain annual data on the petty offense tickets issued, including



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

the age, ethnicity, and gender of each juvenile ticketed and the disposition of each ticket (CRS § 19-2.5-208).

#### **313.4.5 REQUIREMENTS FOR CUSTODY OF JUVENILE OFFENDERS**

A juvenile offender may be taken into temporary custody (CRS § 19-2.5-209):

- (a) When there are reasonable grounds to believe that the juvenile has committed a violation of a statute, ordinance, or court order that would subject an adult to an arrest.
- (b) Pursuant to a lawful warrant issued by a court pursuant to CRS § 19-2.5-204.

A juvenile offender shall not be held longer than is reasonably necessary to obtain basic identification information and to contact the juvenile's parents, guardian, or legal custodian (CRS § 19-2.5-303).

The juvenile shall be released to the care of the juvenile's parents or other responsible adult unless a determination is made in accordance with CRS § 19-2.5-303 that the juvenile poses a substantial risk of flight from prosecution or of serious harm to others.

If the juvenile is not released to the care of the juvenile's parents or other responsible adult, the juvenile shall be taken directly to the court, a detention facility, or shelter designated by the court, or a preadjudication service program without unnecessary delay (CRS § 19-2.5-303).

As an alternative to taking a juvenile offender to a detention facility or shelter, an officer may, if authorized by policy of the court, serve a written promise to appear for juvenile proceedings upon the juvenile and the juvenile's parent, guardian, or legal custodian (CRS § 19-2.5-303).

When a juvenile is not released pending charges, the officer shall:

- Notify the screening team for the judicial district in which the juvenile was taken into custody (CRS § 19-2.5-303).
- Promptly provide to the court and to defense counsel the affidavit supporting probable cause for the arrest and a copy of the arrest report if available (CRS § 19-2.5-305).

#### **313.5 ADVISEMENTS**

The screening team for the judicial district generally notifies the juvenile's parent, guardian, or legal custodian that, if the juvenile is placed in detention or a temporary holding facility, all parties have a right to a prompt hearing to determine whether the juvenile is to be further detained. The notification may be made to a person with whom the juvenile is residing if a parent, guardian, or legal custodian cannot be located. If the screening team is unable to make the notification, officers may make it (CRS § 19-2.5-303).

##### **313.5.1 REPORTING**

The Records Manager shall ensure incidents that result in a citation, summons, arrest or custody of a juvenile that occurs on public school grounds or vehicles, or at school activities or events are reported to the Division of Criminal Justice (DCJ) as required by CRS § 22-32-146. The reports shall be in the format provided by DCJ and include:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

- (a) The juvenile's full name, date of birth, race, ethnicity and gender.
- (b) The name of the school where the incident occurred or the name of the school that either operated the vehicle or held the activity or event.
- (c) The date the juvenile was arrested, taken into custody or issued a summons or ticket.
- (d) The arrest or incident report number assigned by the Mead Police Department.
- (e) The most serious offense for which the juvenile was arrested, issued a summons or ticket, based on the National Crime Information Center (NCIC) crime code.
- (f) The type of weapon involved, if any, for offenses classified under the NCIC incident-based reporting system as group A offenses.
- (g) The originating reporting identifier of the Mead Police Department.

#### **313.6 JUVENILE CUSTODY LOGS**

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile.
- (b) Date and time of arrival and release from the Mead Police Department.
- (c) Shift Sergeant notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.
- (e) Any changes in status (e.g., emergency situations, unusual incidents).
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Shift Sergeant shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

#### **313.7 NO-CONTACT REQUIREMENTS**

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Mead Police Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

### **313.8 TEMPORARY CUSTODY REQUIREMENTS**

Members and supervisors assigned to monitor or process any juvenile at the Mead Police Department shall ensure the following:

- (a) The Shift Sergeant is notified if it is anticipated that a juvenile may need to remain at the Mead Police Department more than four hours. This will enable the Shift Sergeant to ensure no juvenile is held at the Mead Police Department more than six hours.
- (b) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
  - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
  - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) A member of the same sex will supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (d) Personal visual checks and significant incidents/activities are noted on the log.
- (e) There is reasonable access to toilets and wash basins.
- (f) Food is provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) There is reasonable access to a drinking fountain or water.
- (h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (i) There is privacy during family, guardian, and/or attorney visits.
- (j) Juveniles are generally permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
  - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (l) Adequate shelter, heat, light, and ventilation are provided without compromising security or enabling escape.
- (m) Adequate furnishings are available, including suitable chairs or benches.
- (n) Juveniles have the right to the same number of telephone calls as an adult in custody (see the Temporary Custody of Adults Policy).
- (o) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse.

### **313.9 RELIGIOUS ACCOMMODATION**

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

### **313.10 USE OF RESTRAINT DEVICES**

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Mead Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Sergeant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained individuals in custody and monitored in such a way as to protect the juvenile from abuse.

#### **313.10.1 PREGNANT JUVENILES**

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

### **313.11 PERSONAL PROPERTY**

The personal property of a juvenile shall be processed in the same manner as an adult in temporary custody (see the Temporary Custody of Adults Policy).

### **313.12 SECURE CUSTODY**

Only juvenile offenders 14 years of age or older may be placed in secure custody. Shift Sergeant approval is required before placing a juvenile offender in secure custody (CRS § 19-2.5-305).

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to the juvenile or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. A member must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

#### **313.12.1 LOCKED ENCLOSURES**

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure to ensure there are no weapons or contraband and that the area is clean and sanitary. An inspection should be conducted when he/she is released. Any damage noted to the area should be photographed and documented.

The following requirements shall apply:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

- (a) Anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.
- (b) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
- (c) Juveniles shall have constant auditory access to department members.
- (d) The juvenile's initial placement into and removal from a locked enclosure shall be logged.
- (e) Unscheduled safety checks by department members shall occur no less than every 15 minutes.
  - 1. All safety checks shall be logged.
  - 2. The safety check should involve questioning the juvenile as to his/her well-being.
  - 3. Juveniles who are sleeping or apparently sleeping should be awakened.
  - 4. Requests or concerns of the juvenile should be logged.
- (f) Males and females shall not be placed in the same locked room.
- (g) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (h) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

#### **313.13 VISITATION**

Juveniles who are in temporary custody in the facility will be allowed initial visits at any time by the parents, guardians and/or attorneys. Subsequent visits shall be as unrestrictive as reasonably practicable.

#### **313.14 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE**

The Operations Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Mead Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the on-duty supervisor, Shift Sergeant, Chief of Police, and Investigations Commander.
- (c) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the Town Attorney.
- (f) Notification of the Coroner.
- (g) Notification of the juvenile court.
- (h) Evidence preservation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

#### **313.15 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS**

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

In any case where a juvenile is taken into temporary custody, officers should not attempt to interview or interrogate an unemancipated juvenile offender or status offender unless one of the following occurs (CRS § 19-2.5-203):

- (a) A public defender or other counsel representing the juvenile is present.
- (b) A parent, guardian, or legal or physical custodian of the juvenile is present and the juvenile and the juvenile's parent, guardian, or legal or physical custodian are advised of the following:
  - 1. The juvenile's right to remain silent
  - 2. That any statements made may be used against the juvenile in a court of law
  - 3. The juvenile's right to the presence of an attorney during the interrogation
  - 4. The juvenile's right to have counsel appointed if the juvenile so requests at the time of the interrogation
- (c) The juvenile and the juvenile's parent, guardian, or legal or physical custodian have been fully advised of the juvenile's right and have expressly waived in writing the requirement that they be present during the juvenile's interrogation.

#### **313.15.1 MANDATORY RECORDINGS OF JUVENILES**

Any interrogation of a juvenile who is in custody shall be audio and video recorded in accordance with CRS § 16-3-601 when the interview takes place at any Mead Police Department facility, jail, or other permanent detention facility (CRS § 19-2.5-203).

#### **313.15.2 UNTRUTHFUL COMMUNICATIONS TO JUVENILES**

Officers should not knowingly communicate untruthful information or beliefs to a juvenile during a custodial interrogation in order to obtain a statement or admission (CRS § 19-2.5-203).

#### **313.16 RESTRICTION ON FINGERPRINTING**

The following juvenile offenders may be fingerprinted:

- (a) A juvenile offender held for committing any of the following (CRS § 19-2.5-207):
  - 1. A felony
  - 2. A Class 1 misdemeanor
  - 3. A misdemeanor under CRS § 42-4-1301 (driving under the influence or while impaired)
  - 4. A crime that includes an act of domestic violence as defined in CRS § 18-6-800.3(1)
- (b) A juvenile who has not been fingerprinted prior to the juvenile's first appearance before the court and has been ordered by the court to report for fingerprinting (CRS § 19-2.5-608)

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Juveniles*

---

#### **313.17 TRAINING**

Department members should be trained on and familiar with this policy and any supplemental procedures.

#### **313.18 LOCAL AGENCIES THAT PROVIDE JUVENILE SERVICES**

The following is a list of agencies that provide social services to juveniles. This is meant to assist officers with finding resources to assist in juvenile investigations and welfare checks.

- North Range Behavioral Health
- Weld County Human Services
  - Child Support Services
  - Child Protection Services
  - Victims Advocate
- Platte Valley Youth Services Center

## Adult Abuse

### 314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Mead Police Department members as required by law.

#### 314.1.1 DEFINITIONS

Definitions related to this policy include:

**Adult abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

### 314.2 POLICY

The Mead Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

### 314.3 MANDATORY NOTIFICATION

Members of the Mead Police Department should notify the county department of human or social services when the member (CRS § 26-3.1-102):

- (a) Observes the mistreatment or self-neglect of an at-risk adult.
- (b) Has reasonable cause to believe that an at-risk adult has been mistreated or is self-neglecting.
- (c) Has reasonable cause to believe that an at-risk adult is in imminent risk of mistreatment or self-neglect.

Cross reporting to social services is mandatory for at-risk adults who have an intellectual and developmental disability or are seventy years of age or older (CRS § 18-6.5-102; CRS § 18-6.5-108).

For purposes of notification, mistreatment includes abuse, neglect, exploitation, or any act by a person with a relationship to the at-risk adult even when it does not rise to the level of abuse, caretaker neglect, or exploitation but causes harm to the health, safety, or welfare of an at-risk adult (CRS § 26-3.1-101).

Notification is not required for someone who was merely present when a qualified person self-administered a prescribed medical aid-in-dying medication (CRS § 25-48-116).

#### 314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (CRS § 26-3.1-102; CRS § 18-6.5-108):

- (a) Notification should occur as soon as practicable.
- (b) Written report should be forwarded within 24 hours.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Adult Abuse*

---

- (c) The report should contain the following, if known:
  - 1. The name, address, and age of the adult victim.
  - 2. The name and address of the adult's caretaker, if any.
  - 3. The nature and extent of any injuries.
  - 4. The nature and extent of the condition that may reasonably result in abuse.

#### **314.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (CRS § 26-3.1-103).

#### **314.5 INVESTIGATIONS AND REPORTING**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Adult Abuse*

---

- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Whether a death involved the Colorado End-of-Life Options Act (CRS § 25-48-119):
  - (a) Whether an individual knowingly or intentionally forged or altered a request for medical aid-in-dying medication to end an individual's life without the individual's authorization.
  - (b) Whether an individual knowingly or intentionally concealed or destroyed a rescission of a request for medical aid-in-dying medication.
  - (c) Whether an individual knowingly or intentionally coerced or exerted undue influence on a person with a terminal illness to request medical aid-in-dying medication or to destroy a rescission of a request for such medication.

An ombudsman should be called to the scene if the abuse occurred in a long-term care facility (CRS § 26-11.5-101 et seq.).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

#### **314.6 PROTECTIVE CUSTODY**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact the county department of human or social services. Generally, removal of an adult abuse victim from his/her family, guardian, or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to the county department of human or social services.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control or have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

#### **314.7 INTERVIEWS**

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Adult Abuse*

---

##### **314.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

##### **314.7.2 DETAINING VICTIMS FOR INTERVIEWS**

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

##### **314.8 MEDICAL EXAMINATIONS**

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, his/her guardian, or the agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, or agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

##### **314.9 DRUG-ENDANGERED VICTIMS**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

##### **314.9.1 SUPERVISOR RESPONSIBILITIES**

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including the county department of human or social services, other law enforcement agencies, medical service providers, and local prosecutors, to develop community-specific procedures

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Adult Abuse*

---

for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

- (b) Activate any available interagency response when an officer notifies the Detective Bureau supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social, and other conditions that may affect the adult.

#### **314.9.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

#### **314.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Colorado requires or permits the following:

##### **314.10.1 RECORDS DEPARTMENT RESPONSIBILITIES**

The Records Department is responsible for (CRS § 26-3.1-102; CRS § 18-6.5-108):

- (a) Providing a copy of the adult abuse report to social services as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

##### **314.10.2 RELEASE OF REPORTS**

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (CRS § 26-3.1-102).

##### **314.11 TRAINING**

The Department shall provide training on best practices in adult abuse investigations to members tasked with investigating these cases (CRS § 24-31-313; CRS § 26-3.1-106). The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

## Discriminatory Harassment

### 315.1 PURPOSE AND SCOPE

The Town of Mead has a comprehensive policy prohibiting discrimination and harassment. Members should refer to the current Town of Mead Employee Handbook for clarification.

### 315.2 POLICY

(Refer to the Town of Mead Employee Handbook)

### 315.3 RESPONSIBILITIES

This policy applies to all department members. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Director of Human Resources, or the Town Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

#### 315.3.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Follow the complaint procedures in the Town of Mead employee manual.
- (b) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (c) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (d) Ensuring that their subordinates understand their responsibilities under this policy.
- (e) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (f) Making a timely determination regarding the substance of any allegation based upon all available facts.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Discriminatory Harassment*

---

- (g) Notifying the Chief of Police or the Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

#### **315.3.2 SUPERVISOR'S ROLE**

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

#### **315.3.3 QUESTIONS OR CLARIFICATION**

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to reference the Town of Mead employee manual. If that does not resolve the question, they should contact their supervisor or Human Resources

for further information, direction, or clarification.

#### **315.4 DOCUMENTATION OF COMPLAINTS**

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police (CRS § 24-34-408).

The outcome of all reports shall be:

- Approved by the Chief of Police or the authorized designee, the Town Manager, or the Director of Human Resources, depending on the ranks of the involved parties.
- Maintained for a minimum of five years and in accordance with the established records retention schedule (CRS § 24-34-408).

#### **315.4.1 NOTIFICATION OF DISPOSITION**

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

#### **315.5 TRAINING**

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

# Mead Police Department

Policy Manual

Policy Manual

## *Discriminatory Harassment*

---

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

## Child Abuse

### 316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Mead Police Department members are required to notify the county department of social services of suspected child abuse.

#### 316.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - Unless otherwise specified by a cited statute, a child is any person under the age of 18.

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (CRS § 19-3-304; CRS § 19-1-103).

### 316.2 POLICY

The Mead Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the county department of social services is notified as required by law.

### 316.3 MANDATORY NOTIFICATION

Members of the Mead Police Department shall notify the county department of human or social services when (CRS § 19-1-103; CRS § 19-3-308):

- (a) They receive a report of a known or suspected incident of interfamilial abuse or neglect.
- (b) They reasonably believe that the protection and safety of a child is at risk due to an act or omission on the part of persons responsible for the child's care.
- (c) They receive a report of third-party abuse or neglect in which the person allegedly responsible for such abuse or neglect is under age 10.
- (d) They have probable cause to believe a child is a victim of human trafficking of a minor for sexual servitude (CRS § 18-3-504; CRS § 18-7-201.4).

For purposes of notification, abuse and neglect are acts or omissions that threaten the health or welfare of a child, including but not limited to suspicious injuries such as bruising, bleeding, or burns; sex offenses; emotional abuse; failure to provide adequate food, clothing, or care; or exposure to dangerous environments (CRS § 19-1-103).

Interfamilial abuse includes acts by a child's parent, stepparent, guardian, legal custodian, or relative, by a spousal equivalent, or by any other person who resides in the child's home or who is regularly in the child's home for the purpose of exercising authority over or care for the child (CRS § 19-1-103).

Officers shall take into account accepted child-rearing practices of the culture in which the child participates, including but not limited to accepted work-related practices of agricultural communities, in determining abuse. Abuse does not include a reasonable exercise of parental



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

discipline or acts that are reasonably necessary to subdue a child who is being taken into custody by law enforcement officers (CRS § 19-1-103).

#### **316.3.1 NOTIFICATION PROCEDURE**

Notification should occur as follows (CRS § 19-3-308):

- (a) Notifications shall be made immediately to the county department of human or social services.
- (b) A written summary of the investigation or case report shall be forwarded without delay to the county department of human or social services upon completion of any investigation undertaken.
- (c) Notification, when possible, shall include (CRS § 19-3-307):
  - 1. The name, address, age, sex, and race of the child.
  - 2. The nature and extent of the child's injuries, including any evidence of previous cases of known or suspected abuse or neglect of the child or the child's siblings.
  - 3. The names and addresses of the persons responsible for the suspected abuse or neglect, if known.
  - 4. The family composition.
  - 5. The source of the report and the name, address, and occupation of the person making the report.
  - 6. Any action taken by the reporting source.
  - 7. Any other information that the person making the report believes may be helpful.
  - 8. The military affiliation of the person suspected of committing the abuse or neglect if the person is a member of the armed forces or is a spouse, significant other, or family member residing in the home of a member of the U.S. armed forces.

An investigating officer and his/her supervisor shall notify the school district superintendent when there is a reasonable belief that an incident of abuse or neglect has been committed by a person acting in his/her official capacity as an employee of the school district (CRS § 19-3-308).

#### **316.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

#### **316.5 INVESTIGATIONS AND REPORTING**

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Unless unavailable, the county department of social services shall be the agency responsible for the coordination of all investigations of all reports of known or suspected incidents of interfamilial abuse or neglect (CRS § 19-3-308).
- (l) This agency shall have the responsibility for the coordination and investigation of all reports of third-party abuse or neglect alleged to have been committed by persons 10 years of age or older (CRS § 19-3-308).
- (m) When the investigation involves a suspect who was acting in his/her official capacity as an employee of a school district, the investigating officer shall coordinate such investigation with any concurrent abuse investigation being conducted by the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

Department of Education or the school district to the extent that such coordination is possible and deemed appropriate (CRS § 19-3-308).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

#### **316.6 PROTECTIVE CUSTODY**

Before taking any child into protective custody, the officer should make reasonable attempts to contact the county department of social services. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the county department of social services.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (CRS § 19-3-401):

- (a) When a court order has been issued authorizing the removal of a child.
- (b) Without a court order when the child is seriously endangered in his/her surroundings or seriously endangers others and immediate removal appears to be necessary for the child's protection or the protection of others.
  1. A child shall be removed from his/her home and placed in protective custody if an emergency exists because the child is seriously endangered, as described above, the safety or well-being of the child is immediately at issue and there is no other reasonable way to protect the child without removing the child from his/her home.
- (c) Without a court order when an arrest warrant has been issued for the child's parent or guardian on the basis of an alleged violation of CRS § 18-3-304.
- (d) A seriously endangered newborn child (less than 72 hours old) may be detained in a hospital, without a warrant, by an officer upon the recommendation of the county department of social services, a physician, a registered nurse, a licensed practical nurse or a physician's assistant, while an order of the court pursuant to CRS §

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

19-3-405(1) is being pursued. The newborn child must be released if a court order is denied.

#### 316.6.1 COURT ORDERS

Unless already being addressed by the county department of social services, an officer should apply for a court order prior to taking a child into protective custody or as soon as practical thereafter when the officer (CRS § 19-3-405):

- (a) Believes that the circumstances or conditions of the child are such that continuing in his/her place of residence or in the care and custody of the person responsible for the child's care and custody would present a danger to that child's life or health in the reasonably foreseeable future.
- (b) Believes that the child is able to remain safely in his/her place of residence or in the care and custody of the person responsible for the child's care and custody only if certain emergency protection orders are entered.

#### 316.6.2 RELATED NOTIFICATIONS

If the county department of social services is unable to take custody of a child, officers taking a child into protective custody shall (CRS § 19-3-402):

- (a) Deliver the child, without unnecessary delay, directly to the court or to a place designated by the court.
- (b) At the earliest opportunity, notify the court that the child has been taken into protective custody.
- (c) Promptly file a brief written report with the court and any agency or person so designated by the court stating the facts that led to the child being taken into custody and the reason why the child was not released.

Whenever a child is taken into temporary protective custody, the child's parent, guardian or legal custodian shall be notified without unnecessary delay (CRS § 19-3-402(1)). The notification shall include information regarding the right to a hearing.

#### 316.6.3 SAFE HAVEN ACT PROVISIONS

A parent is not guilty of child abuse as defined in CRS § 18-6-401 if the parent surrenders his/her newborn infant (72 hours old or younger) to an on-duty firefighter or staff member at a hospital or community clinic emergency center under the safe haven provisions of CRS § 19-3-304.5. A supervisor and the county department of human or social services should be notified without delay.

### **316.7 INTERVIEWS**

#### 316.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

#### **316.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW**

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
  - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

#### **316.8 MEDICAL EXAMINATIONS**

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

#### **316.9 DRUG-ENDANGERED CHILDREN**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

##### **316.9.1 SUPERVISOR RESPONSIBILITIES**

The Detective Bureau Supervisor, or authorized designee should:

- (a) Work with professionals from the appropriate agencies, including the county department of social services, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

- (b) Activate any available interagency response when an officer notifies the Detective Bureau Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

#### 316.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau Supervisor so an interagency response can begin.

### **316.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Colorado requires or permits the following:

#### 316.10.1 PROCESSING REPORTS AND RECORDS

Members documenting child abuse should make the notation "CHILD VICTIM" on the report or other record (CRS § 24-72-304).

#### 316.10.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (CRS § 19-1-307; CRS § 24-72-304).

#### 316.10.3 CHILD FATALITY PREVENTION REVIEW TEAMS

Local review teams are entitled to access all investigative information of law enforcement agencies regarding the death of a child. This department shall cooperate fully with any such team and investigation (CRS § 25-20.5-404; CRS § 25-20.5-408(1)).

#### 316.10.4 SERVICE OF PROTECTION ORDER

Officers responding to a call for assistance who determine that a civil protection order has been issued and that the restrained person has not been personally served, shall serve the restrained person with a copy of the order (CRS § 19-1-104).

### **316.11 TRAINING**

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child Abuse*

---

- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

## Missing Persons

### 317.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

#### 317.1.1 DEFINITIONS

Definitions related to this policy include:

**At risk** - Includes persons who have dementia or related disability (as defined in CRS § 25-1-502), who have a verified developmental disability, or who are 60 years of age or older and have a verified impaired mental condition, whose whereabouts are unknown, and whose disappearance poses a credible threat to the safety and health of the person (CRS § 24-33.5-415.8). This term also includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
  1. Out of the zone of safety for the person's chronological age and developmental stage.
  2. Mentally or behaviorally disabled.
  3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
  5. In a life-threatening situation.
  6. In the company of others who could endanger the person's welfare.
  7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
  8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
- (c) Are children under the legal custody of the Colorado Department of Human Services or a county department of human or social services (CRS § 19-1-115.3).
- (d) Are Indigenous persons, regardless of whether the person is an adult or child (CRS § 16-2.7-103; CRS § 24-33.5-431).

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown. This includes persons whose safety or welfare is the subject of concern (CRS § 16-2.7-101(2)).

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Missing Persons*

---

This includes the National Crime Information Center (NCIC), the Colorado Crime Information Center (CCIC), and the Colorado Bureau of Investigation (CBI).

#### **317.2 POLICY**

The Mead Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Mead Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

#### **317.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS**

The Detective Bureau supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Medical records release form
- Biological sample collection kits

#### **317.4 ACCEPTANCE OF REPORTS**

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

#### **317.5 INITIAL INVESTIGATION**

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is at risk. The BOLO should be

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Missing Persons*

---

broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at risk.

- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
  - 1. Immediately, when the missing person is at risk.
  - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
  - 1. A photograph and fingerprint card of the missing person, if available.
  - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
  - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier (CRS § 18-9-312).
  - 1. If the officer has probable cause to believe the missing person is at risk of death or serious bodily injury, a supervisor should be notified and should determine whether to order the telecommunication provider to disclose the missing person's location information without a court order.
  - 2. The supervisor shall ensure that a court order is obtained within 48 hours of the initial request for the location information.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

#### **317.6 REPORT PROCEDURES AND ROUTING**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

##### **317.6.1 SUPERVISOR RESPONSIBILITIES**

The responsibilities of the supervisor shall include but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
  - 1. The reports should be promptly sent to the Records Department.
- (b) Ensuring resources are deployed as appropriate.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Missing Persons*

---

- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
  - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

#### **317.6.2 RECORDS DEPARTMENT RESPONSIBILITIES**

The responsibilities of the Records Department receiving member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Detective Bureau.
- (e) Coordinating with the NCIC Terminal Contractor for Colorado to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

#### **317.7 DETECTIVE BUREAU FOLLOW-UP**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
  - 1. The notice shall be in writing and should also include a photograph.
  - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should re-contact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Missing Persons*

---

- (d) Shall verify and update CCIC, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Colorado Bureau of Investigation and enter the photograph into applicable missing person networks (34 USC § 41308).
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

#### **317.8 WHEN A MISSING PERSON IS FOUND**

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Manager should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to CBI.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to CBI.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Missing Persons*

---

##### **317.8.1 UNIDENTIFIED PERSONS**

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

##### **317.9 CASE CLOSURE**

The Detective Bureau supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Mead or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

##### **317.10 TRAINING**

Subject to available resources, the Commander should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
  - 1. Assessments and interviews
  - 2. Use of current resources, such as Mobile Audio Video (MAV)
  - 3. Confirming missing status and custody status of minors
  - 4. Evaluating the need for a heightened response
  - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Missing Persons*

---

- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

## Public Alerts

### 318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

### 318.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

### 318.3 RESPONSIBILITIES

#### 318.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Mead Police Department should notify their Sergeant directly and send an admin page as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

#### 318.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Commander

### 318.4 AMBER ALERTS

America's Missing: Broadcast Emergency Response (AMBER Alert™) is the recruitment of public assistance to locate an abducted child via a widespread media alert using the statewide Emergency Alert System (EAS). Utilizing local radio, television and press affiliates, the public will be notified of the circumstances of a child's abduction and how it can assist law enforcement in the child's recovery.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Alerts*

---

The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media and law enforcement (CRS § 24-33.5-415.7).

#### 318.4.1 CRITERIA

An AMBER Alert may be activated by a law enforcement agency if (CRS § 24-33.5-415.7(2)):

- (a) The child is 17 years of age or younger.
- (b) The Department determines the child has been abducted.
- (c) There is a credible threat to the safety and health of the child.
- (d) The Department has sufficient descriptive information about the child or the person who is suspected of abducting the child, or other pertinent information, to believe a broadcast will assist in the recovery of the child.

#### 318.4.2 PROCEDURE

In the event of a confirmed child abduction, the following procedures shall be followed:

- (a) The Public Information Officer, Shift Sergeant or Detective Bureau Supervisor will prepare an initial press release that includes all available information that might aid in locating the child, such as:
  1. The child's identity, age and description.
  2. Photograph if available.
  3. The suspect's identity, age and description, if known.
  4. Pertinent vehicle description.
  5. Details regarding time of the abduction, location of incident, direction of travel, potential destinations, if known.
  6. Whether there is reason to believe the suspect has a relationship to the victim.
  7. Name and telephone number of the Public Information Officer or other authorized individual to handle the media.
  8. Telephone number of the Colorado Bureau of Investigation to call for further information.
  9. A telephone number for the public to call with leads or information.
- (b) The Public Information Officer, Shift Sergeant or Detective Bureau Supervisor will notify the Colorado Bureau of Investigation. After the information is checked, an AMBER Alert will be issued and the Colorado statewide EAS will be activated.
- (c) Fax the press release to the local television and radio stations.
- (d) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
  1. Colorado State Patrol
  2. FBI local office



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Alerts*

---

3. Prompt entry of information into the U.S. Department of Justice Missing Person System/National Crime Information Center (NCIC)
  4. National Center for Missing and Exploited Children (NCMEC) (800-843-5678)
  5. Department internet sites, communications and resources
- (e) As additional information pertinent to the case becomes available, it shall be forwarded to the Colorado Bureau of Investigation.
- (f) The investigation unit supervisor investigating the abduction or other individual responsible for making notifications shall prepare and forward to the previously described locations additional information regarding the search and investigation.
- (g) Upon closure of the child abduction, because the child has been found, or the end of the notification period, the investigation unit supervisor shall immediately notify the Colorado Bureau of Investigation with pertinent information (CRS § 24-33.5-415.7(4)).
- (h) After 24 hours the investigation unit supervisor investigating the abduction or other individual responsible for making notifications shall assess the need to continue the AMBER Alert.

#### **318.5 BLUE ALERTS**

Blue Alerts are for those instances where a person has killed or inflicted a life-threatening injury upon a peace officer. The Blue Alert program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters (CRS § 24-33.5-416.5; 8 CCR 1507-27).

##### 318.5.1 CRITERIA

Supervisors may request a Blue Alert when a peace officer has been killed or has received a life-threatening injury and the suspect or suspects have fled the scene of the offense (CRS § 24-33.5-416.5).

##### 318.5.2 PROCEDURE

A supervisor, after confirming that the criteria for a Blue Alert have been met, may notify the Colorado Bureau of Investigation and request a Blue Alert broadcast.

#### **318.6 SENIOR CITIZEN/PERSON WITH DEVELOPMENTAL DISABILITIES/DEMENTIA ALERT**

To aid in the identification and location of missing senior citizens and missing persons with developmental disabilities or dementia disease, the Colorado Legislature created the Missing Senior Citizen, Missing Person with Developmental Disabilities, and Missing Person with Dementia and Related Disability Alert Program. This program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies, and the state's public and commercial television and radio broadcasters.

##### 318.6.1 CRITERIA

These alerts apply to the following missing persons (CRS § 24-33.5-415.8):

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Alerts*

---

- (a) "Missing person with a dementia disease or related disability" means a person:
1. Whose whereabouts is unknown.
  2. Who was a resident of Colorado at the time he/she was reported missing.
  3. Who has a dementia disease or related disability, as defined by CRS § 25-1-502.
  4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.
- (b) "Missing person with developmental disabilities" means a person:
1. Whose whereabouts is unknown.
  2. Who was a resident of Colorado at the time he/she was reported missing.
  3. Who has a verified developmental disability.
  4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.
- (c) "Missing senior citizen" means a person:
1. Whose whereabouts is unknown.
  2. Who was a resident of Colorado at the time he/she was reported missing.
  3. Whose age at the time he/she was first reported missing was 60 years or older and who has a verified impaired mental condition.
  4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.

Confirmation, in the form of a signed statement from the family member, close friend, caregiver, doctor, or medical facility that the missing person is a senior citizen with an impaired mental condition, a person with developmental disabilities, or a person with dementia or related disability, is required to meet the criteria for the alert (CRS § 24-33.5-415.8; 8 CCR 1507-26).

#### **318.6.2 PROCEDURE**

A supervisor, acting upon confirmation that the criteria for a Missing Senior Citizen/Missing Person with Developmental Disabilities/Missing Person with Dementia and Related Disability Alert have been met, may notify the Colorado Bureau of Investigation and request a broadcast. Supervisors should ensure that all criteria for the alert are met prior to the request (8 CCR 1507-26).

#### **318.7 MEDINA ALERTS**

Medina Alerts are for those instances where a driver of a vehicle has killed or inflicted a serious bodily injury on a person in a hit-and-run accident. The Medina Alert program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters (CRS § 24-33.5-416.7).

#### **318.7.1 CRITERIA**

Medina Alerts apply when (CRS § 24-33.5-416.7):

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Alerts*

---

- (a) A person has been killed or suffered serious bodily injury as the result of a hit-and-run accident.
- (b) There is additional information concerning the suspect or suspect's vehicle, including one of the following:
  - 1. A complete license plate of the suspect's vehicle.
  - 2. A partial license plate of the suspect's vehicle along with the make, style and color of the suspect's vehicle.
  - 3. The identity of the suspect.

#### 318.7.2 PROCEDURE

A supervisor, after confirming that the criteria for a Medina Alert have been met, may notify the Colorado Bureau of Investigation and request a Medina Alert broadcast (8 CCR 1507-33).

#### **318.8 MISSING INDIGENOUS PERSON ALERTS**

Missing Indigenous Person Alerts aid in the safe recovery of missing Indigenous persons. The Missing Indigenous Person Alert program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies, federally recognized tribes, any governmental agency that may be involved in the search and recovery of a missing persons, and the state's public and commercial television and radio broadcasters (CRS § 24-33.5-431).

#### 318.8.1 PROCEDURE

A supervisor, after confirming that the criteria for a Missing Indigenous Person Alert have been met, may notify the Colorado Bureau of Investigation and request a Missing Indigenous Person Alert Broadcast (8 CCR 1507-36).

#### 318.8.2 CRITERIA

The Department may request a Missing Indigenous Person Alert be activated when (8 CCR 1507-36):

- (a) There is a reasonable belief that missing person is an Indigenous person.
- (b) The person went missing while in Colorado.
- (c) The person has been entered as a missing person into the CCIC/NCIC system by the Department.

"Indigenous" means having descended from people who were living in North America prior to the time people from Europe began settling in North America, being an enrolled member of a federally recognized Indian tribe, or being a lineal descendant of a tribally enrolled parent or guardian (CRS § 24-33.5-2601).

## Victim and Witness Assistance

### 319.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

### 319.2 POLICY

The Mead Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Mead Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

### 319.3 VICTIM ASSISTANCE PROGRAM

The Mead Police Department provides victim services through a collaborative effort with area departments as proscribed in the attached MOU/IGA.

#### 319.3.1 VICTIM ASSISTANCE COORDINATOR

The Victim Assistance Coordinator's duties and responsibilities are governed by attached MOU/IGA. The following are assumed to be included in those responsibilities.

- (a) Ensure that the Department affords victims and witnesses the rights described in CRS § 24-4.1-302.5.
- (b) Facilitate the return of property to victims (CRS § 24-4.1-303).
- (c) Ensure child victims and child witnesses are provided appropriate services commensurate with their age and needs (CRS § 24-4.1-304).
- (d)
- (e)
- (f) Provide the victim with the contact information for the assigned investigator and district attorney, cold case information, and any other required information (CRS § 24-4.1-303).

#### 319.3.2 ON-CALL VICTIM ADVOCATE

The on-call victim advocate should be contacted for any of the following;

- (a) **Infant or child death**
- (b) **Suicide**
- (c) **Fatal traffic accident**
- (d) **Homicide**
- (e) **Sexual assault in which a Medical Forensic Exam (aka SANE) is needed**
- (f) **Domestic Violence incident that involves strangulation and/or serious bodily injury**

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Victim and Witness Assistance*

---

- (g) **Any incident where victim's or witnesses are in need of a victim advocate immediately on scene.**

#### 319.3.3 VICTIM ADVOCATE NOTIFICATIONS

Officers should notify the victim advocate office of any incident that requires reporting, notification, or follow up from the Victim Assistance Program.

#### 319.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

#### 319.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

All reasonable attempts will be made to protect any victim or the victim's immediate family from harm, harassment, intimidation or retaliation arising from their cooperation in the reporting, investigation or prosecution of a crime. Additionally, members of this department should make reasonable efforts to minimize contact between the victim and the victim's immediate family and the defendant and the relatives of the defendant before, during and immediately after a judicial proceeding (CRS § 24-4.1-303(5)).

#### 319.5 VICTIM INFORMATION

The Victim Assistance Coordinator shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; CRS § 18-3-407.5).
- (d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (e) A clear explanation of relevant court orders and how they can be obtained.
- (f) Information regarding available compensation for qualifying victims of crime.
- (g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (h) Notice regarding U Visa and T Visa application processes.
- (i) Resources available for victims of identity theft.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Victim and Witness Assistance*

---

- (j) A place for the officer's name and any applicable case or incident number.
- (k) Information regarding available compensation for qualifying victims of crime (CRS § 24-4.1-101 et seq.).
- (l) How to file a claim in their judicial district through the Victim Compensation Administrator or online through the Colorado Department of Public Safety Victim Compensation Program.
- (m) Information required pursuant to the Victim Rights Act (CRS § 24-4.1-301 et seq.).
- (n) Information related to the Colorado Organization for Victim Assistance (COVA).
- (o) Information regarding the ability of a victim of domestic violence, unlawful sexual behavior, or stalking to terminate a landlord-tenant agreement pursuant to CRS § 38-12-402.
- (p) An advisement that the victim may apply to have a substitute address designated for public records and confidential mail forwarding (CRS § 24-30-2102 et seq.).
- (q) A physical document identifying a sexual assault victim's rights to information regarding the status of forensic medical evidence submitted for testing, the right to object to destruction of the evidence, and to be informed of any change in status of the case (CRS § 24-4.1-302.5).

#### **319.6 WITNESSES**

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

##### **319.6.1 SPECIFIC REQUIREMENTS REGARDING WITNESSES**

Officers should provide all witnesses with the applicable witness information handouts (CRS § 24-4.1-302.5; CRS § 24-4.1-304).

#### **319.7 WITNESS INFORMATION**

The Administration supervisor, or authorized designee, shall ensure that witness information handouts are available and current. These should include information specifically related to witness rights and resources (CRS § 24-4.1-302.5; CRS § 24-4.1-304).

#### **319.8 NOTIFICATION OF NEXT OF KIN**

In the event of a serious illness, life-threatening injury or death, the supervisor responsible for notification of the incident should ensure the victim's next of kin is notified or coordinate such notification with the Coroner, department chaplain or another suitable person. Notification should be made in a courteous manner as soon as practicable following positive identification of the victim.

# Mead Police Department

Policy Manual

Policy Manual

## *Victim and Witness Assistance*

---

Supervisors may perform notifications at the request of other agencies for next of kin residing in the jurisdiction of the Mead Police Department. Such notifications will be performed in accordance with the Outside Agency Assistance Policy.

The identity of any person who is seriously ill, seriously injured or deceased should not be released until notification is made to the victim's next of kin.

## Bias-Motivated Crimes

### 320.1 PURPOSE AND SCOPE

The Mead Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

#### 320.1.1 FEDERAL JURISDICTION

Federal law prohibits discrimination-based acts. The U.S. Department of Justice (DOJ) may obtain jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

### 320.2 DEFINITIONS

Definitions related to this policy include:

**Bias-motivated crime** - A person commits a bias-motivated crime if, with the intent to intimidate or harass another person, in whole or in part because of that person's actual or perceived race, color, religion, ancestry, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or physical or mental disability, he/she (CRS § 18-9-121(2)):

- (a) Knowingly causes bodily injury to another person.
- (b) By words or conduct, knowingly places another person in fear of imminent lawless action directed at that person or that person's property, and such words or conduct are likely to produce bodily injury to that person or damage to that person's property.
- (c) Knowingly causes damage to or destruction of the property of another person.

### 320.3 PREVENTING AND PREPARING FOR LIKELY BIAS-MOTIVATED CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely bias-motivated crimes by among other things:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of bias-motivated crimes to form, and cooperate with, prevention and response networks.
- (b) Providing victim assistance and follow-up as outlined below, including community follow-up.
- (c) Educating community and civic groups about bias-motivated crime laws.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Bias-Motivated Crimes*

---

#### **320.4 PROCEDURE FOR INVESTIGATING BIAS-MOTIVATED CRIMES**

Whenever any member of this department receives a report of a suspected bias-motivated crime or other activity that reasonably appears to involve a potential bias-motivated crime, the following should occur:

- (a) Officers will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned officers will take all reasonable steps to preserve available evidence that may tend to establish that a bias-motivated crime was involved.
- (d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a bias-motivated crime.
- (e) Depending on the situation, the assigned officers or supervisor may request additional assistance from investigators or other resources to further the investigation.
- (f) The assigned officers will include all available evidence indicating the likelihood of a bias-motivated crime in the relevant reports. All related reports will be clearly marked as "Bias-Motivated Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.
- (g) The assigned officers should also make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid, e.g., a possible Temporary Restraining Order through the courts or District Attorney or Town Attorney.

#### **320.5 DETECTIVE BUREAU RESPONSIBILITIES**

If a case is assigned to the Detective Bureau, the assigned investigator will be responsible for following up on the reported bias-motivated crime by:

- (a) Coordinating further investigation with the District Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.
- (c) Maintaining statistical data and tracking of suspected bias-motivated crimes as indicated or required by state law.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Bias-Motivated Crimes*

---

##### **320.5.1 STATE BIAS-MOTIVATED CRIME REPORTING**

This department shall report bias-motivated crime offenses in the form and manner and at regular intervals as prescribed by rules adopted by the Department of Public Safety. This shall be conducted by the Records Manager or assigned to the Detective Bureau.

##### **320.5.2 FEDERAL BIAS-MOTIVATED CRIME REPORTING**

The Records Manager should include bias crime data reporting within the National Incident Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to Records Department procedures and in compliance with (28 USC § 534(a)).

##### **320.6 TRAINING**

All officers of this department shall receive training on bias-motivated crime recognition and investigation and shall attend annual training which incorporates a bias-motivated crime training component.

---

## Standards of Conduct

### 321.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Mead Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning member conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

### 321.2 POLICY

The continued employment or appointment of every member of the Mead Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

### 321.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### 321.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Standards of Conduct*

---

##### **321.3.2 SUPERVISOR RESPONSIBILITIES**

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

##### **321.4 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Colorado constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Members shall familiarize themselves with, embrace and abide by the Law Enforcement Code of Ethics, Mission Statement, Core Values and Oath of Honor.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

##### **321.5 CAUSES FOR DISCIPLINE**

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

###### **321.5.1 ETHICS**

- (a) Using or disclosing one's status as a member of the Mead Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Standards of Conduct*

---

- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Intentionally make any false statement that would be considered dishonest in an official report or testimony.
- (g) Intentionally withhold any information from a report or testimony that would be considered relevant.
- (h) Misappropriation or misuse of public funds, property, personnel or services.
- (i) Any other failure to abide by the standards of ethical conduct.

#### 321.5.2 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

#### 321.5.3 POLICY VIOLATION

Members are generally required to follow established department policy. Sustained violations of policy will be evaluated and appropriate discipline, training, or education will be recommended by the supervisor and approved by the Chief.

Factors that may determine the severity of the discipline are listed below. The supervisor reviewing the violations should consider these factors and weigh the severity of the violations to determine the best course of action.

- (a) Members experience with the actions that produced the policy violation.
- (b) Members prior training in the area of concern.
- (c) Members prior violations that would be considered the same or similar in nature and area of concern.
- (d) Members accountability for the actions of concern.

---

## Information Technology Use

### 322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

#### 322.1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Mead Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including "shareware." This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

### 322.2 POLICY

It is the policy of the Mead Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

### 322.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Information Technology Use*

---

#### **322.4 RESTRICTED USE**

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Sergeants.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

##### **322.4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or Town-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

##### **322.4.2 HARDWARE**

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

##### **322.4.3 INTERNET USE**

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Information Technology Use*

---

exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

#### **322.4.4 OFF-DUTY USE**

Members shall only use technology resources provided by the Department for work related activities.. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

#### **322.5 PROTECTION OF AGENCY SYSTEMS AND FILES**

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

#### **322.6 INSPECTION OR REVIEW**

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.



## Report Preparation

### 323.1 PURPOSE AND SCOPE

Report preparation is a major part of each employee's job. The purpose of reports is to document sufficient information to refresh the employee's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formal and on-the-job training.

#### 323.1.1 REPORT PREPARATION

Employees should ensure that their reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty, unless permission to delay submission of the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be delayed.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, witnesses, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

### 323.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department-approved form unless otherwise approved by a supervisor.

#### 323.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
  - (a) Use of Force Policy

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Report Preparation*

---

- (b) Domestic Violence Policy
- (c) Child Abuse Policy
- (d) Adult Abuse Policy
- (e) Bias-Motivated Crimes Policy
- (f) Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

#### 323.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include:

- (a) Any contact for the purpose of enforcing the law or investigating possible violations of the law where demographic information is required to be reported per CRS 24-31-309.
- (b) Any use of physical force against any person by a member of this department (see the Use of Force Policy).
- (c) Any firearm discharge (see the Firearms Policy) except during approved range training.
- (d) Anytime a person is reported missing (regardless of jurisdiction) (see the Missing Persons Policy).
- (e) Any found property or found evidence.
- (f) Any traffic collisions above the minimum reporting level (see the Traffic Accident Response and Reporting Policy).
- (g) Suspicious incidents that may indicate a potential for crimes against children, or that a child's safety is in jeopardy.
- (h) All protective custody detentions.
- (i) Suspicious incidents that may place the public or others at risk.
- (j) Any response by an officer to an overdose of drugs or alcohol.
- (k) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

#### 323.2.3 DEATH REPORTS

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Report Preparation*

---

- (b) Suicides
- (c) Homicide or suspected homicide
- (d) Unattended deaths (no physician or qualified hospice care during the period immediately preceding death)
- (e) Found dead bodies or body parts

#### **323.2.4 INJURY OR DAMAGE BY TOWN PERSONNEL**

Reports shall be taken if an injury occurs that is a result of an act of a Town employee. Reports also shall be taken when there is damage to Town property or Town equipment.

#### **323.2.5 MISCELLANEOUS INJURIES**

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of a drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

#### **323.3 GENERAL POLICY OF EXPEDITIOUS REPORTING**

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

##### **323.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS**

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for Department consistency.

##### **323.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS**

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

#### **323.4 REPORT CORRECTIONS**

Supervisors, or authorized designee, shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should reject the report informing the officer of the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Report Preparation*

---

necessary corrections. The corrections should be returned to the supervisor as soon as practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner.

#### **323.5 REPORT CHANGES OR ALTERATIONS**

Reports that have been approved by a supervisor and submitted to the Records Department for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Department may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor.

## Media Relations

### 324.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 324.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. However, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Commanders, Shift Sergeants and the designated Public Information Officer (PIO), or authorized designee, may prepare and release information to the media in accordance with this policy and the applicable law.

#### 324.2.1 PUBLIC INFORMATION OFFICER COMMUNITY RELATIONS

The designated PIO is responsible for maintaining a relationship with the local community (e.g., local businesses, service clubs, schools, religious organizations, other government agencies) that is consistent with the goals and objectives of this department. The PIO shall maintain documentation on all public education efforts including classes, informational flyers and other documentation, meetings and press releases.

#### 324.2.2 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated Department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated Department media representative.
- (b) In situations involving multiple law enforcement agencies or other criminal justice agencies including, but not limited to, prosecutors and coroners, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

### 324.3 MEDIA ACCESS

Authorized members of the media should be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities. Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Media Relations*

---

- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
  - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (c) No member of this department shall be required to submit to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted unless in compliance with a jail facility policy. Exceptions are only permitted with the approval of the Chief of Police and the express written consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the PIO.

#### 324.3.1 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant, or authorized designee. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident. It should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

#### 324.3.2 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Media Relations*

---

#### **324.4 SCOPE OF INFORMATION SUBJECT TO RELEASE**

The Department will cooperate with media requests for information regarding law enforcement activities. Upon request by media representatives through the Chief of Police, information available for release will consist of data classified as public and should generally contain:

- (a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

At no time shall identifying information pertaining to a juvenile arrestee be publicly released without prior approval of a competent court or as permitted by state law.

At no time shall identifying information pertaining to a juvenile victim be publicly released without prior approval of a competent court when access to the data would reveal the identity of a victim or alleged victim.

At no time shall identifying information pertaining to a juvenile witness be publicly released without prior approval of a competent court when this department has determined that the identity of a juvenile witness reasonably requires protection.

Information concerning incidents involving persons whose identities are classified as private or confidential under state law shall be restricted from disclosure. Further detail is available in the Records Release and Security Policy.

Identifying information concerning deceased individuals should only be released to the media when the decedent's identity has been verified, the decedent's family has been notified when feasible and the release has been approved by a supervisor.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated media representative, the custodian of records, or if unavailable, to the Shift Sergeant. Such requests will be processed in accordance with policy and state law.

##### **324.4.1 STATE RESTRICTED INFORMATION**

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and the Personnel Records policies). When in doubt, authorized and available legal counsel should be obtained.

# Mead Police Department

Policy Manual

Policy Manual

## *Media Relations*

---

### **324.5 RELEASE OF INFORMATION**

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.



## Subpoenas and Court Appearances

### 325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Mead Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

### 325.2 POLICY

Mead Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

### 325.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

Civil subpoenas should be served by delivering a copy to the named member or as otherwise ordered by a court consistent with due process (CRCP Rule 4; CRCP Rule 45).

Criminal subpoenas should be delivered to the member named in the subpoena unless substituted service is otherwise authorized by local court rules (Crim. P. Rule 17).

Subpoenas should not be accepted without properly posted fees pursuant to applicable law (CRCP Rule 45; Crim. P. Rule 17).

#### 325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the Chief of Police or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the Town or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Mead Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Mead Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Subpoenas and Court Appearances*

---

##### **325.3.2 CIVIL SUBPOENA**

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

##### **325.3.3 OFF-DUTY RELATED SUBPOENAS**

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

##### **325.3.4 E-SUBPOENA SYSTEM**

Sworn members shall maintain an active e-subpoena account. This account is initially setup by the department during on-boarding under the member's department email address.

Members will reply to subpoena notifications through the e-subpoena system. Members should update the e-subpoena calendar with their time-off to limit conflicts in availability.

#### **325.4 REQUIREMENT TO APPEAR**

Members are required to comply with the terms of any properly served subpoena or court-ordered appearance. This includes properly served orders to appear issued by a state administrative agency.

#### **325.5 STANDBY**

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

#### **325.6 COURTHOUSE PROTOCOL**

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

##### **325.6.1 TESTIMONY**

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Subpoenas and Court Appearances*

---

Members shall testify truthfully to the facts of the case and not intentionally withhold relevant information.

#### **325.6.2 EVIDENCE**

When a member is directed by a subpoena to appear in court with evidence, that member should:

- (a) Notify the Evidence Room promptly after receiving the subpoena that the specified evidence is needed for court and verify that the evidence is readily available.
- (b) Verify whether the evidence will be analyzed by the time of the court appearance, if applicable, and advise the prosecutor of any delay.
- (c) Check with the prosecuting attorney on a timely basis if in doubt about what items or materials to bring to court.
- (d) Notify the prosecuting attorney on a timely basis in the event that evidence has been lost, stolen, or misplaced, or if previously undisclosed information about the evidence has become available.
- (e) Comply with provisions of the Property and Evidence Policy regarding checking out the evidence and transferring custody of the evidence to the prosecutor or the court, whichever is appropriate.

#### **325.7 OVERTIME APPEARANCES**

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with Mead and department policies..

## Mutual Aid and Outside Agency Assistance

### 326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

### 326.2 POLICY

It is the policy of the Mead Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

### 326.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Weld County Regional Communications Center (WCRCC). The WCRCC will arrange the response of available units according to regional policies and procedures as accepted by the WCRCC governing body.

When another law enforcement agency requests assistance from this department, the Shift Sergeant may authorize, if available, an appropriate number of personnel to assist (CRS § 29-5-104). Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to any request for assistance made through the WCRCC, however, they shall notify a supervisor of their activity as soon as practical.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

When such assistance is rendered, a case number will be issued to report action taken by Mead Police Department personnel.

#### 326.3.1 RECIPROCAL LAW ENFORCEMENT AGREEMENT

The Department may, at the discretion of the Chief of Police, establish an agreement for reciprocal law enforcement with another agency, including those of neighboring states, provided those agreements meet statutory requirements pursuant to CRS § 29-1-206 and CRS § 29-1-203.

#### 326.3.2 TERMS OF AGREEMENT

Any reciprocal law enforcement agreement with another agency should include:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Mutual Aid and Outside Agency Assistance*

---

- (a) An estimate of the types, amounts and general location of aid and resources available from each involved agency.
- (b) Information on which agency will respond to calls for service by type of event.
- (c) A plan for interagency communication to ensure prompt and appropriate response.
- (d) A strategy for providing backup support between jurisdictions.
- (e) Clear reporting and documentation requirements.
- (f) Guidelines concerning jurisdiction of prosecutors and courts.

#### **326.3.3 INITIATED ACTIVITY**

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Mead Police Department shall notify his/her supervisor or the Shift Sergeant and Weld County Regional Communications Center as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

#### **326.4 REQUESTING OUTSIDE ASSISTANCE**

If assistance is needed from another agency, the member requesting assistance should, if practical, first notify a supervisor (CRS § 29-5-104). The request should be made through the WCRCC. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities through the WCRCC, if necessary and available, so that communication can be coordinated between assisting personnel.

#### **326.5 REPORTING REQUIREMENTS**

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Shift Sergeant, or authorized designee.

#### **326.6 MANDATORY SHARING**

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administration Commander or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
  - 1. The use of the supplies and equipment.
  - 2. The members trained in the use of the supplies and equipment.
- (c) Any other requirements for use of the equipment and supplies.

# Mead Police Department

Policy Manual

Policy Manual

## *Mutual Aid and Outside Agency Assistance*

---

Copies of the documentation should be provided to Weld County Regional Communications Center and the Shift Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Commander should maintain documentation that the appropriate members have received the required training.

## Registered Offender Information

### 327.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Mead Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

### 327.2 POLICY

It is the policy of the Mead Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

### 327.3 REGISTRATION

The Detective Bureau supervisor, or authorized designee, shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Colorado Bureau of Investigation (CBI) (CRS § 16-22-109; CRS § 16-22-110; CRS § 16-13-903).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

#### 327.3.1 CONTENTS OF REGISTRATION

The registrant shall be required to complete the registration form provided by CBI.

Registration by a person who lacks a fixed residence shall be accepted unless it includes a location that would violate state law or local ordinance. The registrant shall be advised of any such violation and allowed five days to secure an alternate location (CRS § 16-22-108).

#### 327.3.2 WAIVERS OF IN-PERSON RE-REGISTRATION

The Detective Bureau supervisor should (CRS § 16-22-108):

- (a) Establish procedures for determining whether a registrant is eligible for a waiver under CRS § 16-22-108.
- (b) Submit verification forms to CBI and other applicable law enforcement agencies.
- (c) Review existing waivers to confirm registrants still meet eligibility requirements for the waiver.
- (d) Notify victims, upon request by the victim, that a waiver has been authorized.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Registered Offender Information*

---

##### **327.3.3 AUTOMATIC TERMINATION OF REGISTRATION**

The Detective Bureau supervisor or the authorized designee shall notify a registrant whose duty to register has automatically terminated under CRS § 16-22-103 of the termination upon attempt to register. The Detective Bureau supervisor shall remove the registrant from the registry and notify CBI of the termination (CRS § 16-22-108).

##### **327.4 MONITORING OF REGISTERED OFFENDERS**

The Detective Bureau supervisor, or authorized designee, should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an internet search or drive-by of the declared residence.
- (b) Review of information on CBI's Convicted Sex Offender Registry website.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the Detective Bureau supervisor.

The Detective Bureau supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Mead Police Department personnel, including timely updates regarding new or relocated registrants.

##### **327.4.1 MANDATORY CONFIRMATION**

Following a registrant's first registration with the Department, the residence verification referenced above shall occur as soon as possible after the registration and annually thereafter. Residence confirmation shall occur quarterly if the registrant is a sexually violent predator (CRS § 16-22-109).

##### **327.5 DISSEMINATION OF PUBLIC INFORMATION**

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisors. The supervisor should evaluate the request and forward the information to the Chief of Police or the authorized designee if warranted. A determination will be made by the Chief of Police or the authorized designee, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be provided with CBI's Convicted Sex Offender Registry website or the Mead Police Department's website.

The Records Manager shall release local registered offender information to residents in accordance with state law (CRS § 16-22-112; CRS § 24-72-301 et seq.) and in compliance with a Colorado Criminal Justice Records Act request.

##### **327.5.1 RELEASE NOTIFICATIONS**

Sex registrant information that is released shall include the written statement: "The Colorado sex offender registry includes only those persons who have been required by law to register and who



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Registered Offender Information*

---

are in compliance with the sex offender registration laws. Persons should not rely solely on the sex offender registry as a safeguard against perpetrators of sexual assault in their communities. The crime for which a person is convicted may not accurately reflect the level of risk.” (CRS § 16-22-112(5))

#### 327.5.2 MANDATORY DISSEMINATION

The Department shall release local sex offender information to residents in accordance with Colorado law and the rules set forth by CBI. Information released shall include, at a minimum, the name, address or addresses, and aliases of the registrant; the registrant's date of birth; a photograph of the registrant, if requested and readily available; and the offense that led to the registration requirement and the date of the offense (CRS § 16-22-110; CRS § 16-22-112). Information concerning victims shall not be released.

The Department will also make the mandated community notifications regarding sexually violent predators. These community notifications shall only occur under the circumstances and in the manner specified by the Colorado Department of Public Safety's Sex Offender Management Board (SOMB) (CRS § 16-13-904; CRS § 16-13-905; CRS § 16-13-906).

#### 327.5.3 DISCRETIONARY DISSEMINATION

The Department may also provide local sex offender information to any other person the Department determines warrants notification as permitted by law. If the Department elects not to release registrant information to a non-resident, the Department may submit a request from the non-resident to CBI (CRS § 16-22-112).

#### 327.5.4 INFORMATION AVAILABLE VIA THE INTERNET

The Department may post the following registered offender information on its website only if the person is adjudicated or convicted of the offenses in CRS § 16-22-112:

- (a) Offender information, including the offender's name or aliases, photograph, sex, height, weight, name, address and offenses committed, as allowed by law
- (b) Educational information concerning protection from sex offenders that has been developed in conjunction with SOMB and a sexual assault victims' advocacy group, or a link to educational information included on the CBI website
- (c) A link to the National Sex Offender Public Website
- (d) A link to the CBI Convicted Sex Offender Registry website
- (e) A link to other law enforcement agencies

#### 327.5.5 PURGE OF LOCAL SEX OFFENDER REGISTRY

When a court order discontinuing a registrant's duty to register is received by the Department, the Detective Bureau supervisor shall ensure that the registrant's registration information is removed from the department local sex offender registry (CRS § 16-22-113).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Registered Offender Information*

---

#### **327.6 NOTIFICATION PRIOR TO RELEASE OR DISCHARGE**

Notification of a registrant's release on parole will be made by the sentencing court, the probation department, community corrections, the county jail or the Colorado Department of Corrections (CDOC) (CRS § 16-22-106; CRS § 16-22-107).

Prior to registrants being discharged from the CDOC, this department shall verify that (CRS § 16-22-107(4)(a)):

- (a) The address provided by the person is a residence.
- (b) The occupants or owners of the residence know of the person's history of unlawful sexual behavior.
- (c) The occupants or owners of the residence have agreed to allow the person to reside at the address.
- (d) If the registrant is being released on parole, the address complies with any conditions of the parole.

If any of the information required for verification is not true, the Department shall notify the CDOC that the person provided false information concerning the address at which he/she intends to reside (CRS § 16-22-107(4)(b)).

#### **327.6.1 CONFIDENTIAL INFORMATION**

The forms completed by persons required to register pursuant to Colorado law shall be confidential and shall not be open to inspection by the public or any person other than law enforcement personnel except as provided by law (CRS § 16-22-109(4)).

## Major Incident Notification

### 328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

### 328.2 POLICY

The Mead Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

### 328.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Commander. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Missing children or endangered missing adults
- Traffic collisions with fatalities or severe injuries
- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Significant injury or death to an employee, whether on- or off-duty
- Death of a prominent Mead official
- Arrest of Department employee or prominent Mead official
- Aircraft, train, boat or other transportation crashes with major damage and/or injury or death
- In-custody deaths
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- CAD, radio, network, facility system or utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident, which has or is likely to attract significant media attention

### 328.4 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant, or authorized designee, is responsible for making the appropriate notification. The Shift Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notification as soon as practicable.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Major Incident Notification*

---

Notification should be made by using the call notification protocol posted in Weld County Regional Communications Center.

##### 328.4.1 STAFF NOTIFICATION

In the event an incident occurs as identified in the Minimum Criteria for Notification above, the Chief of Police shall be notified ~~along with the affected and the if that is providing assistance.~~

##### 328.4.2 PUBLIC INFORMATION OFFICER (PIO)

After members of the staff have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

## Death Investigation

### 329.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural causes to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The importance of a thorough death investigation cannot be emphasized enough.

Death investigations shall be conducted pursuant to CRS § 30-10-606.

### 329.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases, unless the death is obvious (e.g., the person has been decapitated or the body is decomposed). Officers are not authorized to pronounce death unless they are also a Coroner, a Deputy Coroner or an appointed Coroner Investigator. A supervisor shall be notified in all death investigations.

#### 329.2.1 CORONER REQUEST

The Coroner shall be called as soon as practicable after the scene is safe and secure in all deaths. Investigating officers shall investigate and work in cooperation with the Coroner involving any of the following circumstances (CRS § 30-10-606(1)):

- (a) The death is, or may be, unnatural, as a result of external influences, injury or violence.
  1. It is due to the influence of, or is the result of, intoxication by alcohol, drugs or poison.
  2. It is the result of an accident, including an accident at the workplace.
  3. It involves the unexpected or unexplained death of an infant or child.
- (b) There is no physician in attendance, or when the physician is at the scene but is unable to certify the cause of death.
- (c) The death occurs within 24 hours of admission to a hospital.
- (d) The death is the result of a criminal abortion, including any situation where such abortion may have been self-induced.
- (e) It is the result of a disease that may be hazardous or contagious, or may constitute a threat to the health of the public.
- (f) The death results from the action of a peace officer, or while the person was in the custody of law enforcement officials or incarcerated in a public institution.
- (g) The death was sudden, and happened to a person who was in apparent good health.
- (h) The body is unidentifiable, decomposed, charred or skeletonized.
- (i) The death occurs under circumstances that the Coroner determines may warrant further inquiry in order to determine the cause and manner of death, or that requires further law enforcement investigation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Death Investigation*

---

In cases involving any of the above mentioned circumstances, the body of the deceased shall not be removed from the place of death prior to the arrival of the Coroner. This restriction shall not apply if the Coroner grants permission for removal or removal is necessary to identify the victim, protect property from damage, preserve evidence, or protect life, health or safety.

When the Coroner arrives at the scene, law enforcement personnel shall make all reasonable accommodations to allow him/her to collect time-sensitive information.

If a suicide note is found at the place of death, investigating officers or the Coroner shall take custody of the note based on a prior agreement. If there is no prior agreement, investigating officers have the authority to take custody of the suicide note and shall provide a copy to the Coroner.

#### 329.2.2 SEARCHING DEAD BODIES

The Coroner or an assistant and authorized investigators are generally the only persons permitted to move, handle or search a body. Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Coroner, the investigating officer shall first obtain verbal consent from the Coroner when practicable.

Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Coroner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner, a receipt shall be obtained. This receipt shall be attached to the death report.

#### 329.2.3 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Coroner, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned officers/deputies may need to talk to the next-of-kin.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained.

#### 329.2.4 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

#### 329.2.5 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Division shall be notified to determine the possible need for an investigator to respond to the scene for further immediate investigation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Death Investigation*

---

If the on-scene supervisor, through consultation with the Watch Supervisor or Detective Bureau supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The assigned investigator investigating a homicide or a death under suspicious circumstances may, with the approval of his/her supervisor, request the Coroner to conduct physical examinations and tests, and to provide a report.

#### 329.2.6 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment may ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified by telephone or teletype with all pertinent information.

## Identity Theft

### 330.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

### 330.2 REPORTING

- (a) To maintain uniformity in reporting, officers shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
  - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides (CRS § 16-5-103(4)).
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction that have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the fraud, usage of services or receipt of goods were acquired or occurred in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and Department of Motor Vehicles) with all known report numbers.
- (e) The reporting officer should inform victims of identity theft that an Order of Factual Innocence is available to help those who are wrongly linked to crimes (CRS § 16-5-103(2)(b)). A court may order identifying information contained in criminal justice records to show that the information is not accurate and does not reflect the perpetrator's identity because of identity theft. Information can be obtained by contacting the Department of Revenue.
- (f) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

### 330.3 PREVENTIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report, as allowed by law. A victim may also access additional information on the official Colorado state government website.



# Mead Police Department

Policy Manual

Policy Manual

## *Identity Theft*

---

### **330.4 INFORMATION**

The victim should be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption Deterrence Act. The victim can find FTC contact information online through its official website. Additional information may be found at the U.S. Department of Justice and/or FBI websites.

## Private Persons Arrests

### 331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for handling private person's arrests and detentions made pursuant to CRS § 16-3-201, CRS § 16-3-202(2) and CRS § 16-19-115.

### 331.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Officers should use sound discretion in determining whether to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest, as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest. Absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

### 331.3 ARRESTS BY PRIVATE PERSONS

A private person may arrest another under the following circumstances (CRS § 16-3-201, CRS § 16-3-202(2) and CRS § 16-19-115):

- (a) For any crime that has been or is being committed or attempted in his/her presence
- (b) When directed by any peace officer to assist a peace officer
- (c) When there is reasonable information that the accused has been charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year
  - 1. The accused shall be taken before a judge without unnecessary delay and a complaint must be made against the accused under oath by the private person making the arrest.

### 331.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person who has made a private person's arrest must determine whether there is reasonable cause to believe that such an arrest would be lawful.

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, to determine the lawfulness of the arrest and protect the public safety.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Private Persons Arrests*

---

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
  2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:
1. Take the individual into physical custody for booking.
  2. Release the individual upon a misdemeanor citation or pending formal charges.

#### **331.5 REPORTING REQUIREMENTS**

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a Private Person's Arrest Form. If the person fails or refuses to do so, the arrested subject shall be released unless the officer has an independent reason to take the person into custody.

In addition to the Private Person's Arrest Form (and any other related documents, such as citations and booking forms), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

## Limited English Proficiency Services

### 332.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

#### 332.1.1 DEFINITIONS

Definitions related to this policy include:

**Authorized interpreter** - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

**Interpret or interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

**Limited English proficient (LEP)** - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

**Qualified bilingual member** - A member of the Mead Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

**Translate or translation** - The replacement of written text from one language (source language) into an equivalent written text (target language).

### 332.2 POLICY

It is the policy of the Mead Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

### 332.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Operations Commander or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Limited English Proficiency Services*

---

- (a) Coordinating and implementing all aspects of the Mead Police Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Shift Sergeant and Communications Manager. The list should include information regarding the following:
  - 1. Languages spoken
  - 2. Contact information
  - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

#### **332.4 FOUR-FACTOR ANALYSIS**

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Limited English Proficiency Services*

---

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

#### **332.5 TYPES OF LEP ASSISTANCE AVAILABLE**

Mead Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

#### **332.6 WRITTEN FORMS AND GUIDELINES**

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

#### **332.7 AUDIO RECORDINGS**

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

#### **332.8 QUALIFIED BILINGUAL MEMBERS**

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Limited English Proficiency Services*

---

When a qualified bilingual member from this department is not available, personnel from other Town departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

#### **332.9 AUTHORIZED INTERPRETERS**

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

##### **332.9.1 SOURCES OF AUTHORIZED INTERPRETERS**

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other Town departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Limited English Proficiency Services*

---

#### **332.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE**

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

#### **332.10 CONTACT AND REPORTING**

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

#### **332.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE**

The Mead Police Department will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

#### **332.12 FIELD ENFORCEMENT**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Limited English Proficiency Services*

---

or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

#### **332.13 INVESTIGATIVE FIELD INTERVIEWS**

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

#### **332.14 CUSTODIAL INTERROGATIONS**

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

#### **332.15 BOOKINGS**

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Limited English Proficiency Services*

---

of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

#### **332.16 COMPLAINTS**

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

#### **332.17 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

#### **332.18 TRAINING**

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Commander shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Commander shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

##### **332.18.1 TRAINING FOR AUTHORIZED INTERPRETERS**

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

# Mead Police Department

Policy Manual

Policy Manual

## *Limited English Proficiency Services*

---

The Commander shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

## Communications with Persons with Disabilities

### 333.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

#### 333.1.1 DEFINITIONS

Definitions related to this policy include:

**Auxiliary aids** -These are used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of a computer or typewriter; use of an assistive listening system or device to amplify sound; use of a teletypewriter (TTY), videophones (video relay service or VRS); use of taped text; use of qualified readers; or use of a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102). This includes a person who has a functional hearing loss of sufficient severity to prevent aural comprehension, even with the assistance of hearing aids (CRS § 13-90-202).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters should have a valid certification of competency accepted by the Commission for the Deaf and Hard of Hearing (CRS § 13-90-202(8)).

### 333.2 POLICY

It is the policy of the Mead Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

### 333.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Operations Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include but not be limited to:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

- (a) Working with the Town ADA coordinator regarding the Mead Police Department's efforts to ensure equal access to services, programs, and activities.
- (b) Developing reports, new procedures, or recommending modifications to this policy.
- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs, and activities.
- (d) Ensuring that a list of qualified interpreter services is maintained and available to each Shift Sergeant and Communications Manager. The list should include information regarding the following:
  - 1. Contact information
  - 2. Availability
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

#### **333.4 FACTORS TO CONSIDER**

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

#### **333.5 INITIAL AND IMMEDIATE CONSIDERATIONS**

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Mead Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

#### **333.6 TYPES OF ASSISTANCE AVAILABLE**

Mead Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

#### **333.7 AUDIO RECORDINGS AND ENLARGED PRINT**

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

#### **333.8 QUALIFIED INTERPRETERS**

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

#### **333.9 TTY AND RELAY SERVICES**

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

##### **333.10 COMMUNITY VOLUNTEERS**

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

##### **333.11 FAMILY AND FRIENDS**

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

##### **333.12 REPORTING**

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

##### **333.13 FIELD ENFORCEMENT**

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

#### **333.13.1 FIELD RESOURCES**

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speech-read by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

#### **333.13.2 QUALIFIED INTERPRETER OR AUXILIARY SERVICE REQUIRED FOR VICTIMS AND WITNESSES**

An officer shall make arrangements to provide a qualified interpreter or auxiliary service to assist in an interview or questioning of a victim or witness who is deaf or hard of hearing, or deaf-blind and uses sign language for effective communication (CRS § 13-90-204(1)(f)).

#### **333.14 CUSTODIAL INTERROGATIONS**

In an effort to ensure that the rights of individuals who are deaf, hard of hearing, deaf-blind, or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf, hard of hearing, or deaf-blind by a qualified interpreter or by providing a written *Miranda* warning card (CRS § 13-90-204(1)(d)).

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

#### 333.14.1 WAIVER

Any waiver to a qualified interpreter or auxiliary service shall be in writing. The person may have access to counsel for advice and shall have actual, full knowledge of the right to effective communication (CRS § 13-90-208).

If there is no waiver, *Miranda* warnings shall be given by the interpreter prior to any attempt to interrogate or take a statement from the person (CRS § 13-90-204(1)(d)).

#### **333.15 ARRESTS AND BOOKING**

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

#### **333.16 COMPLAINTS**

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communications with Persons with Disabilities*

---

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

#### **333.17 COMMUNITY OUTREACH**

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

#### **333.18 TRAINING**

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Commander shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Commander shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

## Pupil Arrest Reporting

### **334.1 PURPOSE AND SCOPE**

The purpose of this policy is to describe the procedures to follow when a pupil is arrested on school grounds and during school hours.

### **334.2 PUPIL ARREST REPORTING**

In the event a school pupil is arrested on school grounds and during school hours, the arresting officer shall include in the report the necessary information to ensure that the Records Department notifies the chief administrative officer of the school or the appropriate designee of the arrest of a pupil.

If the arrest involved alcohol or a controlled substance, the Records Department shall ensure the chemical abuse pre-assessment team of the school is notified regarding the arrest, as allowed by law.

#### **334.2.1 PUPIL ARREST AFTER NOTIFICATION**

Based upon the circumstances of the investigation, it may be appropriate to notify the school prior to the arrest. Prior notification and assistance from the school may reduce disruption to school operations and other students.

#### **334.2.2 PUPIL ARREST BEFORE NOTIFICATION**

Based upon the circumstances of the investigation, it may be appropriate to arrest the pupil before notifying the school. This may be appropriate if the pupil is a flight risk, if prior notification will impede the investigation or if notification creates additional risks to students, faculty, the officer or the public.

Proper notification to the school after the pupil's arrest should then be made when circumstances reasonably allow.

#### **334.2.3 PARENTAL NOTIFICATION**

Upon arrest, it is the arresting officer's responsibility to ensure the parents of the arrested pupil are properly notified. Notification shall be made by the officer, regardless of subsequent notifications by the juvenile detention facility. Notifications should be documented and include the charges against the pupil and information as to where the pupil will be taken.

## Biological Samples

### 335.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

### 335.2 POLICY

The Mead Police Department will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

### 335.3 PERSONS SUBJECT TO DNA COLLECTION

The following persons must submit a biological sample (CRS § 16-23-103; CRS § 16-11-102.4):

- (a) Every adult arrested for a felony offense, as part of the booking process, or who is charged with a felony by an indictment, information or felony complaint
- (b) In all other cases, upon the adult's first appearance in court following the filing of charges, when a court requires the adult to submit a sample to the investigating agency responsible for fingerprinting pursuant to CRS § 16-21-104
- (c) Persons who have been convicted and are required to submit a sample under CRS § 16-11-102.4

### 335.4 PROCEDURE

When an individual is required to provide a biological sample, a trained employee shall attempt to obtain the sample in accordance with this policy.

#### 335.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the individual is required to provide a sample pursuant to CRS § 16-23-103 or CRS § 16-11-102.4.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the person's criminal history. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use the designated collection kit provided by the Colorado Bureau of Investigation (CBI) to perform the collection and take steps to avoid cross contamination.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Biological Samples*

---

#### **335.5 USE OF FORCE TO OBTAIN SAMPLES**

If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

- (a) The person's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the person's next court appearance.
- (d) The person's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
- (g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if available.

The supervisor shall review and approve any plan to use force and be present to document the process.

##### **335.5.1 VIDEO RECORDING**

A video recording should be made any time force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's records retention schedule.

#### **335.6 LEGAL MANDATES AND RELEVANT LAWS**

Colorado law provides for the following:

##### **335.6.1 LITIGATION**

The Chief of Police or the authorized designee shall immediately notify the Colorado Attorney General's Office in the event this department is named in a lawsuit involving the DNA database.

##### **335.6.2 FORWARDING BIOLOGICAL SAMPLES**

All biological samples and related materials shall be promptly forwarded to CBI using CBI material, labels and instructions for prompt analysis (CRS § 16-23-103(6); CRS § 16-23-104).

# Public Safety Video Surveillance System

## 336.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

## 336.2 POLICY

The Mead Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the Town to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist Town officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

## 336.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

### 336.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected Town divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending and prosecuting offenders.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Safety Video Surveillance System*

---

- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Shift Sergeant's office and Weld County Regional Communications Center. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Shift Sergeant or trained personnel in Weld County Regional Communications Center are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

#### **336.3.2 CAMERA MARKINGS**

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

#### **336.3.3 INTEGRATION WITH OTHER TECHNOLOGY**

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems, and video enhancement or other analytical technology, requires additional safeguards.

#### **336.4 VIDEO SUPERVISION**

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

##### **336.4.1 VIDEO LOG**

A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Safety Video Surveillance System*

---

been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

#### **336.4.2 PROHIBITED ACTIVITY**

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

#### **336.5 STORAGE AND RETENTION OF MEDIA**

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule. Between one year and three years after the date of the creation of the recording, the recording may be accessed only if there has been a notice of claim filed, or an accident or other specific incident that may cause the recording to become evidence in a civil, labor, administrative or felony criminal proceeding, in which case the record may be retained beyond three years as necessary. The Records Custodian shall document and maintain a record of the reason for which the recording was accessed and the person who accessed the record beyond the first anniversary after its creation (CRS § 24-72-113).

#### **336.5.1 EVIDENTIARY INTEGRITY**

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Safety Video Surveillance System*

---

##### **336.6 RELEASE OF VIDEO IMAGES**

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Mead Police Department.

Recorded videos are classified as public records (CRS § 24-72-202(6)(a); CRS § 24-72-202(7)). Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Shift Sergeant for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

##### **336.7 VIDEO SURVEILLANCE AUDIT**

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

##### **336.8 TRAINING**

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

## Child and Dependent Adult Safety

### 337.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse Policy and the Adult Abuse Policy.

### 337.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Mead Police Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

### 337.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases, this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child and Dependent Adult Safety*

---

##### 337.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
  - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
  - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Department of Human Services, if appropriate.
- (e) Notify the field supervisor or Shift Sergeant of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependents. The result of such actions should be documented in the associated report.

##### 337.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Child and Dependent Adult Safety*

---

##### 337.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
1. Name
  2. Sex
  3. Age
  4. Special needs (e.g., medical, mental health)
  5. How, where and with whom or which agency the child was placed
  6. Identities and contact information for other potential caregivers
  7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
1. Name
  2. Sex
  3. Age
  4. Whether he/she reasonably appears able to care for him/herself
  5. Disposition or placement information if he/she is unable to care for him/herself

##### 337.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

##### **337.4 DEPENDENT WELFARE SERVICES**

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

##### **337.5 TRAINING**

The Commander, or authorized designee, is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

## Service Animals

### 338.1 PURPOSE AND SCOPE

Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Mead Police Department recognizes this need and is committed to making reasonable modifications to its policies, practices and procedures in accordance with Title II of the Americans with Disabilities Act (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

### 338.2 SERVICE ANIMALS

The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104).

Service animals also include assistance dogs that are in the process of being trained and are accompanied by a trainer (CRS § 24-34-803).

#### 338.2.1 USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items, or follow daily routines.

### 338.3 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the public is allowed. Department members are expected to treat individuals with

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Service Animals*

---

service animals with the same courtesy and respect that the Mead Police Department affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually. Past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with the disability.

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal, and no further question as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner in all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

# Native American Graves Protection and Repatriation

## 339.1 PURPOSE AND SCOPE

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

### 339.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

**Funerary objects and associated funerary objects** - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

**Native American human remains** - The physical remains of the body of a person of Native American ancestry.

**Objects of cultural patrimony** - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

**Sacred objects** - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

## 339.2 POLICY

It is the policy of the Mead Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

## 339.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Native American Graves Protection and Repatriation*

---

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4; CRS § 24-80-1302):

- When appropriate, the Coroner.
- Federal land - Appropriate agency at the U.S. Department of the Interior or the U.S. Department of Agriculture
- State land - Appropriate Colorado land management agency
- Tribal land - Responsible Indian tribal official

#### **339.4 EVIDENCE AND PROPERTY**

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

## Off-Duty Law Enforcement Actions

### 340.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Mead Police Department with respect to taking law enforcement action while off-duty.

### 340.2 POLICY

Officers generally should not initiate law enforcement action while off-duty. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

When the safety of the public or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers are not expected to place themselves in unreasonable peril. However, any certified member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death or significant property damage may take reasonable action to minimize the threat.

### 340.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations, state law and Department policy. All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty, officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment. The carrying of firearms is prohibited while under the influence of alcohol or a controlled substance (CRS § 18-12-106(d)).

### 340.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable and should take into consideration:

- (a) The tactical disadvantage of being alone and that there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, oleoresin capicum (OC) spray or a baton.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Off-Duty Law Enforcement Actions*

---

- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible, instead of immediately intervening.

#### **340.4.1 INTERVENTION PROCEDURE**

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Mead Police Department officer until acknowledged. Official identification should also be displayed.

#### **340.4.2 INCIDENTS OF PERSONAL INTEREST**

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances, officers should call the responsible agency to handle the matter.

#### **340.4.3 RESPONSIBILITIES**

Civilian/Non-Sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

#### **340.4.4 OTHER CONSIDERATIONS**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

#### **340.5 REPORTING**

Any officer, prior to taking any off-duty enforcement action, shall notify and receive approval of a supervisor (or other applicable law enforcement authority if acting outside the jurisdiction of the Mead Police Department). If prior contact is not reasonably possible, an officer shall notify the applicable local law enforcement agency as soon as reasonably practicable. The Shift Sergeant shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

## Department Use of Social Media

### 341.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

#### 341.1.1 DEFINITIONS

Definitions related to this policy include:

**Social media** - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

### 341.2 POLICY

The Mead Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

### 341.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

### 341.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Department Use of Social Media*

---

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

#### **341.4.1 INCIDENT-SPECIFIC USE**

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

#### **341.4.2 OTHER REQUIREMENTS**

Where reasonably possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the department's presence on the website.

Social media pages should state that the opinions expressed by the visitors to the page(s) do not reflect the opinions of the Mead Police Department.

#### **341.5 PROHIBITED CONTENT**

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
  - 1. Members shall observe all copyright, trademark and service mark restrictions in posting materials to social media.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Mead Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Department Use of Social Media*

---

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

##### **341.5.1 PUBLIC POSTING PROHIBITED**

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

##### **341.6 MONITORING CONTENT**

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

##### **341.7 RETENTION OF RECORDS**

The Administration Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

##### **341.8 TRAINING**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

## Community Relations

### 342.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Bias-Motivated Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- 
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

### 342.2 POLICY

It is the policy of the Mead Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

### 342.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Detentions, Contacts and Photographing Detainees Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and Weld County Regional Communications Center of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform Weld County Regional Communications Center of their location and status during the foot patrol.

### 342.4 COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to serve as the community relations coordinator. He/she should report directly to the Chief of Police or authorized designee and is responsible for:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Community Relations*

---

- (a) Obtaining department-approved training related to his/her responsibilities.
- (b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (c) Organizing surveys to measure the condition of the department's relationship with the community.
- (d) Working with community groups, department members and other community resources to:
  - 1. Identify and solve public safety problems within the community.
  - 2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (e) Working with the Operations Commander to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (f) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (g) Attending Town council and other community meetings to obtain information on community relations needs.
- (h) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.
- (i) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

#### **342.5 SURVEYS**

The community relations coordinator should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members
- (c) Attitude and behavior of department members
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Community Relations*

---

#### **342.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS**

The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) School resource officer/Drug Abuse Resistance Education (D.A.R.E.®) programs.
- (e) Neighborhood Watch and crime prevention programs.

#### **342.7 INFORMATION SHARING**

The community relations coordinator should work with the Public Information Officer to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.

Information should be regularly refreshed, to inform and engage community members continuously.

#### **342.8 LAW ENFORCEMENT OPERATIONS EDUCATION**

The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs (see the Ride-Along Policy).
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.
- (h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Community Relations*

---

a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

#### **342.9 SAFETY AND OTHER CONSIDERATIONS**

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

#### **342.10 COMMUNITY ADVISORY COMMITTEE**

The Chief of Police should establish a committee of volunteers consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

- (a) Provide a public forum for gathering information about public safety concerns in the community.
- (b) Work with the Department to develop strategies to solve public safety problems.
- (c) Generate plans for improving the relationship between the Department and the community.
- (d) Participate in community outreach to solicit input from community members, including youth from the community.

The Commander should arrange for initial and ongoing training for committee members on topics relevant to their responsibilities.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

##### **342.10.1 LEGAL CONSIDERATIONS**

The Chief of Police and the community relations coordinator should work with the Town Attorney as appropriate to ensure the committee complies with any legal requirements such as public notices, records maintenance and any other associated obligations or procedures.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Community Relations*

---

##### **342.11 TRANSPARENCY**

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, suspects or case numbers. The community relations coordinator should work with the community advisory committee to identify information that may increase transparency regarding department operations.

##### **342.12 TRAINING**

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

###### **342.12.1 STATE-MANDATED TRAINING**

The Commander is responsible for ensuring that members attend community policing and community partnership training as required by CRS § 24-31-315.

## Portable Fingerprint Scanner Use

### 343.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of Portable Fingerprint Scanners (herein after referred to as scanners) to assist in the rapid identification of a person.

### 343.2 DEFINITIONS

**Automated Fingerprint Identification System (AFIS)** - a biometric identification (ID) system that uses digital imaging technology to obtain, store, and analyze fingerprint data.

**Portable Fingerprint Scanner (scanner)** - a handheld device that communicates with the Colorado Bureau of Investigation's Automated Fingerprint Identification System (AFIS). The scanner checks two fingerprints obtained from the person of interest and can provide positive identification if the fingerprints exist in the RISC database.

**Repository of Individuals of Special Concern (RISC)** - A subset of the FBI's Criminal Master File with the ability to quickly assess subject threat level and positive identification if the person of interest has a record in the RISC system.

### 343.3 POLICY

Portable Fingerprint Scanners provide officers with a specialized tool to assist in the positive identification of individuals. Identifications searched through the AFIS system are limited to subjects in the respective RISC databases. Scanners access AFIS and run the National Crime Information Center (NCIC) and the Colorado Crime Information Center (CCIC) databases for identification purposes only.

Officers will still need to run the person of interest through NCIC/CCIC and Department of Revenue (DOR) to determine the person's warrant, restraining order, or driving privilege status.

- (a) No officer may use the scanner until after they have received the State-mandated training by the Colorado Bureau of Investigation.
- (b) Officers will maintain the scanner in accordance with the manufacturers recommendations.
- (c) Scanners shall not be used for random or intelligence gathering efforts and their use will be documented in a report.
- (d) Scanners may also be used with the approval of the Coroner's office staff, to identify a deceased individual.
- (e) Officers may use scanners if reasonable suspicion exists to arrest the persons, although the scanner does not replace the traditional fingerprint process.
- (f) Officers may also use scanners to identify at-risk or likely missing persons who are not able to identify themselves.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Fingerprint Scanner Use*

---

- (g) Officers will not take an individual's fingerprint on a consensual contact or a reasonable suspicion stop without the subject's consent. If at any time the subject withdraws the consent, the officer must stop the fingerprint process.
- (h) If the subject is a juvenile, the parent or legal guardian is required to give consent before the fingerprint device may be used.
- (i) The mobile fingerprint device may be used without the consent of the subject:
  - 1. Upon arrest of the subject.
  - 2. If authorized in the execution of a valid search warrant; or if specifically required by statute or pursuant to court order.
- (j) Any "hit" or positive identification through one of the RISC databases must be documented in accordance with the State-mandated training. This reporting is a requirement for access to the RISC databases.

## Extreme Risk Protection Orders

### 344.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning for and serving extreme risk protection orders, and accounting for firearms and concealed carry permits obtained pursuant to those orders (C.R.S. § 13-14.5-101 et seq.).

An extreme risk protection order (ERPO) is intended to prevent individuals who are at high risk of harming themselves or others from possessing or accessing firearms, thereby reducing gun deaths and injuries through an order temporarily restricting a person's access to firearms. This does not affect the ability of law enforcement to remove a firearm or concealed handgun permit from any person or conduct any search and seizure for firearms under other lawful authority.

Family members, household members, and law enforcement agencies may obtain an ERPO when there is evidence that an individual poses a significant danger, including the danger that is a result of an unstable mental health crisis or violent behavior. An ERPO prohibits the individual from possessing, acquiring, or otherwise controlling firearms. It therefore requires an individual to surrender any firearms and/or concealed carry permits that they own or possess. With an ERPO, there is no separate order to surrender weapons, although a search warrant may be required to conduct a search absent consent. The ERPO itself is the order to surrender all firearms and concealed handgun permits.

The Mead Police Department will primarily rely on the respondent's voluntary compliance and cooperation while also using the lowest possible level of police intervention to successfully serve the ERPO. The Mead Police Department will use every possible avenue that is immediately available to safely and successfully serve the ERPO upon the individual.

#### 344.1.1 DEFINITIONS

Definitions related to this policy include:

**Antique Firearm** – As defined in 18 U.S.C. § 921(a)(16), as amended, any firearm, including any firearm with matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured on or before 1898; or any replica of any such firearm if the replica is not designed or redesigned for using rim-fire or conventional centerfire fixed ammunition, or uses rim-fire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. The term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

**CBI Insta-Check** – The process through CBI that verifies personal identifying information provided on an application to purchase a firearm.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

**CCW/CHP** - Carrying concealed weapon permit or concealed handgun permit related to a state-issued permit authorizing the permit carrying individual to carry a concealed handgun where permitted by law.

**Chief of Police** – The Chief of Police of the Mead Police Department or the Chief's designee.

**Civil Rule 4 and Rule 304** – Rule 4 of the Colorado Rules of Civil Procedure and Rule 304 of the Colorado Rules of County Court Civil Process, which discuss the civil court order service process. As it pertains to his policy, these rules require an ERPO to be served at the respondent's residence on the respondent or any family member that is eighteen (18) years of age or older and the ERPO must be served on the respondent personally, unless alternative service is permitted, and in accordance with Rule 4 or Rule 304 regardless of location.

**Curio or Relic Firearm** – Firearms, as defined in 27 CFR § 478.11, as amended, which are of special interest to collectors because they possess some qualities not ordinarily associated with firearms intended for sporting use or as offensive or defensive weapons. Curio or relic firearms must fall within one of the following categories:

- (a) Firearms manufactured at least fifty (50) years prior to the current date, but not including replicas of them;
- (b) Firearms certified by the curator of a municipal, state or federal museum which exhibits firearms to be curios or relics of museum interest; or
- (c) Firearms which derive a substantial part of their monetary value from the fact that they are novel, rare, or bizarre or from the fact of their association with some historical figure, period, or event. Proof of qualification of a particular firearm under this category may be established by evidence of present value and evidence that like firearms are not available except as collector's items, or that the value of like firearms available in ordinary commercial channels is substantially less.

**Extreme Risk Protection Order (ERPO)** - Either a temporary extreme risk protection order (TERPO) or a continuing extreme risk protection order (ERPO) (also referred to as a "364-day extreme risk protection order") granted pursuant to C.R.S. §§ 13-14.5-101 to -114 (TERPOs and ERPOs are hereinafter both referred to as ERPO except as otherwise indicated). The order is a civil restraining order prohibiting the named individual (respondent) from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms and CCW/CHP.

**Family/Household Member** - As it relates to the respondent, a family or household member includes a:

- (a) Person related by blood, marriage or adoption to the respondent;
- (b) Person who has a child in common with the respondent, regardless of whether such person has been married to the respondent or has lived together with the respondent at any time;
- (c) Person who regularly resides or regularly resided with the respondent within the last six (6) months;
- (d) Domestic partner of the respondent;

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

- (e) Person who has a biological or legal parent-child relationship with the respondent, including stepparents and stepchildren and grandparents and grandchildren;
- (f) Person who is acting or has acted as the respondent's legal guardian; and
- (g) Person in any other relationship described in C.R.S. § 18-6-800.3 with the respondent.

**Federal Firearms Licensee (FFL)** - An individual or company who possesses a federal license to sell/transfer firearms.

**Firearm** - Any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, cartridges, or other explosive charges as described in C.R.S. § 18-1-901(3)(h), as amended.

**Petitioner**- The person who petitions for an extreme risk protection order pursuant to the law. A petitioner may be a family or household member of the respondent or a law enforcement agency.

**Prohibited Items** - Firearms and concealed carry or concealed handgun permits that are prohibited by an extreme risk protection order.

**Respondent** - The person who is identified as the respondent in an ERPO petition filed pursuant to the law. The subject of the ERPO.

**Search Warrant** - A search warrant under C.R.S. § 16-3-301.5 issued in conjunction with an ERPO authorizing a search of an individual's residence or property where firearms are stored.

#### **344.2 POLICY**

It is the policy of the Mead Police Department to petition for and serve ERPOs in compliance with state law, and to properly account for prohibited items obtained by the department pursuant to such orders. The MPD will petition for and serve ERPOs in which the respondent is a resident of the Town of Mead only. No fees for filing or service will be charged to petitioner regarding an ERPO.

Pursuant to Article 14.5 of Title 13, C.R.S., the Mead Police Department may, in the discretion of the MPD, petition an appropriate court for an ERPO when it is determined that an individual poses a significant risk to self or others by having firearms in their custody or control, or by possessing, purchasing, or receiving firearms and that petitioning for an ERPO is the best course of action under the known circumstances. MPD members should, for example, consider following MPD's civil commitments policy (Policy 409) as an alternative to or in conjunction with the filing of an ERPO petition.

Voluntary compliance from the respondent is the MPD's ultimate goal, and MPD members shall act with the utmost concern for the safety of the petitioner, respondent, and serving MPD members. The MPD shall therefore plan and take precautions appropriately. The MPD will strongly encourage non-law enforcement individuals to petition for an ERPO themselves through the appropriate court.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

#### **344.3 EXTREME RISK PROTECTION ORDER COORDINATOR**

The Chief of Police will appoint an extreme risk protection order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members. Procedures should include (CRS § 13-14.5-103; CRS § 13-14.5-104):
  1. For temporary extreme risk protection orders, that a search warrant shall be sought concurrently with any petition.
  2. A process for handling notices received from non-law enforcement petitioners to determine whether department attendance at a hearing is appropriate.
  3. Involving agency counsel as required.
  4. Making required state court administrator forms available (CRS § 13-14.5-114).
- (b) Developing and maintaining factors to consider when assessing the need to seek an order, including:
  1. Whether threats have been made, and if so, whether the threats are credible and specific.
  2. Whether the potential victim is within close proximity.
  3. Whether the person has expressed suicidal tendencies.
  4. Whether the person has access to firearms.
  5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
  6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to self or others.
  7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
  8. Whether the person has any history of drug or alcohol abuse.
- (c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of CRS § 13-14.5-103 and CRS § 13-14.5-106. Procedures should include (CRS § 13-14.5-106):
  1. Evaluation of an order to determine appropriate service and necessary precautions (see the Warrant Service and Operations Planning and Deconfliction policies).
    - (a) Additional time to allow for the proper and safe planning and execution of the court order may be requested, if needed.
  2. Forwarding orders, receipts, and other required notices to the Records Manager for recording in appropriate databases and required notice to the court, as applicable (CRS § 13-14.5-108).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

3. Developing a process for achieving timely service of orders.
  - (d) Coordinating with the Commander to provide officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.
  - (e) Reviewing each petition and any associated court documents for an order to ensure compliance with this policy, department procedures, and state law.
  - (f) Developing and maintaining procedures for members to accept surrendered prohibited items at times other than when an order is being served by the department.
    1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.
  - (g) Developing a process for receiving and reviewing notices from the court that a respondent of an extreme risk protection order has failed to make required filings and determining whether there is evidence that the respondent has failed to surrender any prohibited items (CRS § 13-14.5-108).

#### **344.4 EXTREME RISK PROTECTION ORDERS**

An officer who reasonably believes that circumstances are appropriate for the MPD to petition for an extreme risk protection order should notify an appropriate supervisor and the Chief of Police.

##### **344.4.1 STANDARDS**

Extreme risk protection orders may be appropriate if a person poses a significant risk of causing personal injury to him/herself or others by having a firearm in his/her custody or control (CRS § 13-14.5-104). If a person poses a significant risk of causing personal injury to him/herself or others in the near future by having a firearm in his/her custody or control, a temporary extreme risk protection order may be appropriate (CRS § 13-14.5-103).

##### **344.4.2 REQUIREMENTS OF PETITION**

An application for an extreme risk protection order should be prepared, filed, and served consistent with state law and the procedures developed by the extreme risk protection order coordinator (CRS § 13-14.5-103; CRS § 13-14.5-104).

##### **344.4.3 LAW ENFORCEMENT INITIATED ERPO PETITION PROCEDURE**

During the course of patrol duties, members of the MPD may have it brought to their attention and/or determine an individual poses a significant risk of personal injury to themselves or others and has access to or possess firearms. If, after consultation with the member's supervisor and/or the Chief of Police, the MPD determines that the situation meets the requirements of an ERPO, MPD will follow the below guidelines and procedures. Due consideration should be given to other options, such as following MPD's Civil Commitments Policy (Policy 409), for use as an alternative to or in conjunction with petitioning for an ERPO.

1. Conduct a thorough and complete investigation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

- (a) **If the respondent is cooperative:** The member will immediately request consensual surrender of firearms for “safe keeping” and will collect all the firearms, provide a detailed receipt to the respondent, and submit the firearms into MPD per policy. While considering voluntary compliance, it is extremely beneficial to attempt to secure the firearms upon initial contact with the respondent instead of postponing until the formal ERPO is served. If the victim has legal access to the respondent’s firearms and the respondent doesn’t deny the consent, the member will seize the firearms for ERPO immediately. The member will also immediately complete a report and submit it for approval.
  - (b) **If the respondent is uncooperative:** The member will immediately complete a report and submit it for approval.
2. The courts could review the following as grounds for granting an ERPO, thus this information should be detailed in the members report:
  - (a) A recent act or credible threat of violence;
  - (b) A pattern of acts or credible threats of violence;
  - (c) Prior existence of an ERPO;
  - (d) A conviction for a crime that includes an underlying factual basis of domestic violence or stalking;
  - (e) A credible threat of or the unlawful or reckless use of a firearm;
  - (f) History of use, attempted use, or threatened use of unlawful physical force against another, including stalking;
  - (g) Any prior arrest for a crime listed in CRS 24-4.1-302(1) (Almost all crimes listed) or CRS 18-9-202 (cruelty to animals);
  - (h) Evidence of abuse of controlled substances or alcohol;
  - (i) If the respondent is required to carry a firearm as a condition of employment; and/or
  - (j) The recent acquisition of a firearm or ammunition.
3. Following completion of a report, the MPD shall adhere to the following procedures to file a petition for an ERPO:
  - (a) The supervisor will check the case management queue daily for ERPO cases. The ERPO filing process should begin the first morning the court is in session following the submission of the original G.O.
  - (b) The supervisor shall notify the Chief of Police of any ERPO cases to review. The Chief of Police will review and evaluate the case to insure it meets the ERPO requirements for the petition and affidavit.
  - (c) If the case meets the requirements, the Chief of Police will call consult with the following personnel, as needed, in order to handle the ERPO with an emphasis on safety for both the agency members as well as the respondent. The additional personnel will assist in completing the necessary ERPO petition, affidavit, search warrant (pursuant to C.R.S. § 13-3-301.5), Risk Assessment Matrix, intelligence

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

gathering, and any other documents or issues needed for court. If available, detectives will normally be called upon to assist with the case filing to include: petition, affidavits and search warrant paperwork.

- i. Town attorney's office (will be notified on all ERPO petitions and service),
- ii. SWAT,
- iii. Any other personnel as determined necessary by the supervisor or Chief of Police.

4. **Concurrent Search Warrant Application Guidelines.** If MPD is the petitioner for an ERPO, MPD may file a search warrant affidavit concurrently with the petition and sworn affidavit for an ERPO. The search warrant affidavit must:
  - (a) Comply with all provisions of 16-3-303 C.R.S., and provide facts to establish by probable cause;
  - (b) State that the named person is a named respondent in an extreme risk protection order;
  - (c) State that the named person is in possession of one or more firearms;
  - (d) Identify the location of such firearms; and
  - (e) Include other information relied upon by the petitioner and why the applicant considers such information credible and reliable.
5. The Chief of Police or his or her designee will then review the ERPO case paperwork with the Town Attorney's office and any additional personnel deemed necessary by the Police Chief, prior to filing the petition with the appropriate court.
6. If the ERPO case is approved for presenting to the appropriate court, the Chief of Police or or designee and the Town Attorney's office, will file the petition and all accompanying documentation with the court.
7. For TERPOs, the courts will normally hold the petition hearing within one (1) day of receiving a petition. For long-term ERPOs, hearings are held within fourteen (14) days of the date the petition is filed.
8. The Chief of Police or designee and a member of the Town Attorney's office will attend the court proceedings.

#### 344.4.4 NON-LAW ENFORCEMENT ERPO PETITIONS

Non-law enforcement individuals petitioning for an ERPO should be directed to the appropriate county or district court in the jurisdiction in which the respondent lives. The petitioner should also be given a copy of the MPD or state ERPO information brochure. If the citizen requests MPD's assistance in obtaining an ERPO, the officer will assist by following the procedures outlined in the Law Enforcement ERPO Petition Procedure section above if, in its discretion, MPD determines it is appropriate to provide such assistance.

When the MPD receives a copy of the affidavit of any non-law enforcement ERPO petition, that affidavit shall be thoroughly reviewed by a supervisor as soon as possible. Any inconsistencies

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

or lack of the required information from section 4.2 above, shall be addressed with the court prior to any attempt of service.

#### 344.4.5 ERPO COURT PROCEEDINGS

1. Hearings
  - (a) If the Mead Police Department is the petitioner, the Town Attorney and an MPD representative must attend the hearing. The investigating and/or filing members of MPD could be subpoenaed or called to testify at hearings.
  - (b) To issue a TERPO, a court must find that, by a preponderance of the evidence standard, there is reason to believe the respondent poses a significant risk of causing personal injury to them self or others in the near future and has custody or control of a firearm or is able to purchase or receive a firearm.
  - (c) For long-term ERPOs, the court ERPO must find by clear and convincing evidence that the respondent poses a significant risk of causing personal injury to them self or others in the near future and has custody or control of a firearm or is able to purchase or receive a firearm.
2. ERPO Contents; The courts are required to include the following information if the ERPO is granted:
  - (a) Statement of the grounds supporting the issuance of the order;
  - (b) Date and time the order was issued;
  - (c) Date and time the order expires; and
  - (d) The requirement for relinquishment of all firearms and concealed carry permits pursuant to C.R.S. § 13-14.5-108.
  - (e) The court shall also include an explanation for why an ERPO petition is granted or denied in its order.
3. Notices to Police Department
  - (a) Notice of TERPO Hearing (Non-Law Enforcement Petitioner): If an individual has filed a TERPO petition with the courts, the law requires them to notify the Mead Police Department, to the best of their ability, to allow a representative from the Police Department to attend any ERPO hearings. The Town Attorney will be contacted regarding the TERPO petition hearing and will either attend as the police representative or work with the Chief of Police to determine the appropriate person to represent the department. For TERPO hearings where there is little or insufficient advance notice of the hearing provided to MPD, an MPD representative and, if there is sufficient time to notify the Town Attorney, a Town Attorney's office representative shall both appear in person, if possible. A motion for leave to appear by phone may be filed, if necessary.
  - (b) Notice of Issuance of ERPO: Court Clerks are required to notify the law enforcement agency named in the TERPO/ERPO of the issuance of an order within one business day following the issuance the order. The MPD will contact

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

the Weld County courts to provide appropriate contact information for such notifications and will keep such information current.

#### **344.4.6 NOTICE TO FAMILIES AND PERSONS AT RISK**

Upon the issuance of an extreme risk protection order, officers should make a reasonable good-faith effort to provide notice to a family or household member of the person named in the order and to any other person who may be at direct risk of violence. Officers should also provide family or household members with referrals to appropriate resources, including domestic violence, behavioral health, and counseling resources (CRS § 13-14.5-105).

Officers should document all efforts to provide notice and indicate whether or not the efforts were successful.

#### **344.5 SERVICE OF ORDERS**

Officers shall serve a copy of an extreme risk protection order, along with any accompanying notice of hearing and petition, as applicable, on the person named in the order as soon as practicable.

Service of orders shall take precedence over the service of other orders, except for orders of a similar emergency nature (C.R.S. § 13-14.5-103; C.R.S. § 13-14.5-105; C.R.S. § 13-14.5-106).

Service of an ERPO shall require the presence of at least two officers. The department must attempt to serve an ERPO within five (5) days. However, there should not be a rush to make the ERPO service without adequate planning and personnel. Every ERPO service should include background and intelligence work-up, risk assessment matrix completion, operation plan consideration, and other necessary tasks.

The following process should be followed for the service of an ERPO:

1. The clerk of the court will forward the granted ERPO to the Mead Police Department records unit.
2. The records unit will then route the ERPO to the coordinator or other appropriate supervisor.
  - (a) The coordinator shall review the ERPO to determine whether the respondent appeared before the court. If the ERPO states that the respondent appeared before the court, there is no requirement for the MPD to serve the ERPO on the respondent or provide the court with proof of service.
  - (b) See Policy 345.5.3 for voluntary surrender procedures.
3. Upon completion of the coordinator's review and any related paperwork, the coordinator will submit the petition to the Chief of Police and the Town Attorney.
4. After proper review of an ERPO, an operational plan will be created for the service of the ERPO or surrender of the weapons, as applicable. The assigned MPD member will prepare the operational plan utilizing the intelligence work-up of the location and the respondent.
5. The assigned officer will also meet with the Chief of Police to coordinate with any needed additional departmental resources to serve and enforce the ERPO.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

6. If the respondent is suspected of having more than ten (10) firearms, the property unit will be notified prior to the ERPO service so arrangements can be made by the property unit to assist with the proper packaging and depositing of the firearms into MPD custody.
7. During the service of an ERPO, the MPD members (two minimum) shall complete the following:
  - (a) Provide the respondent with the ERPO and information from the court that includes referrals to appropriate resources, including domestic violence, behavioral health, and counseling resources.
    - i. If a search warrant was issued by the court in conjunction with an ERPO, MPD will also serve the respondent with the search warrant.
    - ii. When serving a TERPO, MPD members must also serve the respondent with the petition and notice of the hearing for the continuing ERPO (location, date and time).
8. Give the respondent the opportunity to voluntarily comply with the ERPO and immediately surrender any firearms and CCW/CHP in respondent's custody or control as required by the ERPO.
9. If the respondent does not voluntarily surrender the firearms and CCW/CHP, MPD will seize any firearms and CCW/CHP that are found in plain view, pursuant to any consensual search, or pursuant to a lawful search per a search warrant.
10. Upon completion of the search and seizure of all firearms and CCW/CHPs, an inventory sheet shall be issued to the respondent documenting all items seized. The original inventory sheet will be filed with the court within seventy-two (72) hours, and a copy of the inventory sheet shall be maintained by the law enforcement agency.
11. Once the firearms are in the possession of the Mead Police Department, the respondent may elect to:
12. Sell/transfer the firearms to federal firearms licensed dealer (FFL) mutually agreed upon by the respondent and MPD,
13. Arrange for the storage at the Mead Police Department, or
14. If the firearm is an antique, curio, or relic firearm, it may be transferred by MPD to a relative who does not reside with the respondent and who must attest that the firearm will be stored such that respondent cannot access it while the ERPO is in effect.
15. If the respondent offers no preference, the firearms will remain in police custody.
16. CCW/CHPs must be surrendered in addition to any firearms. If an MPD member is unable to retrieve or determine if the respondent possesses a CCW/CHP, notify the Sheriff's Office in the appropriate jurisdiction to suspend or revoke it.
17. Ammunition and magazines are not to be seized. Empty any loaded firearms prior to confiscating firearms.
18. If personal service by the MPD is not possible or not required because the respondent was served at the ERPO hearing, the respondent has twenty-four (24) hours after the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

hearing or after being served by alternate service to surrender all firearms and CCW/CHP. The respondent will then provide the court proof of surrender within forty-eight (48) hours. After surrender of the firearms, MPD shall follow the procedures for issuing respondent an inventory sheet and filing the original inventory sheet with the court within seventy-two (72) hours per paragraph (j) above.

19. For ERPO hearings at which respondent and a MPD representative are both present, the MPD may arrange the details of a voluntary surrender with the respondent during the hearing.
20. Failure to comply with ERPO.
  - (a) If an MPD member determines that there is probable cause to believe the respondent has failed to relinquish all firearms in their possession or failed to comply with the ERPO, MPD will advise the court and will seek a search warrant if one has not already been issued by the court. If the respondent has been personally served and refuses to comply with the ERPO, the respondent may be subject to the charge of a class 2 misdemeanor pursuant to C.R.S. § 13-14.5-111.
  - (b) Pursuant to C.R.S. § 13-14.5-108(6)(a), a respondent has forty-eight (48) hours from the issuance of an ERPO to file with the court proof of relinquishment of all firearms and any CCW/CHP or attest that the respondent did not and does not have any firearms or CCW/CHP in the respondent's custody or control. If MPD receives notification from the court that the respondent has not complied with such filing or attestation requirements, MPD must make a good faith effort to determine whether there is evidence that the respondent has failed to relinquish any firearm or CCW/CHP in respondent's custody, control or possession. If MPD finds evidence of such failure by respondent, MPD will notify the court and respondent may be subject to the charge of a class 2 misdemeanor pursuant to C.R.S. § 13-14.5-111.

#### 344.5.1 ADDITIONAL SERVICE REQUIREMENTS

If officers are not able to complete service within five days, they should make reasonable attempts to notify the petitioner and gather additional information of the respondent's potential whereabouts (CRS § 13-14.5-106).

MPD may request additional time from the court to allow for the proper and safe planning and execution of ERPO service. MPD will notify the Town Attorney if the MPD has been unable to serve an ERPO within four (4) days so that the Town Attorney can prepare and file a motion requesting additional time to complete service of the ERPO from the court

A notice providing referrals to appropriate resources, including domestic violence, behavioral health, and counseling resources should be provided to the person being served with a temporary extreme risk protection order at the same time as service of the order (CRS § 13-14.5-103).



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

##### 344.5.2 SAFETY CONSIDERATIONS

Upon receipt of an extreme risk protection order, the operations director or the authorized designee should evaluate the circumstances of the order and consider what precautions are appropriate for service of the protection order.

When appropriate based on the circumstances and department procedures, service of an order should be executed pursuant to the Operations Planning and Deconfliction Policy.

In no circumstances should fewer than two officers be present when an order is being served.

##### 344.5.3 SURRENDER OF PROHIBITED ITEMS

Officers serving an extreme risk protection order should request that the named person immediately surrender all prohibited items as required by the order. Officers shall take custody of any items surrendered pursuant to the order.

Firearms surrender, outside of the collection of firearms at the respondent's location, may take place by appointment or by walk-in to the police department. In either case, the following procedures will be followed:

1. The respondent will report to the front desk at the police department, leaving the weapon(s) out of view and in a locked vehicle.
2. Front desk personnel will obtain a valid identification from the respondent, clear the respondent for warrants, notify MPD officers to assist with taking the firearms and any CCW/CHP into custody, and provide the respondent with an information sheet regarding firearms storage and release. The MPD members will ask the respondent to remain in the lobby of the police department until the officers are prepared to accept firearms.
3. Taking firearms into custody is a two-officer response. If two (2) full-duty officers are not available at the front desk, officers will be dispatched to handle taking custody of the weapon(s).
4. Prior to accepting the firearms, the officers must gather information about the number and types of firearms to be turned over and whether any of the weapons are loaded. If there are more than ten (10) firearms being surrendered, the officers will check with property unit personnel to see if they can assist with the packaging and depositing of firearms into storage.
5. The MPD members will escort the respondent to respondent's vehicle and advise respondent not to touch or handle the firearms. The MPD members will then take the respondent's firearms and CCW/CHP, if any, into custody. No ammunition or magazines are to be accepted. Unload any loaded weapons prior to depositing them into storage.
6. The officers will take all surrendered items to the appropriate area of the property unit to complete paperwork. The MPD members will complete an inventory sheet of all surrendered items and provide a copy of the inventory sheet to respondent.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

7. The respondent may, once the items are in MPD custody, choose one of the three options listed in paragraph (k) of Policy 345.5 for storage of the firearms and any CCW/CHP until the ERPO expires or terminates.
8. All items collected should be handled and booked in accordance with the Property and Evidence Policy.
9. MPD shall keep a copy of the inventory sheet in the case report files and shall file the original inventory sheet of all surrendered items with the court within seventy-two (72) hours.

#### **344.5.4 SEARCH WARRANTS**

Officers should consider whether a search warrant may be reasonably necessary prior to attempting service of an order.

Officers should also consider whether to seek a search warrant if the named person refuses to surrender any prohibited items or if an officer serving an extreme risk protection order reasonably believes there are prohibited items within the person's custody, control, or possession that have not been surrendered (CRS § 13-14.5-103; CRS § 16-3-301.5; CRS § 13-14.5-108).

#### **344.6 RELEASE OF PROHIBITED ITEMS**

Any person requesting the release of any prohibited items in Department custody pursuant to an extreme risk protection order should be referred to the property and evidence technician.

MPD shall use the following process for the return of firearms and CCW/CHPs following termination or expiration without renewal of an ERPO:

1. The court will notify MPD when an ERPO terminates or expires without renewal. Upon receipt of such notification, MPD shall provide the respondent with information regarding the process for the return of firearms and any CCW/CHP.
2. Upon receipt of a respondent's request for return of firearm(s) or CCW/CHP, MPD will confirm that the ERPO has terminated or expired. MPD may contact the court to complete this confirmation.
3. Following confirmation of expiration or termination of an ERPO, MPD will request the completion of a CBI InstaCheck to confirm that the respondent is eligible to own or possess a firearm under federal and state law.
4. Once MPD has determined that the respondent is eligible to own firearms, MPD has three (3) days from the date of CBI's confirmation to return the firearm(s) and CCW/CHP to respondent. Any firearms stored by a FFL or, for antique firearms, stored by a relative must also be returned to respondent within three (3) days of such confirmation.
5. MPD shall complete the appropriate property release forms to document this transaction in accordance with the Property and Evidence Policy (Policy 802).

If a third party claims title to any firearms in MPD's custody, MPD must confirm that the third party is the lawful owner of the firearm(s) before releasing any weapons to that third party. After confirming that the individual is the lawful owner of the firearm(s) and prior to releasing the firearms, MPD must:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Extreme Risk Protection Orders*

---

1. Confirm that the individual is eligible to be in possession of firearms via a criminal records background check (CBI InstaCheck); and
2. Obtain a written statement from the individual attesting that the individual will store the firearms such that the applicable respondent cannot access or gain control over the firearm(s).
3. This transaction must be documented and notification made to the court.

Any firearms that remain unclaimed by the respondent or lawful owner for at least one (1) year from the date of expiration or termination of an ERPO will be disposed of in accordance with the Property and Evidence Policy (Policy 802). Full documentation of the disposition of the firearm(s) and any CCW/CHP must be submitted to the respondent and the court. Such documentation shall be maintained in accordance with MPD's records retention policy.

#### **344.7 RENEWAL OF EXTREME RISK PROTECTION ORDER**

The Patrol Sergeant is responsible for the review of any extreme risk protection order obtained by the Department to determine if renewal or extension of the order should be requested within the time prescribed by law (CRS § 13-14.5-107).

#### **344.8 IMPORTANT DATES AND DEADLINES**

<b>EVENT</b>	<b>DEADLINE</b>
Court issues ERPO	MPD serves ERPO within 5 days
MPD takes custody of firearms/CHP	File original inventory receipt with court within 72 hours
Respondent requests return of firearms/CHP after ERPO expires	Return firearms/CHP within 3 days after background check
File motion to renew ERPO	Within 63 days prior to ERPO expiration
Firearms/CHP remain unclaimed	Dispose of items per Policy 802 no sooner than one year after ERPO expiration

## Municipal Court Security

### **345.1 PURPOSE AND SCOPE**

To provide security for the Mead Municipal Court and its staff, members will be assigned to screen those entering the court and maintain a presence during court proceedings. Members will provide screening of everyone allowed access to the court, as well as serve as a bailiff to the court and assist with safe operations.

### **345.2 SECURITY SCREENING**

Members assigned to security screening will provide threshold security for the court. Screening will include a screening for weapons. The use of a metal detector is encouraged to allow for the least intrusive screening possible to achieve compliance.

Members shall follow the policies for conducting pat-downs, frisks and searches of a person for weapons.

### **345.3 BAILIFF DUTIES**

Members assigned to bailiff duties for the court will interact with court staff to provide effective security at all times. Members will assist the court in any manner possible that does not hamper or restrict their ability to provide security.

### **345.4 POSTING NOTICE OF RESTRICTION**

Members providing court security shall post a sign notifying anyone entering the court that restrictions are being enforced for weapons

### **345.5 COURT SURVEY AND EVALUATION**

The Chief of Police or designee shall meet with court staff annually to evaluate the security needs of the court. The evaluation should include the facilities, equipment and procedures of the court.

- (a) Facilities refers to interior and exterior doors/windows; interior and exterior lighting; emergency lighting and power; fire/smoke detection and suppression equipment; alarms (intrusion, fire, duress); circulation patterns; secure areas; restricted areas; key control; ADA accessibility and communications.
- (b) Equipment includes fire suppression; medical supplies; restraining devices; communications; weapons (ammunition, gas); magnetometers; and alarms. Plans/procedures refers to the establishment of plans and/or procedures to deal with emergencies (fire, medical, hostage, bomb, disaster); high risk trials; searches (area, person); weapons; use of restraining devices; detainee movement; circulation pattern.

### **345.6 ASSIGNED OFFICER RESPONSIBILITIES**

Officers working court security shall be in full uniform and possess the same equipment as normally required for any uniformed assignment.

Officers will communicate with the court clerk to enhance the level of security and efficiency of court operations.

# Mead Police Department

Policy Manual

Policy Manual

## *Municipal Court Security*

---

Officers working court security will bring one fully marked patrol vehicle to court and position it so that it is accessible outside the courtroom during court proceedings.

### **345.7 CUSTODIES AND TRANSPORTS**

Anyone being taken into custody during court or as a result of court shall be secured in the patrol vehicle until transportation can be arranged. All patrol vehicles are equipped with restraints that include a transport belt and shackles. The use of on-duty patrol officers for transporting arrestees to jail shall be preferred, otherwise the a court security officer will complete the transport with a supervisor's approval.

## **Chapter 4 - Patrol Operations**

## Patrol Function

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intraorganizational cooperation and information sharing.

#### 400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles. They will patrol assigned jurisdictional areas of Mead, identify community needs, provide support and assistance to the community, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours a day seven days a week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and problem-solving activities, such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the patrol and other divisions within the Department, as well as other government agencies.
- (h) The application of resources to specific problems or situations within the community that may be improved or resolved by Community Oriented Policing and problem-solving strategies.
  1. Problem-solving strategies should be designed specifically to address crime and disorder issues and should include the following components:
    - (a) Review of the situation
    - (b) Identification of the problem
    - (c) Development of a response to address the problem
    - (d) Evaluation of the effectiveness of the response
- (i) Traffic direction and control.
- (j) Response to disasters, civic unrest and natural emergencies.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Patrol Function*

---

- (k) Assist in the service of civil papers.

#### 400.1.2 TERRORISM

The Office of Preparedness and Security (OPS) coordinates Colorado's response to terrorism (CRS § 24-33.5-1601(1)(g); CRS § 24-33.5-1606).

It is the goal of the Mead Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI).

The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Detective Bureau supervisor in a timely fashion.

The Detective Bureau supervisor should forward the information as soon as practicable to the OPS Colorado Information Analysis Center.

#### **400.2 PATROL INFORMATION SHARING PROCEDURES**

The following guidelines are intended to develop and maintain intraorganizational cooperation and information flow between the various divisions of the Mead Police Department.

##### 400.2.1 CRIME ANALYSIS UNIT

The Crime Analysis Unit will be the central unit for information exchange. Criminal information and reports can be submitted to the Records Department for distribution to all divisions within the Department through daily and special bulletins.

##### 400.2.2 CRIME REPORTS

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

##### 400.2.3 PATROL PASS-DOWNS

Sergeants are encouraged to share information as much as reasonably possible. All supervisors and/or officers will be provided an opportunity to share information through email pass-downs. Officers shall review pass-downs for important information prior to deploying for their shift when possible.

##### 400.2.4 INFORMATION CLIPBOARDS

Several information clipboards will be maintained in the briefing room and will be available for review by officers from all divisions within the Department. These include, but are not limited to, the patrol check clipboard, the wanted persons clipboard and the written directive clipboard.

##### 400.2.5 BULLETIN BOARDS

A bulletin board will be kept in the briefing room and the Detective Bureau for display of suspect information, investigative reports and photographs. New Special Orders will be made available for patrol supervisors and will be discussed at briefings and shift meetings.



# Mead Police Department

Policy Manual

Policy Manual

## *Patrol Function*

---

### **400.3 CROWDS, EVENTS AND GATHERINGS**

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

---

## Bias-Based Policing

### 401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Mead Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

#### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (CRS § 24-31-309).

### 401.2 POLICY

The Mead Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### 401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### 401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of racial- or bias-based

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Bias-Based Policing*

---

profiling to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

Officers shall provide, without being asked, a business card to any person who was detained in a traffic stop and was not cited or arrested. The business card shall include identifying information including, but not limited to, the officer's name, division, precinct and badge or other identification number and a telephone number that may be used, if necessary, to report any comments, either positive or negative, regarding the traffic stop (CRS § 24-31-309(4)(a)).

#### **401.4.1 REASON FOR CONTACT AND REPORTING**

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

After making a consensual or nonconsensual contact for the purpose of enforcing the law or investigating possible violations of the law, officers should complete a report as required by CRS 24-31-309. To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

#### **401.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy. Supervisors should ensure that the identity of a person filing a bias-based profiling complaint is kept confidential to the extent permitted by law or unless necessary for further processing of the complaint (CRS § 24-31-309).

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal, (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  - 1. Supervisors should document these periodic reviews.
  - 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Bias-Based Policing*

---

##### **401.6 STATE REPORTING**

The Department shall compile, on at least an annual basis, any information derived from complaints of profiling that are received due to the distribution of business cards as provided in this policy. The information shall be made available to the public but shall not include the names of officers or the names of persons alleging profiling (CRS § 24-31-309).

##### **401.7 ADMINISTRATION**

Each year, the Operations Commander, or authorized designee, should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the information compiled from complaints, as provided in this policy and the annual report, and discuss the results with those they are assigned to supervise.

##### **401.8 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Unit.

All certified members will attend regular training on the subject of bias-based policing (CRS § 24-31-309). All newly employed officers should receive a copy of this policy and initial training on the subject of bias-based policing.

##### **401.9 PUBLIC INFORMATION**

The Operations Commander will ensure that this policy is made available to the public for inspection during business hours (CRS § 24-31-309).

## Pre-Shift Briefing

### **402.1 PURPOSE**

The pre-shift briefing is important for every officer in order to be prepared for possible calls or incidents. The information shared between shifts allows for consistent action and follow up required by on-going investigations. Any information associated with officer safety information should be highlighted in passdowns.

### **402.2 SHIFT PASSDOWN**

Each shift shall prepare a passdown for future shifts to review. The passdown will contain information about the calls, incidents and cases worked during the shift. Case follow up needs and officers safety information should be highlighted in the passdown.

### **402.3 OFFICER RESPONSIBILITIES**

Every officer coming on shift is responsible for reviewing the prior passdowns. Keeping up with passdown information and requests for case follow up is critical to department continuity of operations. Officers are encouraged to contact their supervisor if they have a question about follow up requested by another officer.

Officers shall review, at a minimum, the prior 24 hours of passdowns when arriving for their shift.

### **402.4 SUPERVISOR RESPONSIBILITIES**

Supervisors shall ensure that passdowns are completed and properly distributed throughout the department.

Supervisors shall monitor the completion of case follow up as requested through passdowns.

## Crime and Disaster Scene Integrity

### 403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

### 403.2 POLICY

It is the policy of the Mead Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

### 403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

### 403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.
- (k) Identify a command post location and direct responding resources to that location as appropriate.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Crime and Disaster Scene Integrity*

---

#### **403.5 SEARCHES**

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

##### **403.5.1 CONSENT**

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

## Ride-Alongs

### 405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Mead Police Department. This policy provides the requirements, approval process, hours of operation, and member responsibilities for ride-alongs.

### 405.2 POLICY

Ride-along opportunities will be provided to members of the public, Town employees, and members of this department to observe and experience, first-hand, various functions of the Mead Police Department. The term “ride-along” includes riding as a passenger with an officer on patrol or observing the work day of members engaged in other functions within the Department, such as Weld County Regional Communications Center.

### 405.3 ELIGIBILITY

A ride-along is available to Mead residents and business owners, students currently attending class in Mead, and those employed within the Town of Mead. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

Factors that may be considered in disqualifying an applicant include but are not limited to:

- Being under 15 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against this department or the Town.
- Denial by any supervisor.

### 405.4 AVAILABILITY

A ride-along or job observation is available most days of the week, from 10 a.m. to 8 p.m. Exceptions to this schedule may be made as approved by the Chief of Police or Shift Sergeant.

### 405.5 PROCEDURES

Once approved, ride-along applicants will be allowed to participate no more than once every six months. An exception may apply to the following law enforcement-involved participants:

- Cadets
- Explorers
- Volunteers
- Chaplains
- Reserves



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Ride-Alongs*

---

- Auxiliaries
- Mead Police Department applicants
- Any others with approval of the Shift Sergeant
- Students enrolled in any department-approved dispatcher training course

An effort will be made to ensure that no more than one member of the public will participate in a ride-along or job observation during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

Ride-along requirements for department Cadets and Explorers are covered in the Police Cadets and Explorers Policy.

#### 405.5.1 CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Colorado Crime Information Center (CCIS) and National Crime Information Center (NCIC) criminal history check prior to approval of the ride-along.

#### 405.5.2 SUITABLE ATTIRE

Any person approved to participate in a ride-along is required to be suitably dressed in a collared shirt, blouse, or jacket; slacks; and shoes. Sandals, t-shirts, tank tops, shorts, and ripped or torn pants are not permitted. Hats and ball caps will not be worn without the express consent of the Shift Sergeant. The Shift Sergeant or a supervisor may refuse a ride-along to anyone who is not dressed appropriately.

#### 405.5.3 OFF-DUTY PARTICIPATION

Off-duty members of this department or any other law enforcement agency, and employees of the Town, will not be permitted to participate in a ride-along with on-duty members of this department without the express consent of the Shift Sergeant.

In the event that such participation is permitted, the off-duty department member, other law enforcement agency personnel, or Town employee shall not:

- (a) Be considered on-duty.
- (b) Represent him/herself as a member of this department or any other law enforcement agency.
- (c) Participate in any law enforcement activity except as emergency circumstances may require.

#### **405.6 REQUESTS TO PARTICIPATE**

Generally, ride-along and job observation requests will be maintained and scheduled by the Shift Sergeant. The applicant will complete and sign a ride-along or job observation waiver form. If the applicant is under 18 years of age, a parent or guardian must be present to complete the waiver form. Information requested will include a valid state-issued identification card or driver's license number, birthdate, address, and telephone number.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Ride-Alongs*

---

The Shift Sergeant will schedule a date, based on availability, generally one week after the date of application. If approved, a copy of the waiver form will be forwarded to the appropriate Division as soon as possible for scheduling considerations.

If the request is denied, a representative of this department will advise the applicant of the denial.

#### **405.7 MEMBER RESPONSIBILITIES**

The assigned department member shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. Instructions should include:

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handing any police department equipment.
- (c) Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
  - 1. If the ride-along is in progress, the member may return the participant to the point the ride originated.
- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- (f) Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the dispatcher that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation, such as a high-speed pursuit and, if feasible, let the participant out of the vehicle in a well-lit public place. The dispatcher will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the Shift Sergeant. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form.

Upon completion of the ride-along, the member shall return the waiver form to the Shift Sergeant.

## Hazardous Material Response

### 406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees and others as a result of their exposure. To comply with applicable law, the following represents the policy of this department.

#### 406.1.1 HAZARDOUS MATERIAL DEFINED

**Hazardous material** - A substance which by its nature, containment and reactivity, has the capability of inflicting harm to people, other living organisms, property or the environment during exposure. Hazardous materials are characterized as being toxic, corrosive, flammable, explosive, oxidizing, asphyxiating, pathogenic, allergenic, biohazardous, or radioactive and pose a threat to health when improperly managed.

### 406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When employees come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training.

A responder entering the area may require decontamination before he/she is allowed to depart the scene and should be evaluated by appropriate technicians and medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potential hazardous material from a safe distance.
- (b) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (c) Wear personal protective gear, being cognizant that some hazardous material may quickly volatilize into a form which is readily inhaled.
- (d) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars/spotting scopes) if they are available. Identification can be determined by:
  1. Placards and use of the Emergency Response Guidebook.
  2. Driver's statements or shipping documents from the person transporting the material.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Hazardous Material Response*

---

3. Information obtained from any involved person with knowledge regarding the hazardous material.
- (e) Obtain information from any involved party who has knowledge regarding the hazardous material. Information should include:
    1. The identity of the material.
    2. How to secure and contain the material.
    3. Any other information to protect the safety of those present, the community and the environment.
  - (f) Notify the appropriate fire department. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
  - (g) Provide first aid to injured parties if it can be done safely and without contamination.
  - (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered. Depending on the material, mandatory evacuation may be necessary.
  - (i) Make reasonable efforts to secure the scene to prevent access from unauthorized personnel.
  - (j) Establish a decontamination area when needed.
  - (k) Contact the local Colorado State Patrol Dispatch to request assistance from the Colorado State Patrol Hazardous Materials Unit.
  - (l) If available, activate reverse 9-1-1 calling to the affected area.

#### **406.3 REPORTING EXPOSURE**

Department personnel who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum, which shall be forwarded via chain of command to the Commander as soon as practicable. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report.

##### **406.3.1 SUPERVISOR RESPONSIBILITIES**

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to treat the exposure.

# Mead Police Department

Policy Manual

Policy Manual

## *Hazardous Material Response*

---

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the appropriate fire department.

## Civil Commitments

### 409.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody for civil commitment (CRS § 27-65-106; CRS § 27-65-107).

### 409.2 POLICY

It is the policy of the Mead Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

### 409.3 AUTHORITY

Officers may take a person into protective custody:

- (a) When the officer has probable cause to believe that a person is either gravely disabled or an imminent danger to self or others due to a mental health disorder (CRS § 27-65-106).
  - 1. The officer should transport the person to a designated or approved facility for a 72-hour treatment and evaluation.
- (b) When the officer has probable cause to believe that a person is experiencing a behavioral health crisis and in immediate need of professional intervention to prevent harm to self or others (CRS § 27-65-107).
  - 1. The officer should consult with a behavioral health crisis response team, if available, and transport the person to a designated or approved outpatient mental health facility or other clinically appropriate facility.
  - 2. The officer should provide the person to be transported an opportunity to make a telephone call, absent any safety concerns.

If an appropriate facility is not available, officers should take the person to an emergency medical services facility, as defined by CRS § 27-65-102 (CRS § 27-65-106; CRS § 27-65-107).

#### 409.3.1 DETENTION

Detention of a person under this policy does not constitute an arrest. When a person is taken into custody, that person shall not be detained in the jail, lockup, or other place used for the confinement of persons charged with an offense (CRS § 27-65-106).

#### 409.3.2 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a voluntary application.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Civil Commitments*

---

- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

#### **409.4 CONSIDERATIONS AND RESPONSIBILITIES**

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

#### **409.5 TRANSPORTATION**

When transporting any individual for a civil commitment, the transporting officer should have Weld County Regional Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Sergeant approval is required before transport commences.

#### **409.6 TRANSFER TO APPROPRIATE FACILITY**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

#### **409.7 DOCUMENTATION**

The officer shall complete an application for emergency admission, provide it to the facility staff member assigned to that patient, and retain a copy of the application for inclusion in the case report (CRS § 27-65-106; CRS § 27-65-107).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Civil Commitments*

---

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

#### **409.8 CRIMINAL OFFENSES**

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for a civil commitment should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the detention.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

#### **409.9 FIREARMS AND OTHER WEAPONS**

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

#### **409.10 TRAINING**

This department will endeavor to provide department-approved training on interaction with persons with mental health disorders, behavioral health crises, on civil commitments, and crisis intervention.



## Summons Releases

### 410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Mead Police Department with guidance on when to release adults who are suspected offenders on a summons for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

### 410.2 POLICY

The Mead Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a summons, when authorized to do so.

### 410.3 RELEASE

A suspected offender may be released on issuance of a summons as follows:

- (a) For a misdemeanor or petty offense when the officer is satisfied that the person will comply with the requirements of the summons (CRS § 16-3-105).
- (b) For a civil infraction (CRS § 16-2.3-103).
- (c) For certain traffic violations punishable as a misdemeanor, petty offense, or misdemeanor traffic offense in accordance with CRS § 42-4-1707.
- (d) For the crimes described in CRS § 24-4.1-302(1) and for certain felonies when the local district attorney has approved criteria for the issuance of a summons unless any of the following apply (CRS § 16-5-206):
  1. There is a reasonable likelihood that the person will not appear.
  2. The person has had a felony arrest in the preceding five years.
  3. There is an allegation that the person used a deadly weapon (e.g., firearm, knife, bludgeon, any other weapon capable of producing death or serious bodily injury) in the commission of the crime.
  4. The person has an outstanding arrest warrant.

In addition, for civil infractions and certain parking violations, the officer may give the offender a penalty assessment notice and release the offender upon its terms (CRS § 16-2-201; CRS § 16-2.3-102; CRS § 42-4-1701(5)(a)). The penalty assessment notice must be a summons and complaint that contains the information required by CRS § 16-2-201, CRS § 16-2.3-102, or CRS § 42-4-1707.

### 410.4 PROHIBITIONS

The release of a suspected offender on a summons is not permitted for felony offenses, except when local district attorney has approved criteria for the issuance of a summons for non-violent offenses pursuant to CRS § 16-5-206 (CRS § 16-3-105).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Summons Releases*

---

See the Domestic Violence Policy for release restrictions related to those investigations.

#### **410.4.1 PROHIBITIONS IN CERTAIN NON-VIOLENT OFFENSES**

A summons otherwise authorized pursuant to procedures approved by the local district attorney shall not be issued in lieu of a custodial arrest when an officer reasonably believes that any of the following apply (CRS § 16-5-206):

- (a) There is a reasonable likelihood that the person will not appear in court.
- (b) The defendant has had a felony arrest during the preceding five years.
- (c) There is an allegation that the defendant used a deadly weapon (e.g., firearm, knife, bludgeon, any other weapon capable of producing death or serious bodily injury) in the commission of the crime.
- (d) The person has an outstanding arrest warrant.

#### **410.5 CONSIDERATIONS**

In determining whether to cite and release a person when discretion is permitted, officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense (CRS § 16-3-105).
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

#### **410.6 REQUESTING CASE NUMBERS**

Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. However, most state statute sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.

# Foreign Diplomatic and Consular Representatives

## 411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Mead Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

## 411.2 POLICY

The Mead Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

## 411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

## 411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Foreign Diplomatic and Consular Representatives*

---

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
  - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
  - 1. Diplomatic-level staff of missions to international organizations and recognized family members
  - 2. Diplomatic agents and recognized family members
  - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
  - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
  - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
  - 2. Support staff of missions to international organizations
  - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
  - 4. Honorary consular officers

#### **411.5 DOCUMENTATION**

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

#### **411.6 DIPLOMATIC IMMUNITY TABLE**

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Foreign Diplomatic and Consular Representatives*

<b>Diplomatic Agent</b>	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Member of Admin and Tech Staff</b>	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Service Staff</b>	Yes (note a)	Yes	Yes	Yes	No for official acts Yes otherwise (note a)	No immunity or inviolability (note a)
<b>Career Consul Officer</b>	Yes if for a felony and pursuant to a warrant (note a)	Yes (note d)	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note a)	No immunity or inviolability
<b>Honorable Consul Officer</b>	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
<b>Consulate Employees</b>	Yes (note a)	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note a)	No immunity or inviolability (note a)
<b>Int'l Org Staff (note b)</b>	Yes (note c)	Yes (note c)	Yes	Yes (note c)	No for official acts Yes otherwise (note c)	No immunity or inviolability
<b>Diplomatic-Level Staff of Missions to Int'l Org</b>	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Support Staff of Missions to Int'l Orgs</b>	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

# Mead Police Department

Policy Manual

Policy Manual

## *Foreign Diplomatic and Consular Representatives*

---

- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

## Immigration Violations

### 413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Mead Police Department relating to immigration and interacting with federal immigration officials.

### 413.2 POLICY

It is the policy of the Mead Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

### 413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Colorado constitutions.

### 413.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Immigration Violations*

---

##### **413.4.1 SUPERVISOR RESPONSIBILITIES**

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

##### **413.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT**

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

##### **413.6 FEDERAL REQUESTS FOR ASSISTANCE**

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

##### **413.7 INFORMATION SHARING**

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

##### **413.7.1 IMMIGRATION DETAINERS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

##### **413.8 U VISA AND T VISA NONIMMIGRANT STATUS**

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Immigration Violations*

---

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Bureau supervisor assigned to oversee the handling of any related case (CRS § 24-4.1-405). The Detective Bureau supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted (CRS § 24-4.1-403).
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner in accordance with CRS § 24-4.1-402.
  1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

[See attachment: U\\_Visa\\_Law\\_Enforcement\\_Resource\\_Guide.pdf](#)

[See attachment: Legal Instruction on U Visa 070623.pdf](#)

#### 413.8.1 TIME FRAME FOR COMPLETION

The Detective Bureau supervisor should ensure that the certification for the U visa is processed within 90 days of the request, unless the victim is in federal immigration removal proceedings or a family member would become ineligible for U nonimmigrant status within 60 days, in which case the certification shall be executed within 30 days of receipt of the request (CRS § 24-4.1-402).

#### 413.8.2 APPROVAL OR DENIAL OF CERTIFICATION

If certification is approved, the Detective Bureau supervisor, at no charge, shall return the signed certification form with reports relevant to the approval to the requestor (CRS § 24-4.1-403).

If certification is denied, the Detective Bureau supervisor shall inform the requestor in writing regarding the reason for the denial as provided in CRS § 24-4.1-403.

#### 413.8.3 RELEASE OF INFORMATION

Personal identifying information or information regarding the citizenship or immigration status of any victim of criminal activity or trafficking who is requesting a certification shall not be disclosed except when allowed by law (CRS § 24-4.1-404) (see also the Records Maintenance and Release Policy for additional guidance).

#### 413.8.4 DOCUMENTATION AND REPORTING

The Detective Bureau supervisor shall keep written documentation regarding the number of certification forms that are (CRS § 24-4.1-406):

- (a) Requested by a victim.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Immigration Violations*

---

- (b) Signed.
- (c) Denied and for what reason.
- (d) Decided outside of the statutory timelines.

The Detective Bureau supervisor or the authorized designee should ensure that the information collected regarding certification forms is reported annually to the Colorado Division of Criminal Justice (CRS § 24-4.1-406).

#### **413.9 TRAINING**

The Commander should ensure that officers receive training.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

## Aircraft Accidents

### 414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

#### 414.1.1 DEFINITIONS

Definitions related to this policy include:

**Aircraft** - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

### 414.2 POLICY

It is the policy of the Mead Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

### 414.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

### 414.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Aircraft Accidents*

---

#### **414.5 NOTIFICATIONS**

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

#### **414.6 CONTROLLING ACCESS AND SCENE AUTHORITY**

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Coroner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

#### **414.7 DANGEROUS MATERIALS**

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Aircraft Accidents*

---

- (d) Evacuation chutes, ballistic parachute systems and composite materials.

#### **414.8 DOCUMENTATION**

All aircraft accidents occurring within the Town of Mead shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of MPD members deployed to assist; other Town resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

##### **414.8.1 WRECKAGE**

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
  - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

##### **414.8.2 WITNESSES**

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

#### **414.9 MEDIA RELATIONS**

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

# Mead Police Department

Policy Manual

Policy Manual

## *Aircraft Accidents*

---

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

## Field Training Officer Program

### 415.1 PURPOSE AND SCOPE

The Field Training Officer (FTO) Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Mead Police Department.

It is the policy of this department to assign all new police officers to a structured FTO Program that is designed to prepare the new officer to perform in a patrol assignment and to acquire all of the skills needed to operate in a safe, productive and professional manner.

### 415.2 FIELD TRAINING OFFICER DEFINED

The FTO is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

#### 415.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements (the Chief of Police does have discretion on these requirements):

- (a) Desire to be an FTO
- (b) Minimum of four years of patrol experience, two of which shall be with this department
- (c) Demonstrated ability as a positive role model
- (d) Participate and pass an internal oral interview selection process
- (e) Evaluation by supervisors and current FTOs
- (f) Possess a Colorado Peace Officer Standards and Training (POST) Basic Certificate

#### 415.2.2 TRAINING

An officer selected as an FTO shall successfully complete, when available, an FTO course approved by the Department prior to being assigned as an FTO.

All FTOs must complete an FTO update course approved by the Department every three years while assigned to the position of FTO.

### 415.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor will be selected from the rank of sergeant or above by the Operations Commander or the authorized designee and shall complete a Field Training Administrator's Course approved by the Department within one year of appointment to this position.

The responsibilities of the FTO Program supervisor includes the following:

- (a) Assign trainees to FTOs.
- (b) Conduct FTO meetings.
- (c) Maintain and ensure FTO/trainee performance evaluations are completed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Field Training Officer Program*

---

- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with FTO coordinators of other agencies.
- (h) Maintain liaison with academy staff on recruit performance during the academy.
- (i) Develop ongoing training for FTOs.

#### **415.4 TRAINEE DEFINED**

**Trainee** - Any entry level or lateral police officer newly appointed to the Mead Police Department, who has successfully completed a POST-approved basic academy and possesses a Colorado POST Basic Certificate within one year of commencing employment as a peace officer.

#### **415.5 REQUIRED TRAINING**

Entry level officers shall be required to successfully complete the Field Training Program.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience.

The required training will take place on at least two different shifts and with at least two different FTOs if reasonably possible.

##### **415.5.1 FIELD TRAINING MANUAL**

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and skills necessary to properly function as an officer with the Mead Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations of the Mead Police Department.

#### **415.6 EVALUATIONS**

Evaluations are an important component of the training process and shall be completed as outlined below.

##### **415.6.1 FIELD TRAINING OFFICER RESPONSIBILITIES**

- (a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee to their immediate supervisor on a daily basis.
- (b) FTOs shall review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) A detailed end-of-phase performance evaluation on the assigned trainee shall be completed by the FTO at the end of each phase of training.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Field Training Officer Program*

---

- (d) FTOs shall be responsible for signing off on all completed topics contained in the Field Training Manual, noting the method of learning and evaluating the performance of the assigned trainee.

#### **415.6.2 IMMEDIATE SUPERVISOR**

The FTO's immediate supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the Field Training Administrator.

#### **415.6.3 FIELD TRAINING ADMINISTRATOR**

The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted through the FTO's immediate supervisor.

The Field Training Administrator will hold periodic meetings with all FTOs to ensure understanding and compliance with the requirements of the Field Training Program. At least annually, the Field Training Administrator will hold a process review meeting with all FTOs to discuss changes needed in the FTO Program. A summary of this meeting, with any recommendations or changes made, will be documented and forwarded to the Chief of Police for review and approval.

#### **415.6.4 TRAINEE RESPONSIBILITY**

At the completion of the Field Training Program, the trainee shall submit a performance evaluation of each of his/her FTOs and of the Field Training Program.

#### **415.7 DOCUMENTATION**

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations
- (b) End of phase evaluations
- (c) A Certificate of Completion, certifying that the trainee has successfully completed the required number of hours of field training

#### **415.8 FIELD TRAINING OFFICER COMPENSATION**

A field training officer (FTO) should be compensated for each shift when;

1. The FTO completes an evaluation for the trainee.
2. The FTO is responsible for the direction, oversight and corrective action of the trainee during the shift.
3. The FTO completes the majority of the shift.

The compensation shall be determined by the Town of Mead and shall be in the form of a stipend. The stipend shall not account for accrual of time towards overtime compensation or be used to reduce the amount of PTO used by the FTO for any pay period.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Field Training Officer Program*

---

When two or more FTOs split a shift and share the FTO responsibilities, the stipend may be shared respectively between the FTOs. However, only the amount equal to one stipend will be dispersed for any one shift.

When a trainee rides with another officer in the capacity of an observation ride, that officer is not fulfilling the FTO responsibility or completing an observation log and is therefore not eligible to receive the FTO stipend for that shift.

## Contacts and Temporary Detentions

### 416.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

#### 416.1.1 DEFINITIONS

Definitions related to this policy include:

**Consensual encounter** - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

**Consensual search** - A search performed by an officer following the voluntary consent of the person being searched, or the person having control of the place or item being searched.



**Field interview (FI)** - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

**Field photographs** - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

**Pat-down search** - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

**Reasonable suspicion** - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

**Temporary detention** - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

### 416.2 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Contacts and Temporary Detentions*

---

suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Mead Police Department to strengthen community involvement, community awareness, and problem identification.

#### 416.2.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the [officer\_deputy] should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

#### 416.3 CONSENSUAL SEARCHES

An officer may conduct a consensual search of a person who is not under arrest, and any effects of the person or a vehicle as follows (CRS § 16-3-310):

- (a) The person has apparent or actual authority to provide permission to search the vehicle or effects, if any.
- (b) The person is informed that he/she is being asked to voluntarily consent to a search.
- (c) The person is informed that he/she has the right to refuse the request to search.
- (d) The person voluntarily provides consent.

When asking for consent, officers should explain the scope of the search. Officers should stop a consent search if the person withdraws consent.

Officers should, whenever practicable, obtain written consent. If written consent is not possible, the officer should record any verbal consent.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Contacts and Temporary Detentions*

---

#### **416.4 PAT-DOWN SEARCHES**

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to (see also CRS § 16-3-103(2)):

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

#### **416.5 FIELD PHOTOGRAPHS**

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

##### **416.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT**

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

##### **416.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT**

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Contacts and Temporary Detentions*

---

##### **416.5.3 SUPERVISOR RESPONSIBILITIES**

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

##### **416.5.4 DISPOSITION OF PHOTOGRAPHS**

All detainee photographs must be adequately labeled and submitted to the Shift Sergeant with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Shift Sergeant should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Shift Sergeant will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Department.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

##### **416.6 WITNESS IDENTIFICATION AND INTERVIEWS**

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
  1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
  2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Contacts and Temporary Detentions*

---

1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

#### **416.7 POLICY**

The Mead Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

## Shift Sergeants

### **418.1 PURPOSE AND SCOPE**

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with Department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant, or authorized designee, heads each watch.

When a shift sergeant is not on-duty, they will be available by phone or have designated an acting. When a member of greater rank is on-duty, a member may default to them for supervision when necessary. This does not exempt the need for supervisor notification when feasible.

### **418.2 DESIGNATION AS ACTING SHIFT SERGEANT**

When a Sergeant is unavailable for duty as Shift Sergeant, in most instances the qualified Officer in Charge shall be designated as acting Shift Sergeant. This policy does not preclude designating a less senior officer as an acting Shift Sergeant when operational needs require or training permits.



## Mobile Data Terminal Use

### 419.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Weld County Regional Communications Center.

### 419.2 POLICY

Mead Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

### 419.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

### 419.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Sergeants.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

#### 419.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio (CRS § 42-4-201).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Mobile Data Terminal Use*

---

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

At no time when the vehicle is in motion should the display be viewed by the driver for visual entertainment, including Internet browsing or the use of social media or email.

#### **419.5 DOCUMENTATION OF ACTIVITY**

Except as otherwise directed by the Shift Sergeant or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

##### **419.5.1 STATUS CHANGES**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

##### **419.5.2 EMERGENCY ACTIVATION**

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Shift Sergeant are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

#### **419.6 EQUIPMENT CONSIDERATIONS**

##### **419.6.1 MALFUNCTIONING MDT**

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify Weld County Regional Communications Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

# Mead Police Department

Policy Manual

Policy Manual

## *Mobile Data Terminal Use*

---

### 419.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

## Portable Audio/Video Recorders

### 420.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this Department while in the performance of their duties. Portable audio/video recording devices include all recording systems, whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Mead Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

### 420.2 POLICY

The Mead Police Department should provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public (CRS § 24-31-902).

### 420.3 COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for:

- (a) Establishing procedures for the security, storage and maintenance of data and recordings.
- (b) Establishing procedures for accessing data and recordings.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging or marking events.

### 420.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### 420.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that the member is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to the member's supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Unless working undercover, any member should wear and activate a body-worn camera when responding to a call, during a welfare check, and while interacting with the public or entering into a

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Audio/Video Recorders*

---

premises with the purpose of enforcing the law or investigating possible violations of the law (CRS § 24-31-902). The body-worn camera does not need to be on when en route to a call for service, but should be turned on shortly before the vehicle approaches the scene. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a recorder, the assigned member shall record the member's name, MPD identification number, and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

#### 420.5.1 UPLOADING, STORAGE, AND RETENTION OF RECORDINGS

Any recorded incident shall be documented in the associated departmental reports or on traffic citations that are the sole documentation.

Uploading of an audio/video recording will be done in accordance with manufacturer specifications and departmental training. Audio/Video evidence will be stored in a departmental designated secure location, including but not limited to:

- (a) An approved web based server whether that is maintained by the Town of Mead or an approved outside vendor.
- (b) An approved, on-site Town of Mead server.
- (c) Physical storage media such as CDs, DVDs, or other digital storage devices.

All recordings will be treated as evidence following agency policy and trainings. Recordings that are associated with a departmental report number that are uploaded directly into a server will be documented in the associated report.

All recordings shall be uploaded at the end of an officer's shift if practical or critical to an investigation. If there is a circumstance when this cannot be accomplished, a supervisor must be notified and approval given.

#### 420.5.2 DOCUMENTATION

In no way is a recording meant to replace a written report if one is called for. Officers are still responsible for completing a thorough report in the same manner they would if they did not have a recording. If an officer is on a call where their role would not normally call for a report, but the recorder was activated, they will still make a supplemental report if a case number was pulled for evidentiary entry purposes. Otherwise they will follow retention protocols previously outlined.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Audio/Video Recorders*

---

#### **420.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER**

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including but not limited to traffic violations and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify Weld County Regional Communications Center
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize the member's safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

##### **420.6.1 REQUIRED ACTIVATION OF THE AUDIO/VIDEO RECORDER**

This policy is not intended to describe every possible situation in which the recording system may be used. In addition to the required situations, an officer may activate the system any time the officer believes its use would be appropriate and/or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence. The activation of the audio/video system is required in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct:
  - (a) Traffic stops to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops. If the circumstances of the traffic stop indicate the recording is no longer needed, then it is the officer's discretion to end the recording and document the reason why.
  - (b) Priority responses
  - (c) Vehicle pursuits
  - (d) Suspicious person/vehicle contacts

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Audio/Video Recorders*

---

- (e) Arrests
  - (f) Any searches and or seizures
  - (g) Physical or verbal confrontations or use of force
  - (h) Domestic Violence calls
  - (i) DUI investigations including field sobriety maneuvers
  - (j) Any call for service involving a crime where the recorder would clearly aid in the apprehension and/or prosecution of a suspect.
- (b) Any self-initiated activity for the purpose of criminal investigation or enforcement.
  - (c) Any contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

It is understood that due to the range limitations of the vehicle version that, at times, the microphone may be out of range and may not record the audio portion. In such situations, this will not be deemed as a violation of this section of the policy.

#### 420.6.2 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that the member's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing, during discussions when civilians are not present, or when inside a jail with a functioning camera system (CRS § 24-31-902).

#### 420.6.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the audio/video recording system is not required during lunch breaks, lunch periods, when not in service, or when the officer is otherwise involved in routine or administrative duties.

#### 420.6.4 SURREPTITIOUS USE OF THE AUDIO/VIDEO RECORDER

Colorado law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (CRS § 18-9-303).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

#### 420.6.5 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Audio/Video Recorders*

---

#### **420.7 PROHIBITED USE OF PORTABLE RECORDERS**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

#### **420.8 CLASSIFICATION AND PRESERVATION OF RECORDINGS**

To assist with classification and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

Any recording in any classification can be changed to another classification or have its retention status changed for the benefit of an investigation or organizational need.

To insure that the videos are classified appropriately and maintained for the correct amount of time, there are three levels of classifications. Each video must have the appropriate level A classification. A video may have a level B and or special use classification too, only if the criteria applies.

Level A Classifications, descriptions and retention are as follows:

- (a) **NON EVENT-** A miscellaneous activation of the audio/video recorder which does not meet the requirements of any other classification. Retained for 2 weeks.
- (b) **CITIZEN CONTACT / TRAFFIC NO CITE -** Activation of the system where there may be some liability or possibility of a complaint or future action. Examples may include moving items from the roadway, motorist assists, traffic control, general citizen contacts, contacts in which there was a violation of the law but the officer has chosen to issue a verbal or written warning. These recordings should be available for a period of time to address any complaints or issues that could be resolved by reviewing the recording. Retained for 180 days.
- (c) **MUNICIPAL / MISDEMEANOR / TRAFFIC CITE / TA -** Any contact involving a citizen, vehicle, bicycle, pedestrian, etc. where the officer issues a citation into Municipal Court for a municipal offense. Misdemeanor or traffic citation into county court. Traffic crash, regardless of whether a citation was issued.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Audio/Video Recorders*

---

- (d) **FELONY (NO DEATH) / FATAL TA** - Anytime a recording of evidentiary value has been made during an investigation that may result in felony charges files with the District Attorney's Office and a case report has been generated. These recordings are subject to general policy and procedure regarding the retention of case related evidence. Retained for 10 years.
- (e) **MAJOR FELONIES / SEX ASSAULT / HOMICIDE / FATALITIES** - Anytime a recording of evidentiary value has been made during an investigation that may result in felony charges involving the indicated crimes with the District Attorney's Office and a case report has been generated. These recordings are subject to general policy and procedure regarding the retention of case related evidence. Retained until deleted.

Level B Classifications, descriptions and retention are as follows:

- 1. **CONSENT SEARCH, FRISK OR TEMPORARY DETENTION** - Activation of the system where there may be some liability or possibility of a complaint or future action related to a consent search, frisk or temporary detention. Retained for 1 year.
- 2. **USE OF FORCE** - Activation of the system where there may be some liability or possibility of a complaint or future action related to a use of force. Retained for 5 years.

Special Use Classifications:

- 1. **RESTRICTED**- Any recording that documents an incident which is deemed sensitive in nature, whether evidentiary or mutual accountability in nature, can have access restricted to select individuals. This status would be deemed necessary by a supervisor and entered by an administrator. Examples could include cases involving use of force resulting in SBI, officer involved shootings, allegations of criminal actions by an officer or by a citizen with an officer as a victim, and investigations alleging misconduct. Access to a restricted audio/video recording must be approved by the Chief of Police or designee. These recordings are subject to general rules and policies regarding the retention of case related evidence. Retained until manually deleted.
- 2. **PENDING REVIEW** - Any recording that is subject to review for any reason. Retained until manually deleted.
- 3. **CITIZEN COMPLAINT** - Any recording that documents an incident which is deemed to be correlated to a complaint. Retained for 1 year.
- 4. **TRAINING DEMO** - When a video has potential for use in training. Retained until manually deleted.

#### **420.9 RETENTION OF RECORDINGS**

The Mead Police Department will establish and follow a retention schedule for body-worn camera recordings in compliance with Colorado state archives rules and direction.

##### **420.9.1 RELEASE OF AUDIO/VIDEO RECORDINGS**

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Portable Audio/Video Recorders*

---

#### **420.10 REVIEW OF RECORDED MEDIA FILES**

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report. The exception to an officer reviewing a recording for the purpose of completing a report is if the incident falls under the Critical Incident Protocol (CIP) as developed in conjunction with the Office of the District Attorney. In such cases, the CIP takes precedent.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.
- (e) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection.

Officers with audio/video recording equipment that are on the scene of a critical incident, but are not a subject or witness officer, will complete police reports and notify their supervisor that they have video that may be pertinent to the investigation.

In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

#### **420.11 TRAINING AND SUPERVISORY RESPONSIBILITIES**

Users of the audio/video recording systems and supervisors shall be trained on the proper use of the system and shall become familiar with this policy prior to deployment of the device.

Supervisors shall insure that recording units assigned to their officers are in working order and the officer using the device has been properly trained. Supervisors will monitor and verify that their

# Mead Police Department

Policy Manual

Policy Manual

## *Portable Audio/Video Recorders*

---

officers are properly using the recording units as required by departmental policy and training, that includes proper categorizing and logging of evidence.

## Public Recording of Law Enforcement Activity

### 421.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

### 421.2 POLICY

The Mead Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

### 421.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
  - 1. Tampering with a witness or suspect.
  - 2. Inciting others to violate the law.
  - 3. Being so close to the activity as to present a clear safety hazard to the officers.
  - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

### 421.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Recording of Law Enforcement Activity*

---

individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

#### **421.5 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

#### **421.6 SEIZING RECORDINGS AS EVIDENCE**

Officers should not seize recording devices or media unless (42 USC § 2000aa; CRS § 16-3-311):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
  1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
  1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
    - (a) Before obtaining consent, the member shall provide the person with his/her identification, agency name and the reason the information is requested.
    - (b) If the person voluntarily provides his/her device or media to the member, the search of the device or media shall be limited to the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Public Recording of Law Enforcement Activity*

---

relevant recording and the device or media returned as soon as practicable.

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department device.
3. Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

#### 421.6.1 SEARCH WARRANTS

When a member seizes a recording device or media without the person's consent or without a search warrant, a search warrant for the recording shall be sought within 72 hours of the seizure (CRS § 16-3-311).

## Medical Marijuana

### 422.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marijuana under Colorado's medical marijuana laws.

#### 422.1.1 DEFINITIONS

Definitions related to this policy include:

**Allowed amount of marijuana** - No more marijuana than is medically necessary to address a debilitating or disabling medical condition. Though the amount may be greater, anything at or below the following amount qualifies as an allowed amount (Colo. Const. art. XVIII, § 14; CRS § 25-1.5-106):

- (a) No more than 2 ounces of a usable form of marijuana
- (b) No more than six marijuana plants, with three or fewer being mature, flowering plants that are producing a usable form of marijuana

**Medical use** - The acquisition, possession, production, use or transportation of marijuana or paraphernalia related to the administration of such marijuana to address the symptoms or effects of a patient's debilitating or disabling medical condition, which may be authorized only after a diagnosis of the patient's debilitating or disabling medical condition by a physician (Colo. Const. art. XVIII, § 14; CRS § 25-1.5-106).

**Patient** - A person who has a debilitating or disabling medical condition (Colo. Const. art. XVIII, § 14; CRS § 25-1.5-106).

**Primary caregiver** - A person, other than the patient and the patient's physician, who is 18 years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating or disabling medical condition (Colo. Const. art. XVIII, § 14). A primary caregiver may have one or more relationships with a patient, including as (CRS § 25-1.5-106):

- (a) A parent of a child and anyone who assists that parent with caregiver responsibilities, including cultivation and transportation.
- (b) An advising caregiver who advises a patient on which medical marijuana products to use and how to dose them, and does not possess, provide, cultivate or transport marijuana on behalf of the patient.
- (c) A transporting caregiver who purchases and transports marijuana to a patient who is homebound.
- (d) A cultivating caregiver who grows marijuana for a patient.

**Registry Identification Card(RIC)** - That document, issued by the Colorado Department of Public Health and Environment, that identifies a patient authorized to engage in the medical use of

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical Marijuana*

---

marijuana and such patient's primary caregiver, if one has been designated (Colo. Const. art. XVIII, § 14).

**Usable form of marijuana** - The seeds, leaves, buds and flowers of the plant (genus) cannabis, and any mixture or preparation thereof, which are appropriate for medical use. It does not include the plant's stalks, stems and roots.

#### **422.2 POLICY**

It is the policy of the Mead Police Department to prioritize resources to avoid making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Colorado medical marijuana laws are intended to provide protection from prosecution to those who acquire, possess, manufacture, produce, use, sell, distribute, dispense or transport marijuana for debilitating or disabling medical conditions. However, Colorado medical marijuana laws do not affect federal laws, and there is no medical exception under federal law for the possession or distribution of marijuana. The Mead Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Colorado law and the resources of the Department.

#### **422.3 INVESTIGATION**

Investigations involving the acquisition, possession, manufacture, production, use, sale, distribution, dispensing or transportation of marijuana generally fall into one of the following categories:

- (a) Investigations when no person makes a medicinal claim
- (b) Investigations when a medical-use claim is made by an adult who has not been issued a RIC
- (c) Investigations when a medical-use claim is made by an adult who has been issued a RIC
- (d) Investigations when a medical-use claim is made by a juvenile

##### **422.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM**

In any investigation involving the possession, delivery, production or use of marijuana or drug paraphernalia where no person claims that the marijuana is being used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use of marijuana under the Colorado Constitution (Colo. Const. art. XVIII, § 16). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant as to whether the marijuana was possessed or produced for medicinal purposes.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical Marijuana*

---

#### 422.3.2 INVESTIGATIONS INVOLVING A MEDICAL-USE CLAIM BY AN ADULT WHO HAS NOT BEEN ISSUED A RIC

An adult making a medical-use claim, either as a patient or primary caregiver, should not be arrested for a marijuana-related offense when:

- (a) The patient (Colo. Const. art. XVIII, § 14(2); CRS § 25-1.5-106):
  1. Was previously diagnosed by a physician as having a debilitating or disabling medical condition.
  2. Was advised by his/her physician, in the context of a bona fide physician-patient relationship, that the patient might benefit from the medical use of marijuana in connection with a debilitating or disabling medical condition.
  3. Was collectively in possession of an allowed amount of marijuana.
- (b) The amount is permitted for personal use of marijuana under the Colorado Constitution (Colo. Const. art. XVIII, § 16).

A copy of an application submitted to the Colorado Department of Public Health and Environment, including the written documentation and proof of the date of mailing or other transmission of the written documentation, shall be accorded the same legal effect as a RIC until such time as the patient receives notice that the application has been denied (Colo. Const. art. XVIII, § 14(3)(d)).

#### 422.3.3 INVESTIGATIONS INVOLVING A MEDICAL-USE CLAIM BY AN ADULT WHO HAS BEEN ISSUED A RIC

An adult making a medical-use claim, either as a patient or primary caregiver, shall not be arrested for a marijuana-related offense when all of the following exist (Colo. Const. art. XVIII, § 14(2); CRS § 25-1.5-106):

- (a) The patient or primary caregiver is in lawful possession of a RIC.
- (b) The marijuana in question is for medical use.
- (c) The patient or primary caregiver is in possession of no more than 2 ounces of a usable form of marijuana and no more than six marijuana plants, with three or fewer being mature, flowering plants that are producing a usable form of marijuana.

A patient or primary caregiver in lawful possession of a RIC should not be arrested for any quantity of marijuana above the specified amounts of marijuana (2 ounces, six plants) if the amount is no more than is medically necessary to address a debilitating or disabling medical condition.

Evidence that an extended amount is medically necessary may include a voluntary disclosure by the patient in his/her registration information that he/she intends to cultivate more than six plants for his/her own medical use (CRS § 25-1.5-106).

#### 422.3.4 INVESTIGATIONS RELATED TO A MEDICAL-USE CLAIM BY A JUVENILE

A juvenile under the age of 18 shall not be arrested for a marijuana-related offense if all of the following conditions exist (Colo. Const. art. XVIII, § 14(6); CRS § 25-1.5-106):

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical Marijuana*

---

- (a) The juvenile is in lawful possession of a RIC.
- (b) The juvenile and parental primary caregiver collectively possess no more than an allowed amount of marijuana.
- (c) The parental primary caregiver controls the acquisition, dosage and frequency of use of the marijuana.

#### 422.3.5 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production or use:

- (a) Officers shall immediately notify the Colorado Department of Public Health and Environment when any person in possession of a RIC has been determined by a court of law to have willfully violated the provisions of medical marijuana laws or has pleaded guilty to such an offense (Colo. Const. art. XVIII, § 14(3); CRS § 25-1.5-106).
- (b) Because enforcement of medical marijuana laws can be complex, time-consuming and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
  - 1. The suspect has been identified and can be easily located at another time.
  - 2. The case would benefit from review by a person with expertise in medical marijuana investigations.
  - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
  - 4. Any other relevant factors exist, such as limited available department resources and time constraints.
- (c) Whenever the initial investigation reveals an amount of marijuana greater than that specified by law, officers should consider:
  - 1. The amount of marijuana recommended by a medical professional to be ingested.
  - 2. The quality of the marijuana.
  - 3. The method of ingestion (e.g., smoking, eating, nebulizer).
  - 4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
  - 5. Other factors such as the climate and whether the marijuana is being cultivated indoors or outdoors.
- (d) Before proceeding with enforcement related to a locally approved business that cultivates, manufactures or sells medical marijuana or medical marijuana-infused products, officers should consider conferring with appropriate legal counsel.
- (e) Primary caregivers must be registered to cultivate or transport marijuana and have supporting receipts when transporting the marijuana. Officers may report a primary

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical Marijuana*

---

caregiver to the state licensing authority if the primary caregiver fails to provide proper documentation showing that he/she has registered (CRS § 25-1.5-106).

1. Primary caregivers have additional registration requirements if they grow 37 or more plants. Additionally, primary caregivers may not grow 100 or more plants (CRS § 25-1.5-106).

#### 422.3.6 EXCEPTIONS

Officers may take enforcement action against a patient or primary caregiver who (Colo. Const. art. XVIII, § 14(5); CRS § 25-1.5-106):

- (a) Engages in the medical use of marijuana in a way that endangers the health or well-being of any person.
- (b) Unlawfully engages in the medical use of marijuana in plain view of, or in a place open to, the general public (CRS § 44-10-702).
- (c) Undertakes any task while under the influence of medical marijuana, when doing so would constitute negligence or professional malpractice.
- (d) Possesses or uses non-smokable medical marijuana without authorization on school grounds, in a school bus, or at a school-sponsored event (CRS § 22-1-119.3; CRS § 25-1.5-106).
- (e) Possesses or uses smokable medical marijuana on school grounds, in a school bus, or at a school-sponsored event (CRS § 22-1-119.3; CRS § 25-1.5-106).
- (f) Engages in the use of medical marijuana in a correctional facility, community corrections facility, or in a vehicle, aircraft, or motorboat.
- (g) Engages in the use of medical marijuana while sentenced to jail/prison.
- (h) Operates, navigates, or is in actual physical control of any vehicle, aircraft, or motorboat while under the influence of medical marijuana.
- (i) Manufactures marijuana concentrate in an unregulated environment using an inherently hazardous substance (CRS § 18-18-406.6).
- (j) Grows or possesses on residential property more than the number of marijuana plants as set forth in CRS § 25-1.5-106.

#### **422.4 FEDERAL LAW ENFORCEMENT**

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

#### **422.5 EVIDENCE**

##### 422.5.1 MEMBER RESPONSIBILITIES

The investigating member should advise the receiving Evidence Room member when marijuana may be the subject of a medical claim.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical Marijuana*

---

The investigating member should seek supervisor and legal advice prior to seizing any live marijuana plants. In cases where the plants will be required to be kept alive during the court process, an undue hardship may be imposed on the department to fulfill this requirement. Alternatives to seizure, such as taking clippings for evidentiary purposes should be explored and exhausted prior to seizing any live plants.

#### 422.5.2 EVIDENCE ROOM SUPERVISOR RESPONSIBILITIES

The Evidence Room Supervisor shall ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not harmed, neglected, injured or destroyed (Colo. Const. art. XVIII, § 14(2)(e)).

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Evidence Room Supervisor should follow the Property and Evidence Policy and related procedures.

The Evidence Room Supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Bureau Supervisor.

## Foot Pursuits

### 423.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

Foot pursuits are inherently dangerous and require common sense, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the public or the suspect.

### 423.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

### 423.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Foot Pursuits*

---

- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

#### **423.4 GENERAL GUIDELINES**

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Foot Pursuits*

---

- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

#### **423.5 RESPONSIBILITIES IN FOOT PURSUITS**

##### 423.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

##### 423.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Foot Pursuits*

---

##### **423.5.3 SUPERVISOR RESPONSIBILITIES**

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

##### **423.5.4 WELD COUNTY REGIONAL COMMUNICATIONS CENTER RESPONSIBILITIES**

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Sergeant as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

##### **423.6 REPORTING REQUIREMENTS**

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.
  - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Foot Pursuits*

---

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

## Homeless Persons

### 424.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Mead Police Department recognizes that members of the homeless community are often in need of special protection and services. The Mead Police Department will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following policy when serving the homeless community.

#### 424.1.1 POLICY

It is the policy of the Mead Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

### 424.2 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a nonviolent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals, counseling and summons and release in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

#### 424.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of our community. The fact that a victim or witness is homeless can, however, require special consideration for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Homeless Persons*

---

- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

#### **424.3 PERSONAL PROPERTY**

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in cleanup operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the Department homeless liaison officer. When practicable, requests by the public for cleanup operations of a homeless encampment should be referred to the homeless liaison officer.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appear to belong to a homeless person should not remove or destroy such property and should inform the Department homeless liaison officer if such property appears to involve a trespass, is blight to the community or is the subject of a complaint. It will be the responsibility of the homeless liaison officer to address the matter in a timely fashion.

#### **424.4 MENTAL HEALTH DISORDERS AND MENTAL IMPAIRMENTS**

Some homeless persons may suffer from a mental health disorder or a mental impairment. Officers shall not detain a homeless person for an emergency admission to a mental health facility unless facts and circumstances warrant such a detention.

When a mental health disorder hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

# Mead Police Department

Policy Manual

Policy Manual

## *Homeless Persons*

---

### **424.5 ECOLOGICAL ISSUES**

Sometimes homeless encampments can affect the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

# Suspicious Activity Reporting

## 425.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

### 425.1.1 DEFINITIONS

Definitions related to this policy include:

**Involved party** - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

**Suspicious activity** - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

**Suspicious Activity Report (SAR)** - An incident report used to document suspicious activity. Without a criminal nexus, this should be an informational report.

## 425.2 POLICY

The Mead Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

## 425.3 RESPONSIBILITIES

The Commander and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

### 425.3.1 COMMANDER

The responsibilities of the Commander include, but are not limited to:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Suspicious Activity Reporting*

---

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.
- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

#### 425.3.2 OFFICER

The responsibilities of the officer include, but are not limited to:

- (a) Remain vigilant in observing indicators of suspicious activity as defined in this policy.
- (b) Report any suspicious activity in a timely manner.
- (c) Complete a report as required in a timely manner.
- (d) Make any and all required notifications promptly.

#### **425.4 REPORTING AND INVESTIGATION**

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any civilian/non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a report and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a report and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

## Crisis Intervention Incidents

### 426.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

#### 426.1.1 DEFINITIONS

Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental health disorder despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

### 426.2 POLICY

The Mead Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

### 426.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental health disorder
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Crisis Intervention Incidents*

---

#### **426.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS**

The Chief of Police should designate an appropriate Commander, or authorized designee, to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from a mental health disorder or who appear to be in a mental health crisis (CRS § 30-10-527; CRS § 31-30-109).

#### **426.5 FIRST RESPONDERS**

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

#### **426.6 DE-ESCALATION**

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Crisis Intervention Incidents*

---

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

#### **426.7 INCIDENT ORIENTATION**

When responding to an incident that may involve a mental health disorder or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

#### **426.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Crisis Intervention Incidents*

---

- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Commander.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

#### **426.9 INCIDENT REPORTING**

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

##### **426.9.1 DIVERSION**

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

#### **426.10 CIVILIAN/NON-SWORN INTERACTION WITH PEOPLE IN CRISIS**

Civilian/Non-Sworn members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

#### **426.11 EVALUATION**

The Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

# Mead Police Department

Policy Manual

Policy Manual

## *Crisis Intervention Incidents*

---

### **426.12 TRAINING**

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

## First Amendment Assemblies

### 427.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

### 427.2 POLICY

The Mead Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

### 427.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering and disrupting lawful assembly. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *First Amendment Assemblies*

---

##### 427.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

##### 427.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Weld County Regional Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

##### 427.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

##### 427.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *First Amendment Assemblies*

---

- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

#### 427.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with Town government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *First Amendment Assemblies*

---

- (t) Parameters for the use of body-worn cameras and other portable recording devices.

#### 427.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

#### 427.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

#### 427.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *First Amendment Assemblies*

---

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

C.R.S. 24-31-905 Prohibited law enforcement action in response to protests (first amendment assemblies);

1. In response to a protest or demonstration, a law enforcement agency and any person acting on behalf of the law enforcement agency shall not:
  - (a) Discharge kinetic impact projectiles and all other non or less lethal projectiles in a manner that targets the head, pelvis, or back;
  - (b) Discharge kinetic impact projectiles indiscriminately into a crowd; OR
  - (c) Use chemical agents or irritants, including pepper spray and tear gas, prior to issuing an order to disperse in a sufficient manner to ensure that order is heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order.

#### **427.8 ARRESTS**

The Mead Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Summons Releases Policy).



# Mead Police Department

## Policy Manual

### Policy Manual

#### *First Amendment Assemblies*

---

#### **427.9 MEDIA RELATIONS**

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

#### **427.10 DEMOBILIZATION**

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

#### **427.11 POST EVENT**

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Weld County Regional Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

##### **427.11.1 AFTER-ACTION REPORTING**

The Incident Commander should work with Town legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

# Mead Police Department

Policy Manual

Policy Manual

## *First Amendment Assemblies*

---

### **427.12 TRAINING**

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

## Civil Disputes

### 428.1 PURPOSE AND SCOPE

This policy provides members of the Mead Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Colorado law.

### 428.2 POLICY

The Mead Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

### 428.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

### 428.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Civil Disputes*

---

court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

#### **428.4.1 STANDBY REQUESTS**

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

#### **428.5 VEHICLES AND PERSONAL PROPERTY**

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

#### **428.6 REAL PROPERTY**

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

## Medical and Fire Aid and Response

### 429.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons and situations who appear to be in need of medical aid and/or fire rescue assistance and establishes a law enforcement response to such situations.

### 429.2 POLICY

It is the policy of the Mead Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

### 429.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Weld County Regional Communications Center and request response by Emergency Medical Services (EMS) and/or Fire Rescue as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Weld County Regional Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) Any known scene hazards.
- (c) The nature of the incident or main problem (injuries, medical issues, bleeding, ED).
- (d) Number of injured persons.
- (e) Information on the person in need of EMS, such as:
  1. Age?
  2. Conscious?
  3. Breathing?
  4. Is there chest pain? (illness case 35 yoa or older)
  5. Is there severe bleeding? (accident or injury case)
  6. Do you need lights and siren response?

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical and Fire Aid and Response*

---

When requesting Fire Rescue, the member should provide Weld County Regional Communications Center with information for relay to Fire Rescue personnel in order to enable an appropriate response, including:

- (a) The location where Fire Rescue is needed.
- (b) Any known scene hazards.
- (c) The nature of the incident (fire, rescue of injured person, hazmat incident, scene assistance).
- (d) Any specialty equipment needed.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS or Fire Rescue.

Members should not direct EMS personnel regarding treatment, care or transport.

#### **429.4 TRANSPORTING ILL AND INJURED PERSONS**

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

#### **429.5 PERSONS REFUSING EMS CARE**

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where a mental health disorder may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical and Fire Aid and Response*

---

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

#### **429.6 MEDICAL ATTENTION RELATED TO USE OF FORCE**

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

#### **429.7 AIR AMBULANCE**

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Operations Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical and Fire Aid and Response*

---

- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

#### **429.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE**

A member should use an AED only after the member has received the required training (CRS § 13-21-108.1).

##### 429.8.1 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

##### 429.8.2 AED TRAINING AND MAINTENANCE

The Commander should ensure appropriate training that includes training in CPR and AED use is provided to members authorized to use an AED (CRS § 13-21-108.1).

The Commander is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's operational guidelines, and will retain records of all maintenance and testing in accordance with the established records retention schedule (CRS § 13-21-108.1).

#### **429.9 RESPONSE TO OVERDOSE OF DRUGS OR ALCOHOL**

Officers are required to complete a report anytime they respond to an overdose of drugs or alcohol, regardless of whether medical responds or not.

##### 429.9.1 OVERDOSE REPORTING

The following reporting requirements apply to officer responses to overdose incidents.

- (a) To the Weld County District Attorney for;
  1. Qualifying incidents, where an officer actually responds to an emergency drug or alcohol overdose event (not when only medical responds)(CRS § 18-1-711).

#### **429.10 ADMINISTRATION OF OPIATE ANTAGONIST**

Only members authorized by the Department may possess or administer an opiate antagonist such as naloxone hydrochloride or any similarly acting drug for the treatment of a drug overdose. The medication shall be administered in accordance with written protocol specified by the medical professional who prescribed the overdose medication for use by the member (CRS § 12-30-110; CRS § 12-255-128).

##### 429.10.1 OPIATE ANTAGONIST USER RESPONSIBILITIES

Members who are qualified to administer an opiate antagonist should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Commander.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Medical and Fire Aid and Response*

---

Any member who administers an opiate antagonist should contact Weld County Regional Communications Center as soon as possible and request response by EMS (CRS § 12-30-110; CRS § 12-255-128; CRS § 12-280-123).

#### **429.10.2 OPIATE ANTAGONIST REPORTING**

Any member administering an opiate antagonist should detail its use in an appropriate report.

The Commander will ensure that the Records Manager is provided enough information to meet applicable state reporting requirements.

#### **429.10.3 OPIATE ANTAGONIST TRAINING**

The Commander should ensure training is provided to members authorized to administer an opiate antagonist.

The Commander should coordinate training with the prescribing medical professional (CRS § 12-30-110; CRS § 12-255-128; CRS § 12-280-123).

#### **429.11 SICK OR INJURED ARRESTEE**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

#### **429.12 FIRST AID TRAINING**

Subject to available resources, the Commander should ensure officers receive periodic first aid training appropriate for their position.

## Service of Court Documents

### 430.1 PURPOSE AND SCOPE

This policy provides guidelines for serving court documents to parties in civil matters.

This policy does not apply to the service of court orders as provided in the Domestic Violence Policy.

### 430.2 POLICY

The Mead Police Department will deliver court documents such as subpoenas or court orders with efficiency and due care. The Department will give higher priority to the service of court orders in cases when the Department reasonably believes delay may impact a person's safety.

### 430.3 RESPONSIBILITIES

Requests that the Mead Police Department serve court documents should be forwarded to the Records Manager.

#### 430.3.1 RECORDS MANAGER RESPONSIBILITIES

The Records Manager is responsible for developing procedures to ensure:

- (a) Court documents received for service are logged, dated and time stamped.
- (b) A service application request form is received from the person requesting service that includes:
  1. The date service is due.
  2. Whether substitute service is authorized by the requestor.
  3. Risk-related information such as the subject's prior acts of violence, and the presence of aggressive dogs, narcotics or other hazardous substances.
- (c) Inquiries are made in law enforcement records management systems to determine if there are additional entries that would impact officer safety when serving the papers. Proper notations should be entered on or attached to the service application request form.
- (d) A fee schedule is maintained and applicable fees are collected. No fees shall be required when fees have been waived by a court or are prohibited by statute.
- (e) A schedule is maintained with the number of copies of each type document the Mead Police Department requires when a person requests service by the Department.
- (f) Data entry regarding the service is made in a timely fashion. This includes data entry regarding the status of the service (e.g., served, attempted and returned), if appropriate.
- (g) Court documents and accompanying service application request forms are forwarded to the Administration Commander for service.
- (h) The court and person requesting service are promptly notified that service has been made or that attempts at service were unsuccessful. Returns of service or

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Service of Court Documents*

---

documentation related to failure of service for out-of-county courts may be returned by mail to the person from whom it was received.

- (i) The Department maintains a record that contains a list of all court documents received for service, including:
  1. The date and time received.
  2. The date service is due.
  3. The type of court document (e.g., civil subpoena, civil summons).
  4. The source of the document(s).
  5. The names of the parties to the action.
  6. The name and address of the person to be served unless confidential under law.
  7. The date and time of service.
  8. The number of attempts to serve.
  9. Mileage for service.
  10. The officer assigned to serve the document and date of assignment.
- (j) The Mead Police Department periodically confers with applicable courts regarding the service of documents by the Mead Police Department and any relevant court procedural changes or possible areas of concern or improvement that need to be addressed, as appropriate.

#### 430.3.2 ADMINISTRATION COMMANDER RESPONSIBILITIES

The Administration Commander is responsible for tracking requests for service received and officers assigned to such requests to ensure service efforts are diligently made.

Upon receipt of the service application request form and court documents for service, the Administration Commander should assign service to an officer. Court documents reasonably known to be related to a person's immediate safety should be served as soon as practicable. Any reasonably known information related to a heightened risk in the service should be addressed and communicated to the department member assigned to serve the document(s).

The Administration Commander will send the completed documentation of service back to the Records Manager to ensure timely notification to the court.

The Administration Commander will also ensure that sufficient documentation related to the service and attempted service of court documents has occurred.

#### 430.3.3 OFFICER RESPONSIBILITIES

Officers assigned to serve court documents shall do so diligently and with due regard for privacy and property rights.

If service of a court order is not immediately possible, officers are expected to make reasonable inquiries and investigative actions to complete the service. This may include using the following resources to locate persons:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Service of Court Documents*

---

- (a) National Motor Vehicle Title Information System
- (b) Public records databases and other commercial Web-based sources used to find people (skip tracing tools)
- (c) Relevant court records and contact information for parties

Officers are required to complete and submit to the Administration Commander a return of service for each document served or attempted to be served.

Officers are expected to complete and submit a report any time there is reasonable suspicion to believe a person is attempting to evade service or is being assisted by another person to avoid service.

Officers shall not give legal advice or express opinions as to the merit of civil issues.

Officers shall document all court documents served or attempted to be served. The documentation should include the address where service was attempted, the date and time of attempted service, any reasons or circumstances why service was unsuccessful, the date and time of service, the name of the person served and description of the service, and the mileage used for each service or service attempt.

#### **430.4 OFFICER SAFETY**

Members should always review risk-related information in the service application request form prior to service. Members may contact the requestor with any questions related to information on the form that indicate an unusual risk to safety. Members should notify a supervisor if they identify any particular safety concerns that have not been addressed.

Members may consider requesting assistance from another officer and/or avoiding confrontation at a residence or business by contacting the party and requesting to meet at a location that may pose a lower risk.

#### **430.5 CANCELED SERVICE**

Any member of the Mead Police Department who becomes aware of the cancellation of court document service request should promptly inform the Administration Commander. The Administration Commander should promptly notify the assigned officer.

#### **430.6 PERSONAL SERVICE**

Generally, all service should be made by delivering a copy of the document directly to the person, or their authorized designee, in accordance with CRCP Rule 4. Alternatives may be authorized by law, including but not limited to, serving or leaving a copy of the document (CRCP Rule 4):

- (a) At the person's residence with any person over the age of 18 who is also a family member of the person to be served.
- (b) At the person's workplace with a supervisor or other administrative personnel.
- (c) With a person authorized or appointed by law to receive service on behalf of the person to be served.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Service of Court Documents*

---

Service upon a minor under the age of 13 should be made upon a parent or guardian. If the minor is age 13 to 17, personal service should be made by delivering a copy to the minor as well as the minor's parent or guardian (CRCP Rule 4).

#### **430.7 SERVICE OF SPECIFIC DOCUMENTS**

Orders for civil arrest or writs requiring the seizure of real or personal property may only be performed by sworn officers.

Subpoenas must be served by delivering a copy to the person named in the subpoena or as otherwise ordered by the court that is consistent with due process (CRCP Rule 45).

## Canine Police Use

## Patrol Rifles

### 432.1 PURPOSE AND SCOPE

To more effectively and accurately address the increasing level of firepower and body armor utilized by criminal suspects, the Mead Police Department will make patrol rifles available to qualified officers as an additional and more immediate tactical resource.

### 432.2 PATROL RIFLES

The department recognizes that a rifle may be of considerable strategic value to a properly trained police officer, under certain circumstances; it may also be a hindrance and a danger to a police officer when utilized under the wrong circumstances. Thus, the department requires each of its police officers to be properly trained and qualified in the function, firing, and tactical uses of the department approved/issued rifle, prior to being permitted to carry or use one on duty.

The tactical use of rifles is discretionary; is dependent upon the totality of circumstances at any given place and time; and is subject to the consideration of all other department policies and procedures, as well as state laws that may come to bear upon such circumstances.

The deployment, transporting, storage, loading, and unloading of department rifles will be conducted in accordance with department firearms training and policy.

No on-duty police officer may carry or use any rifle other than department issued or those personally owned rifles which have been previously approved by the Department.

Only department-issue or approved rifle ammunition will be loaded into department weapons.

### 432.3 AR-15 PATROL RIFLES

All sworn officers employed with the Mead Police Department will be authorized to carry an AR-15 platform style patrol rifle, a minimum of three magazines, and Holographic/Red dot sighting system. If issued out, the rifles are the property of the department and assigned to the individual officer. All Officers in active service are required to have the AR-15 patrol rifle available during their work shift. All employees who will deploy an AR-15 patrol rifle must have successfully completed the Mead Police Department Patrol Rifle User's Course (or its equivalent as determined by the Range Master) and the current bi-annual qualification course.

Any on-duty damage (not caused by negligence) to the weapon or attached accessories will be replaced/repared by the Police Department. Officers who are issued AR-15 patrol rifles are to have available a minimum of three magazines with no more than a 30-round capacity (the Range Master will provide department ammunition). The Range Master will not provide department ammunition over 90-rounds. Any privately purchased ammunition must exactly match the department's standard issue ammunition.

If an officer has been authorized (must have prior approval from the Range Master AND must have passed the current bi-annual qualification course) to carry a personally owned AR-15 platform style patrol rifle, he/she must have available a minimum of three magazines with no less than a 30-

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Patrol Rifles*

---

round capacity (the Range Master will provide department ammunition). The Range Master will not provide department ammunition over 90-rounds. Any privately purchased ammunition must exactly match the department's standard issue ammunition.

#### **432.4 DEPLOYMENTS/STORAGE OF PATROL RIFLES**

Department issued patrol rifles shall be stored in the department gun room or in the officer's personal possession in accordance with training provided at the Patrol Rifle User's Course. No weapon shall be stored in police vehicles when the officer is off-duty, unless concealed in a locked container. While being transported in police vehicles, rifles will be placed either in the locking rack in the passenger compartment or in a hard or padded case in the trunk. Rifles will be carried with the chamber empty, magazine(s) in magazine well and safety on (cruiser ready). While transporting rifles to or from vehicles, offices, or storage areas, officers will carry the weapon in such a manner as to minimize exposure to other personnel and the public. Whenever an officer is away from their vehicle, he/she shall secure the vehicle and take necessary steps to discourage any access to the rifle. Additionally, any time that a vehicle is left for maintenance or service the weapons will be removed.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

#### **432.5 ACCESSORIES/ALTERATIONS ON PATROL RIFLES**

The patrol rifles subject to this policy are owned by the department and assigned to the officer OR personally owned and approved patrol rifles. It is recognized that individual officers may wish to modify or customize their assigned rifle. The rifle may be modified by the individual officer, at their cost, subject to this policy. Any alteration or accessory made to a rifle must be approved by the Range Master (or his designee).

#### **Requirements for Department and Personally owned rifles:**



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Patrol Rifles*

---

Barrel length must be a minimum of 16 inches and a maximum of 20 inches, exception shall be approved in writing by the Chief of Police.

Single stage combat trigger with a pull of not less than 3.5 lbs.

Semi-auto trigger group only, unless authorized by the Chief of Police.

Iron sights (folding or fixed) that can operate independently of any other optics that are affixed to the rifle.

#### **Approved Equipment / Modifications / Attachments:**

Textured or soft rubber handgrips.

1, 2 or 3 point slings.

Department approved muzzle break/compensator or flash hider.

Fixed or positional factory stock, no folding stocks.

Non-magnified, holographic /red dot sight.

Magnifying scope that has the capacity to be rotated off to the side when not being used and does not interfere with the normal use of the standard iron sights.

Vertical forearm grip.

Picatinny style rails, tactical lights, high visibility sights (night sights).

Bi-pods.

Any color variable (other than black) must be approved in writing by the Range Master (or his designee).

#### **Repairs and maintenance:**

Any repairs to the department issued rifle must be completed by a department armorer or by a certified armorer at the discretion of the Range Master.

Officers carrying approved rifles are responsible for the maintenance and functionality of the rifle. Proper cleaning and lubrication shall be maintained by the assigned officer.

#### **432.6 TRAINING**

Officers shall not carry or utilize the patrol rifle unless they have successfully completed Department training. This training shall consist of an initial eight-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete biannual qualification.

## **Chapter 5 - Traffic Operations**

## Traffic Function and Responsibility

### 500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

It is the policy of the Mead Police Department to educate the public on traffic-related issues and to enforce traffic laws. The ultimate goal of traffic enforcement and education is to increase public safety.

### 500.2 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving, and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors are considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

### 500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Traffic Function and Responsibility*

---

commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions (CRS § 42-4-101 and CRS § 42-4-104):

##### **500.3.1 WARNINGS AND STOPS WITHOUT CITATION OR ARREST**

Warnings should be considered in minor traffic infractions and substituted for arrests or citations when circumstances warrant. Circumstances that do not result in a citation or arrest require providing a business card in compliance with the law, as outlined in the Bias-Based Policing Policy.

##### **500.3.2 TRAFFIC CITATIONS**

Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at minimum:

- (a) Explanation of the violation or charge
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
- (d) The court contact information

##### **500.3.3 TRAFFIC CITATION COURT JURISDICTION**

An officer who issues a traffic citation shall ensure that the place specified in the summons, complaint or penalty assessment notice is a county court within the county in which the offense is alleged to have been committed (CRS § 42-4-1707(5)).

##### **500.3.4 PHYSICAL ARREST**

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with but are not limited to (CRS § 42-4-1705(1)):

- (a) Vehicular homicide.
- (b) Driving under the influence of alcohol/drugs.
- (c) Hit-and-run resulting in serious injury or death.
- (d) Hit-and-run resulting in damage to any vehicle or property.
- (e) Reasonable cause to believe the violator may leave the state.

#### **500.4 SUSPENDED OR REVOKED DRIVER'S LICENSE**

If an officer contacts a traffic violator also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate.

#### **500.5 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Traffic Function and Responsibility*

---

traffic, construction vehicles and disaster recovery equipment (Federal Manual on Uniform Traffic Control Devices, 23 CFR 655.601).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the employee.

##### 500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used anytime a plainclothes officer might benefit from being readily identified as an officer.

##### 500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained by each member and kept accessible during the shift.. Before going into service, each employee shall ensure a serviceable high-visibility vest is available.

Additional high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Commander should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

## Traffic Accident Response and Reporting

### 501.1 PURPOSE AND SCOPE

The public safety responsibilities of law enforcement include responding to traffic accidents, providing aid and assistance, documentation of the incident and identification of criminal activity. The Mead Police Department prepares traffic accident reports in compliance with CRS § 42-4-1606 and as a public service makes traffic accident information available to the public.

### 501.2 CALL RESPONSE

Officers should respond without delay when dispatched to a traffic accident. A traffic accident with injuries reported may include an emergency response if the officer reasonably believes such a response is appropriate.

#### 501.2.1 RESPONSE CONSIDERATIONS

An officer responding to and upon arrival at an accident, should consider the following:

- (a) The most appropriate route to the incident
- (b) Proper placement of the emergency vehicle to provide protection for officers and the scene
- (c) Potential for involvement of hazardous materials
- (d) Additional support that may be necessary (e.g., traffic control, medical aid, HAZMAT, ambulance, tow vehicles and airship landing)
- (e) Providing first aid to any injured parties if it can be done safely, and obtaining medical assistance as necessary
- (f) Traffic control and protection of the scene
- (g) Clearance of the roadway

#### 501.2.2 ACCIDENT ALERT STATUS

A supervisor may activate the accident alert status when conditions limit the ability of officers to respond in person to minor accident scenes in compliance with CRS § 42-4-1606. Supervisors should consider accident alert status under the following conditions;

- (a) Inclimate weather that prohibits timely response and increases the likelihood of minor accidents.
- (b) Significant events that proclude officers from responding to non-emergency calls for service.
- (c) Conditions where officers are limiting public contact and only answering emergent calls for service.

Officers will respond and complete a report to accidents that involve any of the following;

- (a) Disabled vehicle(s) that are blocking traffic.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Traffic Accident Response and Reporting*

---

- (b) Injured person(s).
- (c) Suspected DUI or DUID.
- (d) Hit and Run.

Supervisors should consider alerting the public that the alert status has been activated through social media. Clear information as to how the public can directly report these accidents should also be made available.

#### **501.3 ACCIDENT INVESTIGATION**

Investigation of traffic collisions should include, at minimum, the following:

- (a) Identification of any injured persons at the scene
- (b) Identification and interview of all involved parties
- (c) Identification and interview of any witnesses
- (d) Determination if any crime has occurred and taking appropriate enforcement action
- (e) Identification and protection of items of apparent evidentiary value
- (f) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on appropriate report forms

#### **501.4 TAKING ENFORCEMENT ACTION**

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of Colorado law led to the accident, officers should issue a traffic citation or a misdemeanor citation to the offending driver. Officers may arrest a person when there is probable cause to believe that an offense was committed by the person to be arrested (CRS § 16-3-102).

Incidents involving more serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, should be enforced immediately. If a driver subject to enforcement is admitted to a hospital, a supervisor may be contacted to determine the best enforcement option.

#### **501.5 TRAFFIC ACCIDENT REPORTING**

##### **501.5.1 OFFICER RESPONSIBILITIES**

Department members shall utilize forms approved by the Department of Revenue, Motor Vehicle Division (CRS § 42-4-1608) for the reporting of traffic accidents. All traffic accident reports taken by members of this department shall be forwarded to the Patrol Division for approval and data entry into the records management system.

##### **501.5.2 RECORDS MANAGER RESPONSIBILITIES**

The Records Manager, or authorized designee, will be responsible for:

- (a)
- (b) Forwarding the traffic accident report to the Department of Revenue, Motor Vehicle Division within five days of receiving information regarding the accident or upon the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Traffic Accident Response and Reporting*

---

completion of the investigation if the accident did not involve injury or death and the property damage is reasonably believed to be no more than \$1,000 (CRS § 42-4-1606).

(c)

#### 501.5.3 MODIFICATIONS TO TRAFFIC ACCIDENT REPORTS

A change or modification of a written report that alters a material fact in the report may be made only by the person who prepared the report. A written supplemental report may be made by any authorized employee.

### 501.6 REPORTING SITUATIONS

#### 501.6.1 TRAFFIC ACCIDENTS INVOLVING TOWN VEHICLES

Traffic accident investigation reports shall be taken when a Town-owned vehicle is involved in a traffic accident on a roadway or highway, wherein any damage or injury results. A general information report may be taken in lieu of a traffic accident report at the direction of a supervisor when the accident occurs on private property or does not involve another vehicle. Whenever there is damage to a Town vehicle, a report shall be completed and forwarded to the appropriate Commander.

Photographs of the accident scene and vehicle damage should be taken at the discretion of the traffic investigator or any supervisor.

#### 501.6.2 INJURY OR FATALITY TRAFFIC ACCIDENTS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on- or off-duty, is involved in a traffic accident within the jurisdiction of the Mead Police Department and it results in a serious injury or fatality, the Sergeant or the Shift Sergeant or the authorized designee should request the Colorado State Patrol (CSP) or other outside agency to complete an investigation and report.

The term serious bodily injury is defined as bodily injury that involves a substantial risk of death, serious permanent disfigurement, protracted loss or impairment of bodily function (CRS § 18-1-901(3)(p)).

#### 501.6.3 TRAFFIC COLLISIONS WITH OTHER TOWN EMPLOYEES OR OFFICIALS

The Sergeant or Shift Sergeant may request assistance from the CSP or other outside agency for the investigation of any traffic accident involving any Town official or employee where a serious injury or fatality has occurred.

#### 501.6.4 TRAFFIC COLLISIONS INVOLVING INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic accident involves disposition of an injured animal.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Traffic Accident Response and Reporting*

---

##### **501.7 NOTIFICATION OF SERGEANT**

In the event of a serious injury or death-related traffic accident, the Shift Sergeant shall notify the Commander to relate the circumstances of the traffic accident and seek assistance from the accident investigation team.

##### **501.8 NOTIFICATION OF NEXT OF KIN**

If a traffic accident causes a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's next of kin or coordinate such notification with the Coroner, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's next of kin.

## Vehicle Towing and Release Policy

### 502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Mead Police Department and under the authority of CRS § 42-4-1803.

### 502.2 RESPONSIBILITIES

The responsibilities of those employees storing or impounding a vehicle are as follows.

#### 502.2.1 COMPLETION OF VEHICLE IMPOUND/STORAGE FORM

Department members requesting towing of a vehicle shall complete a vehicle impound/storage form that includes written authorization pursuant to CRS § 42-4-1803(1)(b) for the tow truck operator to possess the vehicle and a description of property within the vehicle. A copy is to be given to the tow truck operator and the original is to be submitted to the Records Department as soon as practicable after the vehicle is stored.

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or for information should inquiries be made.

#### 502.2.2 REMOVAL OF A VEHICLE DISABLED IN A TRAFFIC ACCIDENT

When a vehicle has been involved in a traffic accident and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to Weld County Regional Communications Center. When there is no preferred company requested, a company will be selected from the rotational list of towing companies maintained by the Mead Police Department.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in an accident, the officer shall request the dispatcher to call a company selected from the Mead Police Department rotational list of towing companies. The officer will then conduct an inventory and store the vehicle using a vehicle impound/storage form.

#### 502.2.3 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with parking regulations.

#### 502.2.4 RECORDS DEPARTMENT RESPONSIBILITY

Approved vehicle impound/storage forms shall be promptly filed so that they are immediately available for release or review should inquiries be made.

Records Department personnel should promptly enter pertinent data from a completed vehicle impound/storage form into the Motor Vehicle Verification System to determine if the vehicle has been reported stolen (CRS § 42-4-1804). No later than 10 working days after a vehicle has been towed by this department, Records Department personnel shall report the towing and

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Towing and Release Policy*

---

related information to the Department of Revenue, Motor Vehicle Division as required by CRS § 42-4-1804(1)(b).

Records Department personnel shall make a good faith attempt to notify the owner or lien holder of abandoned vehicles within 10 working days after receipt of a vehicle impound/storage form pursuant to (CRS § 42-4-1804(4)(a); CRS § 42-4-1804(4)(b)). The notice shall inform the owner that he/she can request a hearing concerning the legality of the towing of the abandoned motor vehicle (CRS § 42-4-1804(4)(c)).

The Records Department should use the notice forms available from the Department of Revenue, Motor Vehicle Division when sending required notices to the owners or lien holders of stolen or abandoned vehicles (CRS § 42-4-1804(5)).

The Mead Police Department currently utilizes Spartan Towing & Recovery (970-532-9833) for tow & impound services. Spartan has agreed to prepare the required documentation with Mead Police personnel approving the forms.

#### **502.3 TOWING SERVICES**

The Mead Police Department periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

If more than one firm has been awarded contracts, they shall be placed on a rotation list. Nothing in this policy shall require the Department to have more one or more tow service(s) under contract or to tow a vehicle.

When the selected tow service(s) is unavailable, the officer will have discretion to use any available tow service to complete the objective.

#### **502.4 TOWING AT ARREST SCENES**

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case. The vehicle may also be towed under the community care taker doctrine when the vehicle cannot be parked legally, or is obstructing traffic, or poses an imminent threat to public safety.

Officers towing a vehicle under the community care taker doctrine, should include answers to the following questions in their report or on the impound form.

1. Is the vehicle on public or private property?

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Towing and Release Policy*

---

2. Was the private property owner consulted regarding the vehicle?
3. Were there alternatives to impoundment?
4. Is the vehicle implicated in a crime?
5. Did the owner and/or driver give consent to impound?

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- The vehicle is parked on private property and the property owner does not object to having the vehicle left there.
- There is a valid driver that is able to take responsibility for the vehicle. This must be agreeable to the vehicle owner or driver and not create a significant burden for the officer (ex. greater than 30 minute response time).
- Traffic-related warrant arrest
- Situations where the vehicle was not used to further the offense for which the occupant was arrested or is not subject to forfeiture proceedings
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene

In such cases, the handling employee should document on recorded video that the owner was informed that the Department will not be responsible for theft or damages.

If the arrestee is not the registered owner and requests the vehicle be left at the arrest scene, police personnel will be directed to attempt telephone contact with the owner and inform the owner of the request. If contact is made with the owner, the officer is then guided by the owner's decision as to the disposition of the vehicle. If, after a bona fide attempt, contact cannot be made with the owner, the vehicle still may be left at the arrest scene, if no other criteria for towing exists. An officer leaving an arrestee's vehicle at the scene of an arrest needs to ensure that the vehicle is locked, and book in the keys with the prisoner's property. An officer may release the arrestee's vehicle to a designee of the arrestee as long as the arrestee is in condition to give knowing and intelligent consent. The designee must have a valid license and be physically capable of safely operating the vehicle.

#### **502.5 VEHICLE INVENTORY**

As much as possible the officer will document the contents on their body worn camera and write a summary on the tow form. Items on the tow form should include any item that is considered of significant value. An item of significant value is an item estimated to be valued greater than \$100.

The items to be inventoried include those in the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in recording the items for inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Towing and Release Policy*

---

for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

If the apparent potential for damage to a locked container reasonably appears to outweigh the protection of the items inside, other options to consider regarding locked containers include, but are not limited to, obtaining access to the locked container from the owner, placing the locked container into safekeeping or obtaining a written waiver of responsibility for the contents of the locked container.

#### **502.6 PRESERVATION OF EVIDENCE**

An officer removing a vehicle pursuant to CRS § 42-4-1803, who has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, should ensure that all legally required and reasonably necessary efforts to preserve the evidence, including but not limited to, safe storage, are taken until the evidence is released to the owner or otherwise disposed of according to law.

#### **502.7 SECURITY OF VEHICLES AND PROPERTY**

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, an officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property.

#### **502.8 VEHICLE IMPOUNDS**

The department realizes the need to tow and impound motor vehicles to comply with CRS 42-4-1803(1)(b) and Town ordinances, with a goal of protecting property and maintaining free flow of traffic within the Town. An officer may tow and impound a vehicle (and issue a summons, where appropriate) for the following reasons:

- The vehicle is evidence.
- The officer has probable cause to believe the vehicle was used in the commission of a crime.
- The vehicle is stolen and the owner cannot immediately respond to take custody of it.
- The ownership of the vehicle is questionable.
- The vehicle is left unattended upon any bridge, viaduct, or where it constitutes an obstruction to traffic.
- The vehicle is left unattended upon a public way and is so disabled as to constitute an obstruction to traffic, and the person in charge of that vehicle is so incapacitated by reason of intoxication or physical injury as to be unable to provide for its custody or appropriate removal.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Towing and Release Policy*

---

- The vehicle is left unattended and illegally parked upon a street or alley so as to constitute a hazard or obstruction to the normal movement of traffic.
- The vehicle is left unattended on any public street with the engine running, or with the keys in the ignition switch or lock.
- The vehicle is parked in violation of any traffic ordinance, and is an actual or potential obstruction or hazard to any lawful function or limits the normal access to a use of any public or private property.
- The vehicle is being operated upon the streets or public way in an unsafe condition such that it cannot be legally operated upon the streets or public way.
- The vehicle is being operated upon the streets or public way by a person without any valid operator's license, or in violation of the restrictions imposed upon that license, or while the person's operator's license has been suspended, denied, revoked, or canceled by the by the state of issuance and there is no licensed driver present and capable to operate the vehicle.
- The vehicle is parked unattended on any public way in violation of the registration requirements of the state of Colorado, or has no visible registration number plates attached.
- The owner or driver is under arrest and the vehicle cannot be legally parked, or the owner/driver objects to an officer parking it in a legal manner.
- An arrestee's vehicle cannot be locked or secured, or contains items of significant value.

The vehicle is found to have all of the following:

- Three (3) or more outstanding and unpaid parking tickets issued within (1) calendar year, such tickets were not paid within forty-five (45) days of issuance.
- None of the tickets as described above is currently under appeal or involved in any other judicial or quasi-judicial proceeding.
- The vehicle is currently parked in or on public property or on private property intended for public use in such a manner that the issuance of a fourth parking ticket may subject the vehicle to being towed and impounded.

This subsection is subject to all rights that the owner may have regarding any hearing regarding the towing of the motor vehicle.

## Vehicle Impound Hearings

### 503.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle impound or storage hearings (CRS § 42-4-1804(4)(d)).

### 503.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Department a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent to determine if probable cause existed for the removal and placement of the vehicle.

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must not be the person who directed the storage or impound of the vehicle.

#### 503.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on an impounded or stored vehicle shall be submitted in writing within 10 days of the date appearing on the notice (CRS § 42-4-1804(4)(d)). The Commander will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a mediation or reduction of the period the vehicle is impounded.

- (a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision, and that the inquiring party may pursue further civil remedies if desired.
  1. If mitigating circumstances are found to be relevant, the hearing officer may make reasonable adjustments to the impound period, storage or assessment fees as warranted.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Impound Hearings*

---

- (b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be at the Department's expense.
- (c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded to the appropriate Commander. The hearing officer will recommend to the appropriate Commander that the fees paid by the registered or legal owner of the vehicle in question or the owner's agent be reimbursed by the Department.



## Impaired Driving

### 504.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

### 504.2 POLICY

The Mead Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Colorado's impaired driving laws.

### 504.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Sergeant, or authorized designee, will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Colorado or another jurisdiction.

### 504.4 FIELD TESTS

The Sergeant, or authorized designee, should identify the standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

### 504.5 CHEMICAL TESTS

A person implies consent under Colorado law to a chemical test or tests, and to providing the associated chemical sample, when an officer has probable cause to believe that the person was driving a motor vehicle in violation of CRS § 42-4-1301 (DUI, DUI per se, DWAI, or UDD) (CRS § 42-4-1301.1).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Impaired Driving*

---

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

##### 504.5.1 STATUTORY NOTIFICATIONS

Officers requesting a sample from a person suspected of DUI should inform the person that failure to submit to testing may result in the revocation of his/her license.

##### 504.5.2 CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence). Generally, a person may request either a test of his/her blood or breath for determining alcohol content (CRS § 42-4-1301.1). However, if a person under the age of 21 is suspected of underage drinking and driving (UDD), the person may only submit to a breath test.

If a person is suspected of aggravated vehicular unlawful termination of a pregnancy, the type of test or tests shall be determined by the officer (CRS § 18-3.5-108).

For purposes of determining drug content within a person's system, officers may select the most appropriate and viable test of the of the person's blood, saliva and urine. The arrestee is required to take and complete the selected test or tests (CRS § 42-4-1301.1; CRS § 18-3.5-108).

##### 504.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (CRS § 42-4-1301.1). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

##### 504.5.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Impaired Driving*

---

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

#### **504.6 REFUSALS**

When an arrestee refuses to provide a chemical sample, officers should:

- (a) Advise the arrestee of the requirement to provide a sample (CRS § 42-4-1301.1).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

##### **504.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL**

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of revocation upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person and issue the person a seven day temporary permit unless the person already possesses one (CRS § 42-2-126).

##### **504.6.2 BLOOD SAMPLE WITHOUT CONSENT**

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate probable cause of impaired driving and exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.
- (c) Exigent circumstances exist and the officer has probable cause to believe the person committed any of the following offenses (CRS § 42-4-1301.1):
  - 1. Criminally negligent homicide
  - 2. Vehicular homicide
  - 3. Assault in the third degree
  - 4. Vehicular assault

##### **504.6.3 FORCED BLOOD SAMPLE**

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Impaired Driving*

---

- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to such a sample without physical resistance.
  - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
  - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
  - 2. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
  - 3. In felony cases, force that reasonably appears necessary to overcome the resistance to the blood draw may be permitted. Officers may physically restrain a person for the purpose of obtaining a sample only in cases of criminally negligent homicide, vehicular homicide, assault in the third degree, vehicular assault or aggravated vehicular unlawful termination of pregnancy (CRS § 42-4-1301.1; CRS § 18-3.5-108).
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

#### **504.7 ARREST AND INVESTIGATION**

##### **504.7.1 PRELIMINARY TESTING**

An officer may request that a person provide a breath sample for a preliminary screening test when the officer (CRS § 42-4-1301):

- (a) Has reason to believe the person was driving a motor vehicle while under the influence or impaired by alcohol and,
- (b) Has advised the person that he/she may refuse or agree to provide the preliminary breath sample.

If the person is under the age of 21, the officer may conduct a preliminary screening test, without the person's consent, if there is a reasonable belief the person has consumed alcohol (CRS § 42-4-1301).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Impaired Driving*

---

An officer may use the results of the preliminary test in determining whether probable cause exists to believe the person was DUI and whether to administer additional testing (CRS § 42-4-1301).

##### 504.7.2 COLLECTING SAMPLES

Arrestee samples shall be collected and processed in accordance with standards set by the Department of Public Health and Environment (5 CCR 1005-2:1 et seq.).

##### 504.7.3 TIME TO COLLECT SAMPLE

If an officer requests that a person submit to a blood or breath test to determine the alcohol content of the person's blood or breath, the person must cooperate with the request such that the sample can be obtained within two hours of the person's driving (CRS § 42-4-1301.1).

If an officer requests that a person submit to a blood, saliva or urine test to determine the drug content within the person's system, the person must cooperate with the request such that the sample can be obtained within two hours of the person's driving (CRS § 42-4-1301.1).

##### 504.7.4 NOTICE TO COMMERCIAL MOTOR VEHICLE DRIVER

Officers investigating a driver of a commercial motor vehicle license for DUI shall advise the person that a refusal to submit to a chemical test shall result in an out-of-service order for a period of 24 hours and a revocation of the privilege to operate a commercial motor vehicle for one year (CRS § 42-4-1301.1).

##### 504.7.5 OFFICER RESPONSIBILITIES

An officer believing that a person should be subject to license revocation as a result of DUI shall forward the following to the Division of Motor Vehicles (DMV) on the forms prescribed by the DMV (CRS § 42-2-126):

- (a) A copy of the completed notice of revocation form
- (b) A copy of any completed temporary permit
- (c) The person's driver's license
- (d) An affidavit, signed, dated and sworn to by the officer containing information relevant to the legal issues and facts to be considered by the DMV for revoking the person's license

##### 504.7.6 EXTRAORDINARY CIRCUMSTANCES

If an officer requests a person to submit to a chemical test and subsequently determines that there are extraordinary circumstances that prevent the completion of the test elected by the person within the two-hour time period, the officer shall inform the person of such circumstances and request and direct the person to take and complete the other test. The person shall then be required to take and complete, and to cooperate in the completing of, the other test. Extraordinary circumstances include but are not limited to weather related delays, high call volume affecting medical personnel, malfunctioning breath test equipment and other circumstances that preclude the timely collection of a sample (CRS § 42-4-1301.1).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Impaired Driving*

---

##### **504.7.7 UNCONSCIOUS OR DECEASED PERSONS**

If an officer believes a person to be DUI and the person cannot submit to a chemical test because the person is unconscious, hospitalized, or undergoing medical treatment, the officer may (CRS § 18-3.5-108; CRS § 42-4-1301.1):

- (a) Have access to and analyze any blood, urine, or saliva that was obtained and not utilized by the health care provider.
- (b) Have access to medical tests administered by the health care provider that show test results of the alcohol or drug content in the person's system. The provisions of CRS § 13-90-107 relating to physician privileged communications do not apply to such test results.

In addition, the blood or urine sample of any deceased driver or pedestrian at least 15 years of age shall be tested for alcohol, drug, and carbon monoxide concentration following the procedures established by the Department of Public Health and Environment (CRS § 42-4-1301.1; CRS § 42-4-1304).

##### **504.7.8 MEDICAL MARIJUANA REGISTRY IDENTIFICATION CARD**

A person who possesses a valid medical marijuana registry identification card (RIC) shall not be required to submit to a blood test solely based on the possession of the RIC (CRS § 42-4-1301).

##### **504.8 RECORDS DEPARTMENT RESPONSIBILITIES**

The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

##### **504.9 ADMINISTRATIVE HEARINGS**

The Records Manager will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the Division of Motor Vehicles (DMV).

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

##### **504.10 TRAINING**

The Commander should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Commander should confer with the prosecuting attorney's office and update training topics as needed.

## Traffic Citations

### **505.1 PURPOSE AND SCOPE**

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

### **505.2 RESPONSIBILITIES**

Employees of this department shall use the approved traffic citation for all traffic offense citations.

The Sergeant, or authorized designee, shall be responsible for the development and design of all Department traffic citations in compliance with state law (CRS § 42-4-1707).

The Records Department is responsible for the supply and accounting of all traffic citations issued to employees of this department. Citations will be kept in a secure location and issued to officers by the Records Department staff. Officers will sign for the citation books when issued.

### **505.3 DISMISSAL OF TRAFFIC CITATIONS**

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Sergeant may request that the Operations Commander recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request that the court dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Operations Commander for review.

### **505.4 VOIDING TRAFFIC CITATIONS**

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Patrol Division.

### **505.5 CORRECTION OF TRAFFIC CITATIONS**

When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the Patrol Division. The Patrol Division shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Traffic Citations*

---

##### **505.6 DISPOSITION OF TRAFFIC CITATIONS**

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Department.

Upon separation from employment with this department, all employees who were issued traffic citation books shall return any unused citations to the Records Department.

##### **505.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE**

Disposition of notice of parking violation appeals is conducted pursuant to local regulations (CRS § 43-2-135(1)(g) and CRS § 42-4-110(1)). A parking violation may be appealed by filing a request with the court and posting fees as required.

##### **505.8 JUVENILE CITATIONS**

Completion of traffic citation forms for juveniles vary from the procedure for adults (CRS § 42-4-1707(1)(b)). The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.



## Disabled Vehicles

### 506.1 PURPOSE AND SCOPE

The Mead Police Department has adopted this policy regarding providing assistance to motorists in disabled vehicles within this organization's jurisdiction.

### 506.2 OFFICER RESPONSIBILITIES

When an on-duty officer observes a disabled vehicle, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer or other department member to respond as soon as practicable.

### 506.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After assistance is rendered or arrangements for assistance are made, continued involvement by Department personnel will be contingent on the time of day, the location, the availability of Department resources and the vulnerability of the disabled motorist.

#### 506.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety or to remove vehicles that are obstructing traffic pursuant to CRS § 42-4-1803(2) is not considered a mechanical repair.

#### 506.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

### 506.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

## Abandoned Vehicle Violations

### 507.1 PURPOSE AND SCOPE

This policy provides procedures for the recording and storage of vehicles abandoned in violation of abandoned vehicle laws under the authority of CRS § 42-4-1801, et seq.

#### 507.1.1 DEFINITIONS

Definitions related to this policy include:

**Abandoned motor vehicle** - A motor vehicle is abandoned if:

- (a) It is on public property and (CRS § 42-4-1802(1)):
  - 1. Left unattended on a highway right-of-way outside the limits of a town or city for a period of 48 hours or longer.
  - 2. Left unattended on a highway right-of-way within the limits of a town or city longer than allowed by any local ordinance.
  - 3. Stored in an impound lot at the request of a law enforcement agency and not removed within 72 hours after notification to the owner that the vehicle is available for release.
  - 4. Fitted with an immobilization device and deemed to be abandoned.
  - 5. Left unattended at a regional transportation district parking facility and deemed to be abandoned.
- (b) It is on private property and (CRS § 42-4-2102(1)):
  - 1. Left unattended without consent for at least 24 hours or as established by a local ordinance.
  - 2. Not removed from an impound lot according to an agreement with the owner.
  - 3. Towed at the request of a property owner and not removed from the impound lot by the vehicle owner within 48 hours.
  - 4. Fitted with an immobilization device and deemed to be abandoned.

### 507.2 PROCEDURES

Vehicles on public roadways suspected of being abandoned in violation of Colorado laws shall be noted on the Mead Police Department vehicle card or documented via the computer-aided dispatch (CAD) system. No case number is required at this time.

If a vehicle has been moved during a 72-hour investigation period, the vehicle shall be recorded again for the 72-hour abandonment violation and a new CAD update completed.

The officer should share information about needed follow up in their daily pass-down.

### 507.3 VEHICLE STORAGE

Any vehicle in violation should be stored and a vehicle impound/storage form shall be completed in accordance with the Vehicle Towing and Release Policy.

## **Chapter 6 - Investigation Operations**

## Investigation and Prosecution

### 600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

### 600.2 POLICY

It is the policy of the Mead Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

### 600.3 INVESTIGATIVE PROCEDURES

The Investigations Commander or the authorized designee shall be responsible for developing, maintaining and reviewing detailed investigative procedures. Such procedures shall minimally include:

- (a) Case file management.
- (b) Preliminary and follow-up criminal investigation checklists.
- (c) Multijurisdictional investigative task force roles and responsibilities.
- (d) Polygraph or other truth-telling device examinations.
- (e) Cold case definition, evaluation criteria and documentation.
- (f) Undercover, surveillance/stakeouts, informant/decoy and raid operations, including use of surveillance and undercover equipment.
- (g) Photographic (conventional and digital) and other digital evidence collection.
- (h) Known source evidence collection for physical evidence comparison.
- (i) Forensic laboratory evidence submission.
- (j) Latent fingerprint preservation.
- (k) Any additional accreditation-mandated procedures, including a case screening system that identifies and considers solvability factors, advising the Chief of Police of investigative activities on major or sensitive cases and an on-call schedule to ensure 24-hour availability.

### 600.4 INITIAL INVESTIGATION

#### 600.4.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  - 1. An initial statement from any witnesses or complainants.
  - 2. A cursory examination for evidence.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Investigation and Prosecution*

---

- (b) If information indicates a crime has occurred, the officer shall:
  - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  - 2. Determine if additional investigative resources (e.g., investigators, scene processing) are necessary and request assistance as required.
  - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Sergeant.
  - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  - 5. Collect any evidence.
  - 6. Take any appropriate law enforcement action.
  - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

#### 600.4.2 CIVILIAN/NON-SWORN MEMBER RESPONSIBILITIES

A civilian/non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

#### **600.5 CUSTODIAL INTERROGATION REQUIREMENTS**

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies (CRS § 16-3-406). Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

#### 600.5.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed a Class 1 or Class 2 felony or felony sexual assault offense shall be recorded (audio and video) in its entirety when the interrogation takes place at any Mead Police Department facility (CRS § 16-3-601) unless:

- (a) The individual requests that the interrogation not be recorded.
  - 1. The request must be made in writing or at the beginning of the recording.
- (b) The recording equipment fails.
- (c) Recording equipment is unavailable due to damage or other extraordinary circumstances.
- (d) Exigent circumstances prevent the recording of the interrogation.
- (e) The individual is interrogated outside the state of Colorado.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Investigation and Prosecution*

---

Any custodial interrogation of an individual who is suspected of having committed any other violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

Consider utilizing mutual aid with the surrounding agencies in the use of their audio/video recording facilities

#### **600.6 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Investigation and Prosecution*

---

- (g) The victim is an adult and they have made an informed decision not to cooperate with the prosecution of the case.

The Domestic Violence, Child Abuse and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

#### **600.7 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

#### **600.8 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the internet should not be archived or stored in any manner other than department-established record-keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

##### **600.8.1 ACCESS RESTRICTIONS**

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Investigation and Prosecution*

---

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

#### **600.8.2 INTERCEPTING ELECTRONIC COMMUNICATION**

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

#### **600.9 MODIFICATION OF CHARGES FILED**

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.



# Sexual Assault Investigations

## 601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

### 601.1.1 DEFINITIONS

Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Title 18, Article 3, Part 4 (Unlawful Sexual Behavior) of the Colorado Revised Statutes.

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

## 601.2 POLICY

It is the policy of the Mead Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

## 601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with SART or other multidisciplinary investigative teams as applicable.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Sexual Assault Investigations*

---

##### **601.4 REPORTING**

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

##### **601.5 VICTIM INTERVIEWS**

The primary considerations in sexual assault investigations, which begin with the initial call to Weld County Regional Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART or the multidisciplinary response team should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in a report.

Victims should be notified if forensic medical evidence has been submitted to an accredited crime laboratory (CRS § 24-4.1-302.5).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

##### **601.5.1 TRUTH VERIFICATION EXAMINATIONS**

Members of the Mead Police Department shall not ask or require a victim of a sex crime to submit to a truth verification examination as a condition for proceeding with a criminal investigation (34 USC § 10451; CRS § 18-3-407.5).

A truth verification examination shall only be conducted upon a victim with the victim's written informed consent that includes notice that he/she has the right to refuse to submit to the examination. In addition, the victim shall be informed orally with information about the potential use of the result of the examination (CRS § 18-3-407.5).

##### **601.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE**

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault. Forensic medical evidence shall be collected if the victim requests the collection (CRS § 24-33.5-113; 8 CCR 1507-29).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Sexual Assault Investigations*

---

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

No Mead Police Department member shall ask or require a sex crime victim to participate or cooperate in an investigation as a condition of receiving a forensic medical examination (CRS § 18-3-407.5).

#### 601.6.1 COLLECTION AND TESTING REQUIREMENTS

Members investigating sexual assaults or handling related evidence are required to do the following (CRS § 24-33.5-113; 8 CCR 1507-29):

- (a) Obtain the victim's written consent prior to collection of any forensic medical evidence, using the form required by the Department of Public Safety (DPS).
- (b) Submit evidence to the Colorado Bureau of Investigation or an accredited crime laboratory within 21 days, unless the victim withdraws consent.
- (c) Retrieve medical forensic evidence when contacted by a medical facility for appropriate retention (CRS § 18-3-407.5).

Forensic evidence associated with an anonymous report made pursuant to CRS § 12-240-139 shall not be submitted to a laboratory for testing (CRS § 18-3-407.5).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

#### 601.6.2 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable (CRS § 24-4.1-302.5).

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Sexual Assault Investigations*

---

##### **601.7 DISPOSITION OF CASES**

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Bureau supervisor.

Classification of a sexual assault as unfounded requires the Detective Bureau supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted the victim's original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

The assigned investigator should inform the victim of any change in status of the case, including cases that are closed or reopened (CRS § 24-4.1-302.5).

##### **601.8 CASE REVIEW**

The Detective Bureau supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART or multidisciplinary response team and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

##### **601.9 RELEASING INFORMATION TO THE PUBLIC**

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

##### **601.10 TRAINING**

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
  1. Initial response to sexual assaults.
  2. Legal issues.
  3. Victim advocacy.
  4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Sexual Assault Investigations*

---

1. Interviewing sexual assault victims.
2. SART or multidisciplinary response team.
3. Medical and legal aspects of sexual assault investigations.
4. Serial crimes investigations.
5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (VICAP).
6. Techniques for communicating with victims to minimize trauma.

## Asset Forfeiture

### 602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

#### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Fiscal agent** - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Mead Police Department seizes property for forfeiture or when the Mead Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

**Forfeiture** - The process by which legal ownership of an asset is transferred to a government or other authority.

**Forfeiture reviewer** - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

**Property subject to forfeiture** - Property may generally be subject to forfeiture under the Public Nuisance Abatement Act and the Contraband Forfeiture Act when (CRS § 16-13-303; CRS § 16-13-307; CRS § 16-13-504):

- (a) There has been a conviction or a negotiated plea of a specified offense (see statutes), or the owner fled from an arrest warrant charging one of those offenses.
- (b) Possession of the property was unlawful or the owner of the property was a party to the offense that led to the property's use or purchase.
- (c) The property was instrumental in the commission or facilitation of a specified crime, or the property constitutes traceable proceeds of the crime or related criminal activity.

**Seizure** - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

### 602.2 POLICY

The Mead Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Mead Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Asset Forfeiture*

---

### **602.3 ASSET SEIZURE**

Property may be seized for forfeiture as provided in this policy.

#### **602.3.1 PROPERTY SUBJECT TO SEIZURE**

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer.

- (a) Real property pursuant to a court order (CRS § 16-13-302).
- (b) Non-real property when there is probable cause to believe that it will qualify as property subject to forfeiture and the seizure is incident to a lawful search (CRS § 16-13-315; CRS § 16-13-504).

Whenever practicable, a court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

#### **602.3.2 PROPERTY NOT SUBJECT TO SEIZURE**

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the district attorney's current minimum forfeiture thresholds should not be seized.
- (b) The owner of the property is an "innocent owner" and did not have knowledge of the illegal conduct prompting the seizure (CRS § 16-13-303; CRS § 16-13-504).
- (c) Rental vehicles, unless the seizing agency has probable cause to believe the motor vehicle rental company, at the time of rental, had knowledge or notice of the criminal activity for which the rental car was used (CRS § 16-13-315; CRS § 16-13-504).

### **602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS**

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Asset Forfeiture*

---

booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

#### **602.5 MAINTAINING SEIZED PROPERTY**

The Evidence Room supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

#### **602.6 FORFEITURE REVIEWER**

The Chief of Police will appoint an officer as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly CRS § 16-13-501 et seq. and CRS § 16-13-301 et seq., in addition to the forfeiture policies of the district attorney.
- (b) Serving as the liaison between the Department and the district attorney and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Asset Forfeiture*

---

- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
  - 1. Names and contact information for all relevant persons and law enforcement officers involved.
  - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
  - 3. A space for the signature of the person from whom cash or property is being seized.
  - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Special Orders. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
  - 1. Written documentation of the seizure and the items seized is in the case file.
  - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
  - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
  - 4. Property is promptly released to those entitled to its return (CRS § 16-13-501.5; CRS § 16-13-302).
  - 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
  - 6. Any cash received is deposited with the fiscal agent.
  - 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
  - 8. Current minimum forfeiture thresholds are communicated appropriately to officers.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Asset Forfeiture*

---

9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
  - (i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
  - (j) Selling or destroying forfeited property as ordered by a court (CRS § 16-13-506; CRS § 16-13-507; CRS § 16-13-311).
  - (k) Depositing forfeited money in the court registry where the forfeiture order was entered, and overseeing the sale to ensure that the proceeds are distributed as set forth in CRS § 16-13-311.
  - (l) Applying to the court for expenses reimbursement consistent with CRS § 16-13-311, when applicable, and sending copies of the documents to the district attorney.
  - (m) Unless directed by an authorized agent of the federal government, ensuring that no seized property is transferred to a federal agency for forfeiture under federal law unless an owner of the property is being prosecuted in federal court (CRS § 16-13-505; CRS § 16-13-307).
  - (n) Placing currency seized in an interest-bearing account during forfeiture proceedings after ensuring that portions of the bills have been photocopied for evidence at hearings (CRS § 16-13-510; CRS § 16-13-303).
  - (o) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property (CRS § 16-13-501.5; CRS § 16-13-302).
  - (p) Upon completion of any forfeiture process, ensuring that no property is retained by the Mead Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.
  - (q) Reporting seizure information within the required time periods (even if no forfeiture proceeds were received) to the Colorado Department of Local Affairs (DOLA) as set forth in CRS § 16-13-701.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and Town financial directives.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Asset Forfeiture*

---

##### **602.7 DISPOSITION OF FORFEITED PROPERTY**

No forfeited property shall be used and no forfeited proceeds shall be expended until the committee on the disposition of forfeited property approves (CRS § 16-13-702). Members are prohibited from purchasing forfeited property (CRS § 16-13-501.5; CRS § 16-13-302).

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

##### **602.8 FORFEITURE PAYMENTS FROM FEDERAL AGENCIES**

Payments or distributions from a federal agency as a result of a forfeiture action may only be received by this department when the aggregate net equity value of the property and/or currency seized is in excess of \$50,000, and a forfeiture proceeding has been commenced by the federal government related to a filed criminal case (CRS § 16-13-306.5; CRS § 16-13-504.5).

##### **602.9 GRANTS FROM THE DIVISION OF CRIMINAL JUSTICE**

The forfeiture reviewer is responsible for ensuring funds received through a grant from the Colorado Division of Criminal Justice (DCJ) are used in a manner that complies with the policies and procedures established by DCJ, and that any necessary reporting is completed and submitted to DCJ in the required time frame (CRS § 24-33.5-522).

## Eyewitness Identification

### 604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (CRS § 16-1-109; CRS § 16-1-110).

#### 604.1.1 DEFINITIONS

Definitions related to the policy include:

**Administrator** - the person who is conducting an identification procedure.

**Blind administrator** - the administrator of an identification procedure who does not know the identity of the suspect when it is viewed by the eyewitness.

**Blinded administrator** - the administrator of an identification procedure who may know who the suspect is, but does not know in which position the suspect is placed in a photo array.

**Confidence Statement:** a statement by an eyewitness immediately following an identification regarding his or her confidence in the identification's accuracy.

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Filler** - a person or photograph of a person who is not suspected of the offense in questions and is included in an identification procedure.

**Live lineup** - alive identification procedure in which a group of people, including the suspected perpetrator of an offense and additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator.

**Photo Array (Photo Lineup)** - an identification procedure in which a group of photographs, including a photo of the suspected perpetrator of an offense and photos of additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator. The photographs may be displayed in either hard copy form or via electronic means.

**Showup** - an identification procedure used when a suspect has been detained soon after the commission of an offense because he/she resembles the description of the perpetrator provided by an eyewitness. The eyewitness is then allowed to view the suspect so that a positive or negative identification can be made.

### 604.2 POLICY

The Mead Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

#### **604.3 INTERPRETIVE SERVICES**

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy (CRS § 16-1-110).

#### **604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM**

The Detective Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

- (a) The date, time, and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.
- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification (CRS § 16-1-109).
- (g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as they did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness (CRS § 16-1-109).
- (i) A signature line where the witness acknowledges understanding the identification procedures and instructions.
- (j) A statement from the witness in the witness's own words describing how certain they are of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary (CRS § 16-1-109).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

##### **604.5 EYEWITNESS IDENTIFICATION**

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case (CRS § 16-1-110). Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified, or failed to identify, the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

##### **604.6 PHOTO ARRAY (PHOTO LINEUP)**

A Photo Array is an identification procedure in which a group of photographs, including a photo of the suspected perpetrator of an offense and photos of additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator. The photographs may be displayed in either hard copy form or via electronic means (CRS § 16-1-109, CRS § 16-1-110).

- (a) **Creating the Photo Array** - Instructions to the officer/investigator creating the photo array:
  1. Fillers should be similar in appearance to the suspect and to the eyewitness' original description of the suspect. Similarities should include gender, age, race, height, hair color, facial hair, clothing and distinctive physical features.
  2. At least five fillers should be included in each photo array, in addition to the suspect. Administrators should not include fillers who are known to the eyewitness.
  3. Only one suspect should be included in a photo array. If there is more than one suspect in an investigation, a separate photo array should be made for each suspect. Different fillers should be used in the separate arrays.
  4. Photos used in an array should be of consistent size, quality, color and background. Photos should not contain stray markings or information about the subject. Any markings or identifying information should be covered. If one photo in the array is covered in any manner, all the photos should be similarly covered.
- (b) **Communicating with the Eyewitness** - Instructions for the officer/investigator communicating with the eyewitness:
  1. When contacting an eyewitness to arrange for viewing a photo array, the officer/investigator should advise only that he/she intends to conduct a photo identification procedure.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

2. Avoid addressing whether a person is in custody or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, other identifications).
  3. When an eyewitness arrives to view the array, he/she should be prevented from speaking to any other eyewitnesses about the identification procedure.
  4. The administrator should provide the following or substantially similar instructions to an eyewitness before displaying a photo array;
    - (a) The eyewitness is being asked to view a photo array as part of an ongoing investigation into a crime that occurred on \_\_\_\_ (date) at \_\_\_\_ (location), to see if the eyewitness recognizes anyone involved with the crime.
    - (b) The eyewitness should not assume the administrator knows who the suspect is, or seek assistance from the administrator or anyone else present in making an identification.
    - (c) The suspect may or may not be pictured in the array.
    - (d) Individuals pictured in the photo array may not look exactly as they did on the date of the incident. Some features – like hairstyle or facial hair – are subject to change.
    - (e) Photos do not necessarily depict the true complexion of a person; it may be darker or lighter than appears in the photo.
    - (f) The eyewitness should pay no attention to any markings on the photos or any differences in the style/type of the photos.
    - (g) If the eyewitness makes an identification, the eyewitness will be asked about his/her level of certainty. The administrator will ask the eyewitness to choose whether he/she is confident, somewhat confident or not confident about his/her identification.
    - (h) The administrator will document the eyewitness' level of confidence as elicited at the time he or she first identifies an alleged perpetrator or other person and memorialized verbatim in writing or on recorded video.
    - (i) The administrator will tell the eyewitness that the investigation will continue, regardless of whether the eyewitness makes an identification.
- (c) **Administering the Photo Array** - The following or substantially similar steps should be taken in administering the photo array:
1. When practicable, a blind administrator is recommended for all photo arrays (an administrator who does not know the identity of the suspect).
  2. When use of a blind administrator is impractical, blinded administration of the photo array should be used (the administrator knows the identity of the suspect, but not what position the suspect occupies in the array).
  3. Examples of methods for blinded administration may include, but are not limited to, the following:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

- (a) The photo array is created by an officer other than the administrator and then placed in a folder. The administrator gives the folder to the eyewitness, who looks at the array within the folder, so that the administrator cannot see the photos during the identification.
  - (b) The administrator makes multiple arrays, placing the suspect's photo in different positions in each. The same fillers may be used in the multiple arrays. The arrays are then placed in separate, closed folders and the witness selects which one to view. The eyewitness looks at the array within the folder, so that the administrator cannot see the photos while the eyewitness is viewing them.
4. During all photo array procedures, the administrator should stand out of the eyewitness' line of sight during the viewing of the array, but in a position where he/she can observe and hear the eyewitness.
5. If multiple eyewitnesses are viewing a photo array, they should be prevented from speaking to one another about the identification procedure. Each eyewitness must view the array separately and be admonished not to discuss the identification procedure with any other eyewitness.
6. The administrator should always remain neutral during the identification procedure, so as not to suggest a particular photo to the eyewitness.
7. If both practicable and available, administrators are encouraged to video record the photo array procedure and confidence statement. Audio recording is an acceptable alternative if video recording is not practicable.
8. After viewing the array, the administrator should ask the eyewitness the following questions. If the eyewitness' answers are unclear, the administrator should ask the eyewitness what he/she meant by the answers.
  - (a) Do you recognize anyone?
  - (b) If so, what number do you recognize?
  - (c) From where do you recognize this person?
9. If the eyewitness makes an identification, in addition to recording or memorializing any spontaneous statements made by the eyewitness, the eyewitness should be asked about his/her level of certainty. The administrator should ask the eyewitness to choose which of the following statements best describes his/her level of certainty in the identification:
  - (a) I am confident that is the person I saw.
  - (b) I am somewhat confident that is the person I saw.
  - (c) I am not confident at all that is the person I saw.
10. The administrator should not comment, nod or make gestures (either positive or negative) on whether the eyewitness picked the suspect. If asked by the eyewitness, the administrator should explain he/she is not allowed to provide feedback.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

11. Once the procedure is concluded and fully documented (see below), the administrator can talk to the eyewitness about the next steps in the case. The eyewitness should be instructed not to discuss the identification procedure with other eyewitnesses. Also, the administrator should not discuss any other identification procedures viewed by other eyewitnesses.
- (d) **Documenting the Photo Array** - Administrators should document the following or substantially similar information using appropriate forms or notes:
1. Where the procedure took place, who was present, the date and time it was administered.
  2. Any statements, comments or physical reactions of the eyewitness while viewing the array.
  3. Each eyewitness should complete a standard form that records their identifying information and the results of the procedure after viewing the array. The eyewitness should sign and date the array itself, or a copy supplied to document the identification procedure.
  4. The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.
  5. Preserve the photo array in the original form that was shown to each eyewitness. A copy of the photo array should be included with the case report.

#### **604.7 LIVE LINEUPS**

A live lineup is **alive identification procedure in which a group of people, including the suspected perpetrator of an offense and additional fillers, is shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator.**

Consultation with the appropriate prosecuting attorney's office is recommended whenever a live lineup is being considered (CRS § 16-1-109, CRS § 16-1-110).

- (a) **Creating the Live Lineup** - Instructions to the officer/investigator creating the live lineup:
1. Fillers should be similar in appearance to the suspect and to the eyewitness' original description of the suspect. Similarities should include gender, age, race, height, hair color, facial hair, clothing and distinctive physical features.
  2. At least five fillers should be included in each live lineup, in addition to the suspect. In no case, should less than four fillers be used. Only one suspect should appear per live lineup. Administrators should not include fillers who are known to the eyewitness.
  3. If necessary, all members of the live lineup should be seated to minimize any height differences.
  4. If there is more than one suspect, different fillers should be used in each live lineup.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

5. The suspect should be allowed to select his/her own position in the live lineup. Where the suspect was previously identified in a photo array, that number should be avoided unless insisted upon by the suspect.
  6. All members of the live lineup should be instructed not to speak or gesture to one another during the procedure. All members of the live lineup should be instructed to remain still and look forward unless otherwise directed by an officer/investigator.
- (b) Communicating with the Eyewitness - Instructions for the officer/investigator communicating with the eyewitness.
1. When contacting an eyewitness to arrange for viewing a live lineup, the officer/investigator should advise only that he/she intends to conduct an identification procedure.
  2. Avoid addressing whether a person is in custody or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, other identifications).
  3. When an eyewitness arrives to view the live lineup, he/she should be prevented from speaking to any other eyewitnesses about the identification procedure.
  4. The administrator should provide the standardized instructions on the form to an eyewitness before viewing a live lineup.
- (c) Administering the Live Lineup
1. A blind administrator is recommended for all live lineups (an administrator who does not know the identity of the suspect).
  2. After the administrator instructs the eyewitness, he/she should stand outside the eyewitness' line of sight, while still being in position to observe and hear the eyewitness.
  3. If there are multiple eyewitnesses, they must each view the lineup separately. The position of the suspect should be moved each time the lineup is shown to a different eyewitness. Eyewitnesses should be prevented from speaking to each other about the identification procedure.
  4. The officer/investigator monitoring the suspect and fillers in the lineup room should remain out of view of the eyewitness to avoid any claims of inadvertent suggestion.
  5. If both practicable and available, administrators are encouraged to video record the live lineup procedure and confidence statement. Audio recording is an acceptable alternative if video recording is not practicable. If the procedure is not video recorded, the lineup should be preserved by photograph.
  6. After an eyewitness views the lineup, the administrator should ask him/her the following questions. If the eyewitness' answers are unclear, the administrator should ask the eyewitness what he/she meant by the answers.
    - (a) Do you recognize anyone?

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

- (b) If so, what number do you recognize?
  - (c) From where do you recognize this person?
7. If the eyewitness makes an identification, in addition to recording or memorializing any spontaneous statements made by the eyewitness, the eyewitness should be asked about his/her level of certainty. The administrator should ask the eyewitness to choose which of the following statements best describes his/her level of certainty in the identification:
- (a) I am confident that is the person I saw.
  - (b) I am somewhat confident that is the person I saw.
  - (c) I am not confident at all that is the person I saw.
8. The administrator should not comment, nod or make gestures (either positive or negative) on whether the eyewitness picked the suspect. If asked by the eyewitness, the administrator should explain he/she is not allowed to provide feedback.
9. There are circumstances where a suspect may have an attorney present during a live lineup. Consult with the appropriate prosecuting attorney's office for guidance regarding a suspect's right to counsel. When in attendance, a defense attorney should be instructed not to speak in the viewing room when the eyewitness is present.
- (d) Documenting the Live Lineup - Administrators should document the following or substantially similar information using appropriate forms or notes.
- 1. Where the procedure took place, who was present in the viewing room and the lineup room, the date and time it was administered. Document the names of any officers/investigators who escorted the eyewitness to and from the viewing room.
  - 2. Any statements, comments or physical reactions of the eyewitness while viewing the lineup.
  - 3. Any requests made by defense counsel and whether they were granted.
  - 4. Each eyewitness should complete a standard form that records their identifying information and the results of the procedure after viewing the lineup.
  - 5. The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.
  - 6. If a video recording is not made, preserve a photograph of the lineup.

#### **604.8 FIELD / SHOWUP IDENTIFICATION**

A showup (field identification) is an identification procedure used when a suspect has been detained soon after the commission of an offense because he/she resembles the description of the perpetrator provided by an eyewitness. The eyewitness is then allowed to view the suspect so that a positive or negative identification to be made.

- (a) **Showup Criteria** - A peace officer may utilize a showup only pursuant to the following conditions:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

- Following the report of a crime, a peace officer, acting on reasonable suspicion, has detained a subject in the crime within minutes of the commission of the crime and near the location of the crime;
  - Given the circumstances, neither a live lineup nor a photo array are available as a means of identification; and
  - The eyewitness reasonably believes he or she can identify the subject; or
  - To verify the identity of an intimate relationship in a domestic violence case; or
  - To confirm the identity of a familial subject, including a parent, child, or sibling known to the eyewitness.
- (a) **Showup Administration and Documentation** - The following or substantially similar procedures should be followed by officers/investigators using a showup procedure:
1. The eyewitness should be transported to view the suspect, rather than have the suspect transported to the eyewitness' location. Detentions for the purpose of a showup procedure are typically seizures based upon reasonable suspicion. Without probable cause to arrest a suspect, transporting him/her to the eyewitness' location might be considered an unlawful arrest. Suspects do not have the right to refuse to participate in a showup.
  2. The officer transporting an eyewitness to view a showup should not discuss the suspect or whether other supporting evidence about the suspect has been obtained (such as statements, physical evidence, other identifications or any other information concerning the person subject to the showup).
  3. A peace officer shall not require the person subject to the showup to put on described clothing worn by the suspect, speak specific words uttered by the suspect, or perform any specific actions mimicking those of the suspect that occurred during the commission of the reported crime.
  4. The administrator of the showup should instruct the eyewitness that:
    - (a) You should not assume the person you are about to see has committed a crime.
    - (b) We could be showing you a person for many reasons, including to clear the person from investigation.
    - (c) Eliminating a person from an investigation serves an equally important purpose as identifying a person who might have been involved in the criminal activity.
    - (d) The investigation of this matter will continue whether or not you identify a person.
    - (e) Apart from individual assistance and cooperation with law enforcement, we cannot discuss the investigation with you.
    - (f) Please do not discuss what you saw, said, or did during this procedure with any other eyewitness.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

5. A P.O.S.T. certified peace officer shall ask the eyewitness if they understand the instructions, if they agree to comply with the instructions, and if they have any questions before the identification procedures begin. The eyewitness must respond affirmatively in order for the showup to proceed.
6. The eyewitness should be transported to a position at a distance that allows him/her a clear view of the suspect. If prudent under the circumstances of the case, the eyewitness should not be visible to the suspect. The showup location must be as well-lit as practicable with an unobstructed view of the person subject to the showup.
7. When conducting a showup with an eyewitness who has limited English proficiency or who is hearing impaired or deaf, a peace officer, if feasible, shall obtain an interpreter before proceeding with the showup.
8. When there are multiple eyewitnesses for a showup procedure, they should each be transported to view the suspect in separate vehicles. Eyewitnesses should be prevented from speaking to each other about the identification procedure. When the procedure is over, eyewitnesses should be admonished not to discuss the identification procedure with any other eyewitness.
9. When there are multiple suspects detained, the suspects should be distanced from each other sufficiently so that the eyewitness views each suspect one at a time.
10. The suspect should not be handcuffed or in a patrol vehicle at the time of the showup, except in circumstances to prevent an imminent threat of physical harm to a peace officer or another person or the escape of the subject.
11. The showup must be recorded by body-worn camera or video that shows clearly and without obstruction each subject at the place or the showup. Effective January 1, 2023, the entire showup must be recorded by body-worn camera, including the admonition and confidence statement.
12. The administrator should not comment, nod or make gestures (either positive or negative) about the eyewitness' identification of the suspect.
13. The administrator of a showup identification should document the procedure using appropriate forms and/or notes to record the following or substantially similar information:
  - (a) The name and identifying information of the eyewitness.
  - (b) Where the procedure took place, who was present, the date and time it was administered.
  - (c) The circumstances leading to the showup procedure.
  - (d) Physical circumstances of the showup - including lighting, weather, approximate distance between the eyewitness and suspect, whether the suspect was handcuffed, physical description of the suspect and the length of time between the suspect's detention and the identification.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Eyewitness Identification*

---

- (e) Any statements, comments or physical reactions of the eyewitness(es) during the identification procedure.
- (f) The eyewitness' confidence statement, including any spontaneous statements, should be documented word for word.
- (g) Each eyewitness should complete a standard form about the results of the procedure after viewing the suspect.

#### **604.8.1 STATE FIELD IDENTIFICATION REQUIREMENTS**

An officer conducting a field identification shall (CRS § 16-1-110):

- (a) Transport each witness separately to the location of the field identification.
- (b) Conduct the show-up in a well-lit location with an unobstructed view of the subject of the show-up.
- (c) Separate eyewitnesses from one another at the location of the show-up.
- (d) Provide verbal notification as required by CRS § 16-1-110(3)(d) to each witness prior to showing them the subject.
- (e) Ask the witness about their level of confidence when an identification is made and document the response in the witness's own words.
- (f) Use a body-worn camera to create a video of the entire show-up procedure.

Field identifications shall only be used (CRS § 16-1-110):

- (a) When a crime has been reported and:
  - 1. An officer, acting on reasonable suspicion, has detained the suspect of the crime within minutes of the commission of the crime and near the location of the crime.
  - 2. A live or photo lineup is not available as a means of identification given the circumstances.
  - 3. A witness reasonably believes a subject can be identified.
- (b) To verify the identity of a person involved in an intimate relationship as defined in CRS § 18-6-800.3.
- (c) To confirm the identity of a family member known to the witness.

If an eyewitness makes an identification at a show-up and the subject is arrested, additional attempts at identifying the subject shall be through a photographic or live lineup (CRS § 16-1-110).

#### **604.9 PUBLIC ACCESS TO POLICY**

This policy shall be made available to the public, without cost, upon request (CRS § 16-1-109).

---

# Facial Recognition Use and Accountability Report

## 605.1 PURPOSE

The **Mead Police Department** considers the results, if any, of a face recognition search to be advisory in nature as an investigative lead only. Face recognition search results are not considered positive identification of a subject and do not, on their own, establish probable cause, without further investigation. Any possible connection or involvement of the subject(s) to the investigation must be determined through further investigative methods.

Facial recognition technology involves the ability to examine and compare distinguishing characteristics of a human face through the use of biometric algorithms contained within a software application. This technology can be a valuable investigative tool to detect and prevent criminal activity, reduce an imminent threat to health or safety, and help in the identification of persons unable to identify themselves or deceased persons. The Mead Police Department has established access and use of a face recognition to support the investigative efforts of law enforcement and public safety agencies both within and outside Mead Police Department.

It is the purpose of this policy to provide Mead Police Department personnel with guidelines and principles for the collection, access, use, dissemination, retention, and purging of images and related information applicable to the implementation of a face recognition (FR) program. This policy will insure that all FR uses are consistent with authorized purposes while not violating the privacy, civil rights, and civil liberties (P/CRCL) of individuals. Further, this policy will delineate the manner in which requests for face recognition are received, processed, cataloged, and responded to.

The Mead Police Department ("MPD") adopts this Policy as its Accountability Report required pursuant to the requirements of CO SB113. MPD intends to activate the facial recognition functionality within Lumen software platform and to use such services in support of its law enforcement investigations.

MPD proposes to use facial recognition services facilitated by Rank One Computing Corporations versions 2.21, within LexisNexis' Lumen software platform ("Lumen"). Lumen is an investigative application that utilizes criminal justice information shared between 87+ law enforcement agencies of the Colorado Information Sharing Consortium ("CISC"). The software uses state-of-the-art facial recognition technology to match the face in a user-uploaded image to mugshot images from CISC member agency records. The software is designed to be used in ways that ultimately reduce violent crime, fraud, and to make communities safer.

All use of facial recognition technology shall be only for law enforcement purposes and will be considered law enforcement sensitive information. Per C.R.S. § 24-18-307, MPD will use this technology only for investigative leads and must use any results obtained in conjunction with other leads and evidence.

This policy also applies to:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

- Images contained in a known identity face image repository and its related identifying information.
- The face image searching process.
- Any results from face recognition searches that may be accessed, searched, used, evaluated, retained, and disseminated.
- Lawfully obtained probe images of unknown suspects that have been added to unsolved image files, pursuant to authorized criminal investigations.
- Any use of a facial recognition service shall result in the creation of a record documenting the use of the service sufficient to facilitate public reporting and auditing of compliance with the agency's use and data management policies developed as part of the agency's accountability report pursuant to section 24-18-302 (2)(d)

This policy assists **Mead Police Department** and its personnel in:

- Increasing public safety and improving state, local, tribal, territorial, and national security.
- Minimizing the threat and risk of injury to specific individuals.
- Minimizing the threat and risk of physical injury or financial liability to law enforcement and others responsible for public protection, safety, or health.
- Minimizing the potential risks to individual privacy, civil rights, civil liberties, and other legally protected interests.
- Reducing the opportunities for bias and prejudice to impact the criminal justice process.
- Protecting the integrity of criminal investigatory, criminal intelligence, and justice system processes and information.
- Minimizing the threat and risk of damage to real or personal property.
- Fostering trust in the government by strengthening transparency, oversight, and accountability.
- Making the most effective use of public resources allocated to public safety entities.

#### **605.2 DEFINITIONS**

Facial Recognition - the algorithmic process of rating the number of similarities between facial photos.

CISC - Colorado Information Sharing Consortium.

Lumen - Vendor of facial recognition software that is supplied through CISC.

Mobile Image - an image captured by an officer in the field for the purpose of being used for a facial recognition identification.

In addition the definitions provided in C.R.S. 24-18-301 are included.

#### **605.3 FACIAL RECOGNITION SOFTWARE INFORMATION**



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

##### 605.3.1 TECHNICAL DESCRIPTION AND INTENDED USE

Lumen may be used in an investigation to help identify potential suspects by comparing a single probe image of an unknown suspect to a collection of candidate facial images provided by the Colorado Information Sharing Consortium (CISC). Lumen provides multiple results, each with a given match score generated by the ROC SDK's facial recognition algorithms. The match score is designed to indicate the likelihood of the probe image matching a given result.

The core facial recognition algorithms depend primarily on the image quality of the probe image and candidate images and on the robustness of the algorithm development process. The primary factors of image quality are capture conditions, including camera sensor quality, field of focus, glare, blur, low light, high contrast, variable lighting, height of the camera, pose of the subject and occlusions between the camera and the subject face. Algorithms are developed by processing training data through machine learning architectures and iteratively testing accuracy on data that represents real-world conditions. Accuracy of a match score may be impacted by poor image quality of the probe image and/or candidate image or to the extent that operational data is fundamentally dissimilar to training data and/or testing data selected in the research and development process.

##### 605.3.2 CAPABILITIES AND FUNCTION

The Lumen facial recognition tool helps solve crimes after-the-fact by matching photos obtained by a government customer, of suspects, persons of interest to a law enforcement investigation, and victims or possible victims of crimes against images of known persons contained within the CISC member-agencies records. Specifically, the Lumen facial recognition tool uses a machine-learning facial recognition algorithm to initiate a search between the face in probe image against the images contained within the criminal justice records available only to members of the CISC. At that point, law enforcement personnel make independent assessments to determine if there is a match between the probe image and images scored high within Lumen. Each decision about a possible match is made by a member of the MPD.

The core facial recognition algorithms depend primarily on the image quality of the probe image and candidate images and on the robustness of the algorithm development process. The primary factors of image quality are capture conditions, including camera sensor quality, field of focus, glare, blur, low light, high contrast, variable lighting, height of the camera, pose of the subject and occlusions between the camera and the subject face. Algorithms are developed by processing training data through machine learning architectures and iteratively testing accuracy on data that represents real-world conditions. Accuracy of a match score may be impacted by poor image quality of the probe image and/or candidate image or to the extent that operational data is fundamentally dissimilar to training data and/or testing data selected in the research and development process.

##### 605.3.3 DECISION MAKING

The Lumen facial recognition tool is only intended to support investigations and does not make any decisions as to whether the probe image is a match to a database image. Each decision about

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

identification is made by a member of the MPD and not by an automatic process. Law enforcement personnel must review the results for every search to enable human review and independent verification. Probable Cause determinations may not be based solely on these identifications. In addition, all results will be peer reviewed by other sworn members prior to utilizing any information obtained.

#### 605.3.4 INTENDED USE AND BENEFITS

The Lumen facial recognition tool is intended to enhance the investigative abilities of the MPD. This type of facial recognition technology automates the process necessary to locate potential matches between a probe image and thousands of criminal justice record images that would otherwise require a manual search by human. The facial recognition algorithm will rank potential matches in a manner that allows for a simplified process of human review.

When provided a probe image to search against a collection of candidate images, Lumen returns multiple results, sorted by the highest match score generated by the ROC SDK's facial recognition algorithms. Once Lumen provides a list of results, a human investigator must review the results before making any determination of a possible match. A possible match determination may be used as an investigative lead that is treated in a similar manner as an anonymous tip. In particular, the investigative lead does not supply adequate probable cause to make an arrest without additional evidence. The intended benefit of using the Lumen facial recognition service is to generate investigative leads for further investigation with the hope of solving unsolved crimes. In comparable use by the New York City Police Department (NYPD) since 2011, the NYPD has successfully used facial recognition to identify suspects whose images have been captured by cameras at robberies, burglaries, assaults, shootings, and other crimes. In 2019 alone, the Facial Identification Section received 9,850 requests for comparison and identified 2,510 possible matches, including possible matches in 68 murders, 66 rapes, 277 felony assaults, 386 robberies, and 525 grand larcenies with no known instance which a person was falsely arrested on the basis of a facial recognition match.

#### 605.3.5 DATA INPUTS AND GENERATION

The Lumen facial recognition tool uses the following types of data inputs:

- User submitted probe images and associated information identifying the purpose of the search (such as case number and type of crime).
- The candidate facial image data is collected by the CISC from its member agencies, the national NCIS Law Enforcement Information Exchange (LInX) and the FBI's N-DEx national information sharing system.

The Lumen facial recognition tool generates a template of each facial image, which is a mathematical model of the unique subject which may be compared to templates generated from other images to produce a match score. For each facial image, the tool also generates metadata including pitch, yaw, image quality estimations and facial analytics like age, gender, geographic origin, emotion, facial hair, glasses and mask estimations.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

#### **605.4 DATA MANAGEMENT, TRAINING, AND USE POLICY**

The MPD will follow statutory requirements described in Colorado Revised Statutes 24-18-301 through 309, in conjunction with an approved department directive. As such, the department will follow the below guidelines regarding data management, training and the authorized use of the facial recognition service.

##### **605.4.1 DATA MINIMIZATION**

The features and function of the Lumen facial recognition tool effectively reduces the risk of inadvertent access to data by MPD personnel. As noted above, the Lumen facial recognition tool searches only criminal justice records available to CJIS-certified law enforcement personnel of CISC member agencies. The criminal justice records available in the facial recognition tool are subject to the retention policies of the owner agencies.

##### **605.4.2 DATA INTEGRITY AND RETENTION**

The Patrol Commander will be designated as the Facial Recognition Administrator overseeing all Lumen facial recognition tool permissions for the MPD. This person will have the capability to audit and review any, and all usage of this facial recognition software by any authorized member of the department. The audit will include all user's activity, such as user log ins and log outs, each user's activity in detail, what commands were issued to the system, and what records or files were accessed.

All information obtained from the Lumen facial recognition tool by any member of the police department will be collected in a formal report and retained in accordance with guidelines set forth in the record management system.

Without the express permission of MPD, or as required by law, such as a judicial order, LexisNexis employees will not review MPD search history within the Lumen facial recognition tool, ensuring that sensitive investigative data will remain confidential.

All information available within the Lumen investigative platform, including the facial recognition tool, is purged according to the retention schedule and policies set by the owner agency. For example, any information made available to other CISC member agencies by MPD is purged from the Lumen investigative platform when its retention expires inside MPD's record management system.

##### **605.4.3 USAGE RULES AND REQUIREMENTS**

Access to facial recognition search results will be provided only to individuals within the MPD who are authorized to have access and have completed applicable training. Authorized access to the MPD facial recognition software will be granted only to personnel whose positions and job duties (Investigations, Intelligence and Analysts) require such access. The facial recognition administrator shall grant and audit all user access, following the required account approval. All facial recognition users shall be required to have individual access for use of the facial recognition software/technology.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

Approved facial recognition operators will analyze, review, and evaluate the quality and suitability of probe images, to include factors such as the angle of the face image, level of detail, illumination, size of the face image, and other factors affecting a probe image prior to performing a face recognition search.

Original probe images shall not be altered, changed, or modified to protect the integrity of the image. Any enhancements made to a probe image will be made on copies, saved as a separate image, and documentation will indicate what enhancements were made, including the date and time of change. The resulting images, if any, shall be manually compared with the probe image by the person conducting the comparison.

Any upload of a probe image, query, or request shall include the name of the agency/requestor, name of the person completing the request, date and time the request was completed, case number and reason for the request. This information will be logged, tracked and available for auditing and review.

Per Colorado Revised Statutes §24-18-303, members shall disclose the use of facial recognition technology to a criminal defendant in a timely manner prior to trial.

Use of the face recognition system are for official use only/law enforcement sensitive (FOUO/LES). The use must be limited to the following situations:

- There exists a reasonable suspicion that an identifiable individual has committed a criminal offense or is involved in or planning criminal (including terrorist) conduct or activity that presents a threat to any individual, the community, or the nation and that the information is relevant to the criminal conduct or activity.
- To support law enforcement in critical incident responses and special events.
- To assist in the identification of potential witnesses and/or victims of violent crime.
- For comparison to determine whether an individual may have obtained one or more official state driver's licenses or identification cards that contain inaccurate, conflicting, or false information.
- To investigate and/or corroborate tips and leads.
- To assist in the identification of a person who lacks capacity or is otherwise unable to identify him- or herself (such as an incapacitated, deceased, or otherwise at-risk person).
- To mitigate an imminent threat to health or safety through short-term situational awareness surveillance or other means.
- There is an active or ongoing criminal or homeland security investigation.

Facial recognition data is stored securely on Lumen servers, and access is limited to authorized users within Lumen.

Lumen is a web-based software and not an application which needs to be downloaded to any Town of Mead computers. Any records exported by MPD members shall be immediately uploaded

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

to the department's record management system (Versadex). Versadex is CJIS compliant and maintained by the City of Mead's Information Technology department.

#### 605.4.4 TRAINING PROCEDURES

Training will be provided by the MPD to all authorized users of facial recognition services. This training will be arranged and documented by the facial recognition program manager and account access will not be created or provided until training has been completed. Training will cover both the use of facial recognition software/technology as well as a specific review and acknowledgment of all elements of this policy.

Per Colorado Revised Statute Section 24-18-305, the training will at a minimum include:

- The capabilities and limitations of the facial recognition service.
- Procedures to interpret and act on the output of the facial recognition service; and
- To the extent applicable to the deployment context, the meaningful human review requirement for decisions that produce legal effects concerning individuals or similarly significant effects concerning individuals.

The use of each authorized enrollment database will include specific training that includes the following:

Updated training shall be identified with any policy revisions or updates in facial recognition software.

#### 605.4.5 TESTING PROCEDURES

In accordance with CRS 24-18-304(4), Rank One Computing submitted the ROC SDK for testing in the following series of the National Institute of Standards and Technology (NIST) Face Recognition Vendor Test (FRVT) Ongoing:

1:1 Verification - <https://pages.nist.gov/frvt/html/frvt11.html>

1: N Identification - <https://pages.nist.gov/frvt/html/frvt1N.html>

Quality Assessment - [https://pages.nist.gov/frvt/html/frvt\\_quality.html](https://pages.nist.gov/frvt/html/frvt_quality.html)

Demographic Effects - [https://pages.nist.gov/frvt/html/frvt\\_demographics.html](https://pages.nist.gov/frvt/html/frvt_demographics.html)

Paperless Travel - [https://pages.nist.gov/frvt/html/frvt\\_paperless\\_travel.html](https://pages.nist.gov/frvt/html/frvt_paperless_travel.html)

Presentation Attack Detection - [https://pages.nist.gov/frvt/html/frvt\\_pad.html](https://pages.nist.gov/frvt/html/frvt_pad.html)

#### 605.4.6 MINIMIZATION OF RISK OF FALSE MATCH

The potential impact of a false match, including on protected subpopulations, is mitigated by the human investigator review requirement as well as by the requirement to develop additional evidence prior to making an arrest. While an erroneously high match score from the facial recognition software would potentially result in a candidate ranking higher on a list of results, the human investigator would then apply his or her skills, training, and experience in facial examination to closely review the unique facial characteristics of each candidate on the list. The human

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

investigator may select one of the candidates from the list of results and make a possible match determination on the basis of similarity of facial characteristics between the candidate and suspect image, or instead may determine that none of the candidates from the list of results are a possible match.

If the false match eluded both the facial recognition software and the human investigation, such false match could become an investigative lead which would require additional investigation and may be ruled out due to additional investigation.

However, studies have shown that erroneous investigative leads do not result in a false arrest. As shown by the NYPD statistics, facial recognition is used tens of thousands each year by a single agency without a known instance of false arrest (see <https://www.nyc.gov/site/nypd/about/about-nypd/equipment-tech/facial-recognition.page>). Across the nation, automated facial recognition has been used on the order of millions of times by law enforcement agencies, and there are only three known false arrests involving automated facial recognition. Each of these false arrests is attributable to violation of applicable policies and procedures, particularly the requirement to develop independent evidence to support probable cause prior to making an arrest.

#### 605.4.7 RESTRICTIONS OF USE

The MPD and, if applicable, any authorized requesting or participating agencies will not violate First, Fourth, and Fourteenth Amendments and will not perform or request face recognition searches about individuals or organizations based solely on their religious, political, or social views or activities; their participation in a particular noncriminal organization or lawful event; or their races, ethnicities, citizenship, places of origin, ages, disabilities, genders, gender identities, sexual orientations, or other classification protected by law.

MPD will prohibit access to and use of the face recognition system, including dissemination of face recognition search results, for the following purposes:

- Non-law enforcement (including but not limited to personal purposes).
- Any purpose that violates the U.S. Constitution or laws of the United States, including the protections of the First, Fourth, and Fourteenth Amendments.
- Prohibiting or deterring lawful individual exercise of other rights, such as freedom of association, implied by and secured by the U.S. Constitution or any other constitutionally protected right or attribute.
- Harassing and/or intimidating any individual or group.
- Any other access, use, disclosure, or retention that would violate applicable law, regulation, or policy.

MPD does not connect the face recognition system to any interface that performs live video surveillance, including surveillance cameras, drone footage, and body-worn cameras. The face recognition system will not be configured to conduct face recognition analysis on live or recorded video.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

MPD will not confirm the existence or nonexistence of face recognition information to any individual or agency that would not be authorized to receive the information unless otherwise required by law.

MPD shall not use the results of a facial recognition service as the sole basis to establish probable cause in a criminal investigation. The results of a facial recognition service may be used in conjunction with other information and evidence lawfully obtained by a law enforcement officer to establish probable cause in a criminal investigation.

Any member of MPD using a facial recognition service to make decisions that produce legal effects concerning individuals or similarly significant effects concerning individuals shall ensure that those decisions are subject to meaningful human review. (CRS 24-18-303)

Facial recognition services shall not be used to engage in ongoing surveillance, conduct real-time or near real-time identification, or start persistent tracking unless:

- MPD obtains a warrant authorizing such use;
- Such use is necessary to develop leads in an investigation;
- MPD has established probable cause for such use; or
- MPD obtains a court order authorizing the use of the service for the sole purpose of locating or identifying a missing person or identifying a deceased person. A court may issue an ex parte order under this subsection (1)(d) if a law enforcement officer certifies and the court finds that the information likely to be obtained is relevant to locating or identifying a missing person or identifying a deceased person.

Facial recognition services shall not be applied to any individual based on the individual's religious, political, or social views or activities; participation in a particular noncriminal organization or lawful event; or actual or perceived race, ethnicity, citizenship, place of origin, immigration status, age, disability, gender, gender expression, gender identity, sexual orientation, or other characteristic protected by law.

Facial recognition services shall not be used to create a record depicting any individual's exercise of rights guaranteed by the first amendment of the United States constitution and by section 10 of article II of the state constitution.

MPD shall not substantively manipulate an image for use in a facial recognition service in a manner not consistent with the facial recognition service provider's intended use and training.

This policy is closely associated with policy 337 Public Safety Video Surveillance System. The provisions in policy 337 for media collection and storage are applicable to the media collected and maintained for facial recognition purposes. Nothing in this policy is meant to conflict or override policy 337.

#### 605.4.8 OFFICER RESPONSIBILITIES

Members of the MPD will only use facial recognition tools in the manner prescribed by the associated training and this policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

All uses of facial recognition tools will be thoroughly documented in the respective official report to include;

- The crime being investigated OR the reason for exigency in identifying a person without a criminal nexus.
- The source of the comparison photo.
- The nexus between the photo being compared and the crime being investigated.
- The results of the comparison using the facial recognition tool.
- Any corroborating evidence that associates the suspect to the crime being investigated.

Members are reminded of the following concerns surrounding the use of facial recognition;

- No charges or arrest will be pursued based solely on the results of a facial recognition comparison.
- Corroborating evidence should be thoroughly documented.
- A probable cause assessment should be made and documented.
- Only when sufficient probable cause exists to pursue charges, should the officer pursue an arrest.

#### **605.4.9 SUPERVISOR RESPONSIBILITIES**

The supervisor shall review all uses of the facial recognition tool to insure compliance with this policy.

The supervisor will review cases where facial recognition tools were used to insure that sufficient probable cause existed prior to the filing of charges or arrest of the suspect.

Supervisors will use examples of facial recognition uses to provide updated training to officers.

Supervisors shall insure that officers receive facial recognition training prior to utilizing the facial recognition tools.

#### **605.5 ACCURACY AND IMPACT**

##### **605.5.1 TEST RESULTS**

Rank One Computing's SDK facial recognition algorithm was submitted to the National Institute of Standardization and Technology (NIST) Face Recognition Vendor Test (FRVT) for 1:1 Verification. In that test, ROC's SDK facial recognition algorithm ranked No. 10 in the world out of 478 total entries and was the top entry from the United States



# Mead Police Department

## Policy Manual

### Policy Manual

#### Facial Recognition Use and Accountability Report

Algorithm	FALSE NON-MATCH RATE (FNMR)								
	Constrained, Cooperative								Unconstrained, No
	FMR	= 0.000001	= 0.00001	= 0.00001	= 0.000001	= 0.000001	= 0.000001	= 0.00001	=
Submission Date	VISA	MUGSHOT	MUGSHOT AT≥12 YRS	VISABORDER	VISABORDER Yaw245°	BORDER	WILD		
cloudwalk-mt-007	2023-02-21	0.0007 <sup>(2)</sup>	0.0023 <sup>(15)</sup>	0.0019 <sup>(2)</sup>	0.0016 <sup>(1)</sup>	0.0031 <sup>(2)</sup>	0.0032 <sup>(1)</sup>	0.0307 <sup>(110)</sup>	0.03
cloudwalk-mt-006	2022-10-20	0.0006 <sup>(1)</sup>	0.0023 <sup>(12)</sup>	0.0019 <sup>(1)</sup>	0.0016 <sup>(2)</sup>	0.0031 <sup>(1)</sup>	0.0032 <sup>(2)</sup>	0.0305 <sup>(87)</sup>	0.03
sensetime-007	2022-06-17	0.0022 <sup>(25)</sup>	0.0021 <sup>(5)</sup>	0.0020 <sup>(4)</sup>	0.0018 <sup>(3)</sup>	0.0055 <sup>(5)</sup>	0.0034 <sup>(3)</sup>	0.0300 <sup>(29)</sup>	0.04
sensetime-008	2023-01-04	0.0014 <sup>(4)</sup>	0.0021 <sup>(2)</sup>	0.0020 <sup>(3)</sup>	0.0018 <sup>(4)</sup>	0.0039 <sup>(4)</sup>	0.0036 <sup>(4)</sup>	0.0302 <sup>(52)</sup>	0.047
megvii-005	2022-03-28	0.0015 <sup>(6)</sup>	0.0026 <sup>(57)</sup>	0.0031 <sup>(67)</sup>	0.0019 <sup>(5)</sup>	0.0081 <sup>(10)</sup>	0.0500 <sup>(252)</sup>	0.0313 <sup>(145)</sup>	0.066
intema-001	2023-01-11	0.0014 <sup>(5)</sup>	0.0021 <sup>(3)</sup>	0.0020 <sup>(6)</sup>	0.0019 <sup>(6)</sup>	0.0084 <sup>(11)</sup>	0.0037 <sup>(5)</sup>	0.0305 <sup>(88)</sup>	0.03
samsungds-002	2022-09-16	0.0027 <sup>(42)</sup>	0.0023 <sup>(11)</sup>	0.0022 <sup>(9)</sup>	0.0021 <sup>(7)</sup>	0.0073 <sup>(7)</sup>	0.0043 <sup>(7)</sup>	0.0303 <sup>(61)</sup>	0.046
kakao-008	2022-05-12	0.0018 <sup>(15)</sup>	0.0023 <sup>(9)</sup>	0.0023 <sup>(12)</sup>	0.0021 <sup>(8)</sup>	0.0080 <sup>(9)</sup>	0.0041 <sup>(6)</sup>	0.0447 <sup>(311)</sup>	0.04
intema-000	2022-07-15	0.0017 <sup>(12)</sup>	0.0023 <sup>(8)</sup>	0.0022 <sup>(10)</sup>	0.0022 <sup>(9)</sup>	-	0.0172 <sup>(152)</sup>	0.0302 <sup>(49)</sup>	0.056
rankone-014	2022-12-21	0.0021 <sup>(22)</sup>	0.0024 <sup>(20)</sup>	0.0027 <sup>(32)</sup>	0.0022 <sup>(10)</sup>	0.0167 <sup>(35)</sup>	0.0047 <sup>(11)</sup>	0.0311 <sup>(138)</sup>	0.047

#### 605.5.2 BIAS AND INACCURACY

In the NIST Demographic Effects series the ROC SDK ranked 8th worldwide across all 70 sub-populations of the NIST test data, with the lowest scoring demographic being West African females aged 65-99 years old (0.01871% false match rate).

#### 605.5.3 CIVIL RIGHTS IMPACT

The potential impact of a false match, including on protected subpopulations, is mitigated by the human investigator review requirement as well as by the requirement to develop additional evidence prior to making an arrest. The direct impact of an erroneously high match score from the ROC SDK is that a candidate would rank higher on the list of results returned by Lumen for human investigator review. The human investigator would then apply their skills, training, and experience in the facial examination to closely review the unique characteristics of each of the candidates on the list. The human investigator may select one of the candidates from the list of results and make a possible match determination based on the similarity of facial characteristics between the candidate and suspect image, or instead may determine that none of the candidates from the list of results are a possible match. If the false match eludes both the ROC SDK and the human investigator, it could become an investigative lead, triggering additional investigation into the relevant candidate. In the absence of additional evidence, erroneous investigative leads do not result in a false arrest. NYPD statistics show that their agency uses facial recognition tens of thousands of times each year without a known instance of false arrest.

MPD personnel with access to the Lumen facial recognition tool are required to input a case number and crime type prior to initiating a search, affirmatively representing that the search is conducted for the purpose of investigating a crime that has been committed. As a result, the use

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Facial Recognition Use and Accountability Report*

---

of the Lumen facial recognition tool for "fishing expeditions" or monitoring persons engaged in lawful activities is curtailed. This information will be verified by ongoing scheduled audits of user inputs into the facial recognition service.

Usage of the Lumen facial recognition tool by the MPD is unlikely to have a negative impact on the civil rights, liberties, privacy, or on marginalized communities of the people of the State of Colorado. ROC's SDK algorithm achieved greater than 99% accuracy across all demographic groups on NIST's FRVT Demographic Effects in Face Recognition test program; thus, disparate impact on marginalized communities is likely to be negligible.

The MPD has clear guidelines prohibiting investigations into individuals based in whole or in part on a person's actual or perceived race, ethnicity, gender, national origin, language preference, religion, sexual orientation, gender identity, age or disability, unless that investigation is based on a reliable suspect-specific description of the individual that includes other non-demographic identifying characteristics.

#### **605.6 PUBLIC FEEDBACK**

The Mead Police Department will seek approval from its elected body prior to the implementation and utilization of the Lumen facial recognition tool. As is statutorily required by C.R.S 24-18-302, consideration and public comment will be heard at a Public Safety Committee Meeting, Council Study Session, and Council Regular meeting should the item be moved forward at each meeting respectively.

# Unmanned Aerial System

## 606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

### 606.1.1 DEFINITIONS

Definitions related to this policy include:

**Unmanned Aerial System (UAS)** - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

**FAA** – Federal Aviation Administration

**Pilot** - Operator of Agency unmanned aircraft systems

**Aircraft Flight Log** – Electronic Flight Log

**Visual Observer** - designated by the pilot to observe and identify other aircraft, obstacles on the ground or in the air.

## 606.2 POLICY

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

## 606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

## 606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Unmanned Aerial System*

---

- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- 
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Ensure any FAA reports are completed and submitted within the required time limits.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

#### **606.5 USE OF UAS**

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Approved uses of the UAS include but are not limited to the following.

- (a) Situational awareness
- (b) Surveillance
- (c) Tactical mission deployment
- (d) Search and Rescue

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Unmanned Aerial System*

---

- (e) Crime scene documentation
- (f) Accident investigation and documentation
- (g) Training
- (h) Other as approved by a supervisor.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should be consistent with FAA regulations, only be conducted during daylight hours, and a UAS should not be flown over populated areas without FAA approval.

The UAS may be used for public demonstration and photography purposes with proper approval.

#### 606.5.1 UAS TRAINING

Designated UAS pilots will attend regular training in order to maintain their skills at operating the approved UAS(s).

Training should be collaborative with local agencies to share knowledge and experience.

Members will seek and receive approval from their direct supervisor before attending training.

#### 606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

#### 606.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

#### 606.8 ACCIDENT

All accidents shall be reported to the Commander.

The following information will be collected and included with the report.

- (a) Pictures of the accident site, damage and victims.
- (b) Cost of repairs if required.

# Mead Police Department

Policy Manual

Policy Manual

## *Unmanned Aerial System*

---

- (c) If require, an FAA report.

## Warrant Service

### 607.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

### 607.2 POLICY

It is the policy of the Mead Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

### 607.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

### 607.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

### 607.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Warrant Service*

---

##### **607.5.1 SERVICE OF ARREST WARRANTS**

Arrest warrants may be executed only by sworn law enforcement officers. Any arrest made on a warrant must be verified by documentation that some agency has that warrant in its possession and that to the best of that agency's knowledge the warrant is still in effect or that the warrant is active in the warrant management system. No member shall make an arrest on a warrant unless he/she confirms the present status of the warrant immediately before making the arrest.

##### **607.6 WARRANT PREPARATION**

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution (CRS § 16-3-303; CRS § 16-3-305).
- (b) A clear explanation of the affiant's training, experience, and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Material Disclosure Policy).

##### **607.7 HIGH-RISK WARRANT SERVICE**

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Warrant Service*

---

- (b) The warrant service is audio- and video-recorded as required by CRS § 24-31-902 (CRS § 16-3-305).
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

#### **607.8 DETENTIONS DURING WARRANT SERVICE**

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

#### **607.9 ACTIONS AFTER WARRANT SERVICE**

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

##### **607.9.1 RECORDS**

Information regarding each item of civil or criminal legal process shall be recorded including, but not limited to:

- The date and time the document was received.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Warrant Service*

---

- The type, nature and source of the document.
- The name of the plaintiff, complainant, defendant or respondent.
- The name of the officer assigned to the service and the date assigned.
- The court docket number, if applicable.
- The service due date.

Information regarding the service of documents shall include, but is not limited to:

- The date and time the service was attempted or executed.
- The name of the officer attempting or executing the service.
- The name of the person who was the subject of the service.
- The method of service or the reason for non-service.
- The address of the service attempt or execution.

Warrant service records shall be retained in accordance with the established records retention schedule.

#### **607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Mead Police Department are utilized appropriately. Any concerns regarding the requested use of Mead Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Shift Sergeant should assume this role.

If officers intend to serve a warrant outside Mead Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Warrant Service*

---

Officers will remain subject to the policies of the Mead Police Department when assisting outside agencies or serving a warrant outside Mead Police Department jurisdiction.

#### **607.11 MEDIA ACCESS**

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

#### **607.12 TRAINING**

The Commander should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

## **Sexting Investigations**

### **610.1 SEXTING INVESTIGATIONS**

Due to the complexity and evidentiary requirements of sexting offenses, they will fall under the review of the Administration Sergeant, or authorized designee. However, sexting offenses typically reveal themselves in the school setting and the SRO will conduct initial investigation of the offense with investigative assistance as needed.

In an effort to maintain consistency, Sexting investigations, regardless of who is conducting the investigation, will follow the Weld County District Attorney Sexting Checklist as provided by the District Attorney's office.

Cellular telephones or other electronic devices or computers suspected of facilitating sexting offenses are to be seized immediately as evidence and properly secured for technical evidentiary processing. This includes proper shielding packaging to prevent remote access to the device. (Refer to policy 808 for seizing and packaging)

Colorado State Statute provides for varying degrees of criminal charges and penalty upon conviction as well as diversion.

Colorado State Statute provides an affirmative defense for those individuals that bring sexting images to the attention of the authorities or school staff within seventy-two hours of receiving the image. In these instances, the investigating officers shall seize the cellular or electronic device as evidence and arrange for the search of the cellular or electronic devices to ensure it only contains the reported images. If images are located as reported, the device will have the images removed and the device returned to the owner. If additional images are located, the device will be kept and maintained as evidence. Removal of images will be completed by factory reset of the cellular or electronic device in question, in the presence of the investigating officer, or their designee, upon culmination of the investigation.

Cellular phones or electronic devices used in the commission of sexting offenses resulting in criminal charge are held for destruction upon release of the device by the prosecuting authority.

## **Chapter 7 - Equipment**

## Department-Owned and Personal Property

### 700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for Department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or Department property while performing their assigned duties. Certain procedures are required depending on the loss and ownership of the item.

This policy is not intended to override any Town of Mead policy. In the event that this policy is not in line with the Town of Mead's policy, the Town's policy overrides this one.

### 700.2 DOCUMENTATION OF ISSUED PROPERTY

All property issued shall be documented in the appropriate property sheet or equipment log and receipt acknowledged by signature. Upon an employee's separation from the Department, all issued equipment shall be returned and documentation of the return signed by a supervisor.

#### 700.2.1 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of Department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Employees shall promptly report, through the chain of command, any loss, damage to or unserviceable condition of any department-issued property or equipment assigned for their use.
  - 1. A supervisor receiving such a report shall conduct an appropriate investigation and direct a memo to the appropriate Commander that shall include the result of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss, damage or unserviceable condition.
  - 2. A review by the staff to determine whether misconduct or negligence was involved should be completed.
- (b) The use of damaged or unserviceable Department property should be discontinued as soon as practicable and, if appropriate and approved by the staff, replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, Department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Department-Owned and Personal Property*

---

- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

#### **700.3 USE OF PERSONAL PROPERTY**

The carrying of personal equipment on-duty or its use in the performance of duties requires prior written approval by the Chief of Police or appropriate Commander. The employee should submit for approval the description of personal property that the employee has requested to carry, the reason for its use, the period of its use and the terms of its use. Personal property of the type routinely carried by persons not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

##### 700.3.1 DEFINITIONS

Definitions related to this policy include:

**Personal property** - Items or equipment owned by, provided by or purchased totally at the expense of the employee. This definition includes optional equipment items identified in the Police Uniform Regulations Policy.

##### 700.3.2 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor receiving such a report shall make an appropriate investigation and direct a memo to the appropriate Commander that shall include the result of his/her investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by the staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the finance department.

The Department will not replace or repair costly items (e.g., jewelry, exotic equipment) that are not reasonably required as a part of work.

##### 700.3.3 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

#### **700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER**

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Department-Owned and Personal Property*

---

to be damaged any real or personal property of another while performing any law enforcement function shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as reasonably soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

#### **700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY**

If employees of another jurisdiction cause damage to personal property or property belonging to the Town of Mead, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as reasonably soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Commander.

#### **700.5 PERSONALLY OWNED EQUIPMENT REPLACEMENT**

The department recognizes the necessity for its employees to wear or use various personally owned items of clothing and equipment during the normal course of duty; for example: eye glasses required to correct vision or protect the eyes, duty weapon, briefcases, watches, gloves, flashlights, and items of equipment or clothing required for training or special assignment. Sunglasses worn on duty will not have bright or fluorescent-colored frames or lenses.

The department also recognizes that these personally owned items may become damaged during the performance of the employee's duties. Guidelines are therefore established for the replacement of such damaged items. The wearing or carrying of nonessential items of clothing or jewelry is discouraged. Such items will not be replaced when worn or damaged regardless of the circumstances. These items include optional leather jacket and combat-style sweater.

Essential items damaged or lost as a result of carelessness, inattention, accidental dropping, or normal wear and tear will not be repaired or replaced by the department. Personally owned essential items damaged or lost may be replaced when: the damage or loss resulted directly from the performance of a specific act required by duty; the circumstances of the incident, out of which the damage or loss occurred, must be unique to the duties and responsibilities of the employee; for example: pursuit of a suspect, physical confrontation, or specialized training; the item damaged or lost must logically have been required for on-duty use, or have been previously authorized for use by a supervisor; the circumstances and specifics of the incident must be documented on appropriate department forms.

Upon authorized approval, items are replaced according to the following schedule: prescription eye glasses and prescription sunglasses—total repair or replacement cost, excluding eye exam; gloves—cost not to exceed \$25; watches—cost for repair or replacement of watch not to exceed \$50, and for watchband, \$15; briefcase—replacement or repair not to exceed \$100; primary duty



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Department-Owned and Personal Property*

---

firearm—actual total cost for repair or replacement of the weapon; special modifications and custom grips or sights are not allowed unless otherwise approved by the Chief of Police.

Requests for repair or replacement of lost or damaged items must be submitted within 72 hours following the incident. The requesting officer should submit a memorandum describing the request to his or her supervisor. Copies of related reports will be attached. The supervisor will investigate the circumstances and make recommendations to the Chief of Police.

---

## Personal Communication Devices

### 701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCD) but is intended to include all mobile telephones, personal digital assistants (PDA) and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, e-mailing, using video or camera features, playing games and accessing sites or services on the Internet.

### 701.2 POLICY

The Mead Police Department allows employees to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, employees are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

### 701.3 PRIVACY POLICY

Employees shall have no expectation of privacy with regard to any communication made with or stored in or through PCDs issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities. The use of any department-provided or -funded PCD, computer, Internet service, telephone service or other wireless service while on-duty is without any expectation of privacy that the employee might otherwise have in any communication, including the content of any such communication. Communications or data reception on personal, password-protected, web-based e-mail accounts and any other services are subject to monitoring if department equipment is used.

In accordance with this policy, supervisors are authorized to conduct a limited administrative search of electronic files, without prior notice, consent or a search warrant, on department-issued or personally owned PCDs that have been used to conduct department-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personal Communication Devices*

---

affected employee. Prior to conducting any search of personally owned devices, supervisors shall consult with the Chief of Police. All such searches shall be fully documented in a written report.

#### **701.4 DEPARTMENT-ISSUED PCD**

Depending on an employee's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Members who are issued a PCD and are subject to emergency work response, such as sworn officers, should either carry the PCD at all times or forward the calls and messages to their personal device. Members are responsible for receiving and responding to call outs via the PCD when on and off-duty. Members should notify their supervisor when they will not be able to respond to call outs and provide an appropriate explanation.

All employees who are issued a Department issued PCD shall provide all usernames and passwords to access the PCD as well as any usernames and passwords for any sites, apps, or other files downloaded on Department issued PCD devices. These usernames and passwords shall be stored in the employees personnel file, maintained by the Chief of Police, or the authorized designee. If the employee changes their username and/or password, they shall notify the Chief of Police, or the authorized designee, immediately, so changes can be made to their personnel file.

#### **701.5 PERSONALLY OWNED PCD**

Employees may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the employee's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
  1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personal Communication Devices*

---

material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

- (f) Use of a personally owned PCD constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, employees will provide the Department with all telephone access numbers for the device.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Mead Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisor, employees are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the employee has prior express authorization from his/her supervisor, the employee may engage in business-related communications. Should employees engage in such approved off-duty communications or work, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Employees who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

#### **701.6 USE OF PERSONAL COMMUNICATION DEVICES**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Employees may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.
- (e) Officers are prohibited from taking pictures, video or making audio recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personal Communication Devices*

---

through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

- (f) Employees will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

#### **701.7 SUPERVISORY RESPONSIBILITIES**

Supervisors should ensure that members under their command are provided appropriate training on the use of PCDs consistent with this policy. Supervisors should monitor, to the extent practicable, PCD use in the workplace and take prompt corrective action if an employee is observed or reported to be improperly using a PCD. An investigation into improper conduct should be promptly initiated when circumstances warrant.

If, when carrying out any provision of this policy, the need to contact an employee who is off-duty arises, supervisors should consider delaying the contact, if practicable, until the employee is on-duty as such contact may be compensable.

#### **701.8 USE WHILE DRIVING**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, employees who are operating non-emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (CRS § 42-4-239). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

## Vehicle Maintenance

### 702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, maintained, refueled and present a clean appearance.

### 702.2 DEFECTIVE VEHICLES

When a Department vehicle becomes inoperative or in need of a repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition. Paperwork, describing the correction needed, shall be promptly forwarded to vehicle maintenance for repair.

The employee's supervisor should be notified when an assigned vehicle becomes inoperative or needs of repair.

#### 702.2.1 SUSPECTED DAMAGE OR POOR PERFORMANCE

Vehicles that may have suffered damage, perform poorly or whose control or safety features has been diminished shall be immediately removed from service for inspection and repair.

#### 702.2.2 SEVERE USE INSPECTION

Vehicles operated under severe use conditions, which include operations for which the vehicle is not designed or that exceeds the manufacturer's use parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Severe conditions may include rough roadway or off-road operation, hard or extended braking, pursuits or prolonged high-speed operation.

#### 702.2.3 REMOVAL OF WEAPONS

All firearms, weapons and kinetic impact weapons shall be removed from a vehicle and properly secured in the armory prior to the vehicle being released for maintenance, service or repair.

### 702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all Department vehicles for emergency purposes and to perform routine duties.

#### 702.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is in the vehicle:

- 20 emergency road flares
- 2 sticks yellow crayon or chalk
- 1 roll crime scene barricade tape
- 1 first-aid kit, CPR mask
- 1 blanket

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Maintenance*

---

- 1 fire extinguisher
- 1 hazardous materials emergency response handbook

#### **702.3.2 MARKINGS AND OTHER REQUIREMENTS**

Vehicles used in general patrol service must be conspicuously marked so they are readily identifiable as law enforcement vehicles. Markings should include:

- (a) The department name.
- (b) Mounted emergency lights such as those mounted on rooftop light bars.
- (c) Reflective materials placed on the sides and rear of the vehicle, such as reflective striping, lettering or decals.

Patrol vehicles must also be equipped with a siren and a two-way communications radio.

Vehicles used primarily for traffic enforcement, covert or other non-patrol purposes do not have to meet the above requirements.

#### **702.3.3 UNMARKED VEHICLES**

An employee driving an unmarked Department vehicle shall ensure that, at minimum, the equipment listed below is in the vehicle:

- 20 emergency road flares
- 1 roll crime scene barricade tape
- 1 first-aid kit, CPR mask
- 1 blanket

#### **702.4 VEHICLE REFUELING**

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Whenever practicable, vehicles should be fully fueled when placed into service and refueled before the level falls below one-quarter tank. Vehicles shall only be refueled at an authorized location.

#### **702.5 WASHING OF VEHICLES**

All units shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers on patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at a time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of the shift. Confidential documents should be placed in a designated receptacle provided for the shredding of this material.

## Vehicle Use

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department-owned vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the Town of Mead to provide assigned take-home vehicles.

### 703.2 POLICY

The Mead Police Department provides vehicles for department-related business use and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

### 703.3 USE OF VEHICLES

#### 703.3.1 SHIFT ASSIGNED VEHICLES

Members of the department requiring a vehicle for the purpose of performing their duties, shall check out a vehicle at the beginning of their shift. If a suitable vehicle is not available, they will immediately report to their direct supervisor for assignment.

The keys to the fleet vehicles will be kept in a secure location within the department.

#### 703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Sergeant, or authorized designee.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

#### 703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Use*

---

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### 703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended, to include securing weapons in the rifle/shotgun rack. An acceptable alternative is a rifle/shotgun kept in a case in the enclosed trunk of a vehicle.

#### 703.3.5 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify Weld County Regional Communications Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

#### 703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 703.3.7 KEYS

Keys to fleet vehicles will be stored in a secure location within the department. Access will be given to all members that require the use of a vehicle in the performance of their duties. Members will return keys when they return the vehicle.

Members who are permanently assigned a specific vehicle should be issued keys for that vehicle.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Use*

---

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

#### 703.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than Town personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy. Members of the officers immediate family shall be exempt to this restriction when approved by their immediate supervisor.

#### 703.3.9 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

#### 703.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

department

#### 703.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

#### 703.3.12 CIVILIAN/NON-SWORN MEMBER USE

Civilian/Non-Sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian/Non-Sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

### **703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

#### 703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Use*

---

##### 703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Mead Town limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

##### 703.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Mead Police Department or while off-duty, an officer should refrain from initiating enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

##### 703.4.4 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Vehicle Use*

---

- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

#### **703.5 UNMARKED VEHICLES**

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the division for that purpose. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also be recorded with the Shift Sergeant on the shift assignment roster.

#### **703.6 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction (see the Traffic Accident Response And Reporting Policy).

Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Sergeant, or authorized designee. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

#### **703.7 TOLL ROAD USAGE**

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department-owned vehicle on a toll road shall adhere to the following:

- (a) Members operating a department-owned vehicle for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit for reimbursement from the Town for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Commander, or authorized designee, within five working days explaining the circumstances.

#### **703.8 ATTIRE AND APPEARANCE**

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

---

## Cash Handling, Security and Management

### 704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

### 704.2 POLICY

It is the policy of the Mead Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

### 704.3 PETTY CASH FUNDS

The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

### 704.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the ledger and other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

### 704.5 PETTY CASH AUDITS

The fund manager shall perform an audit no less than once every six months. This audit requires that the manager and at least one other command staff member, selected by the Chief of Police, review the ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Chief of Police or the Town.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Cash Handling, Security and Management*

---

##### **704.6 ROUTINE CASH HANDLING**

Those who handle cash as part of their property or Drug Task Force supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

##### **704.7 OTHER CASH HANDLING**

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence and Informants policies.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

---

# Personal Protective Equipment

## 705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

### 705.1.1 DEFINITIONS

Definitions related to this policy include:

**Personal protective equipment (PPE)** - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

**Respiratory PPE** - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory personal protection equipment does not include particulate-filtering masks such as N95 or N100 masks.

## 705.2 POLICY

The Mead Police Department endeavors to protect members by defining certain PPE measures to members as provided in this policy.

## 705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

## 705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection should meet or exceed industry standards for use at firing ranges (29 CFR 1910.95).

## 705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personal Protective Equipment*

---

The Rangemaster should ensure eye protection meets or exceeds consensus standards set by the American National Standards Institute (29 CFR 1910.133).

#### **705.6 TRAINING**

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members should be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132).

Members issued respiratory PPE should attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134).



## Hair and Mustaches

## **Chapter 8 - Support Services**

## Crime Analysis

### 800.1 PURPOSE AND SCOPE

Crime analysis should provide current, useful information to aid operational personnel in meeting its tactical crime control and prevention objectives. Crime analysis is intended to help identify and analyze the methods of operation of individual criminals, providing crime pattern recognition and analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

### 800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview records
- Parole and probation records
- Computer Aided Dispatch data
- Department of Public Safety

### 800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

### 800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to those units. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

## Weld County Regional Communications Center

### 801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Weld County Regional Communications Center. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

### 801.2 POLICY

It is the policy of the Mead Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between Weld County Regional Communications Center and department members in the field.

### 801.3 WELD COUNTY REGIONAL COMMUNICATIONS CENTER SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of Weld County Regional Communications Center, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for Weld County Regional Communications Center.

Access to Weld County Regional Communications Center shall be limited to Weld County Regional Communications Center members, the Shift Sergeant, or authorized designee, command staff and department members with a specific business-related purpose.

#### 801.3.1 EQUIPMENT PROTECTION

Equipment protection procedures should be addressed in Weld County Regional Communications Center operations manual and include:

- (a) Provisions for the protection of essential equipment, such as surge protectors, a gaseous fire suppression system, an uninterruptible power system powered by a generator or other appropriate means.
- (b) Provisions for the protection of radio transmission lines, antennas and power sources for Weld County Regional Communications Center, such as security cameras, fences or other appropriate measures.

### 801.4 RESPONSIBILITIES

#### 801.5 DOCUMENTATION

It shall be the responsibility of Weld County Regional Communications Center to document all relevant information on calls for service or self-initiated activity. The dispatcher shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident Control number.
- Date and time of request.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Weld County Regional Communications Center*

---

- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

#### **801.6 RADIO COMMUNICATIONS**

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs and current location.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Communications Manager shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

##### **801.6.1 REQUIRED COMMUNICATION CAPABILITIES**

The Department shall maintain 24-hour radio capabilities between the Weld County Regional Communications Center and on-duty members as well as multichannel mobile or portable radio equipment that is capable of two-way operation on a joint public safety frequency or frequencies.

##### **801.6.2 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE**

Mead Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

##### **801.6.3 RADIO IDENTIFICATION**

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication

# Mead Police Department

Policy Manual

Policy Manual

## *Weld County Regional Communications Center*

---

with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

## Property and Evidence

### 802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and those persons authorized to remove and/or destroy property (CRS § 13-14.5-108).

#### 802.1.1 EVIDENCE ROOM MANAGEMENT RESPONSIBILITIES

The Investigations Commander is responsible for the management of the Evidence Room. The Investigations Commander should designate a specific property and evidence technician to assist with documenting, classifying, storing, tracking and disposing of property received by or managed by the Evidence Room.

#### 802.1.2 EVIDENCE ROOM SECURITY

The Evidence Room shall maintain secure storage and control of all property necessitating custody by the Department. The property and evidence technician reports to the Investigations Division supervisor and is responsible for the security of the Evidence Room. Evidence Room keys are maintained only by the property and evidence technician and the Investigations Division supervisor. An additional key is in a sealed and initialed envelope maintained in the safe in the Chief of Police's office. The property and evidence technician and the Investigations Division supervisor shall not loan Evidence Room keys to anyone and shall maintain keys in a secure manner.

Any individual entering the Evidence Room other than the property and evidence technician must be accompanied by the property and evidence technician or the Investigations Division supervisor and must sign in and out on the logbook, giving the date and time of entry and exit, and the purpose, including a specific case or property number. The entry shall be initialed by the accompanying individual.

### 802.2 DEFINITIONS

Definitions related to this policy include:

**Evidence** - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case.

**Found property** - Includes property found by an employee or citizen where the owner cannot be readily identified or contacted and has no apparent evidentiary value.

**Safekeeping** - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

### **802.3 PROPERTY HANDLING**

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room, along with the property label. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property that has no apparent evidentiary value, excluding contraband, such property may be released to the owner without the need for booking. The property documentation must be completed to document the release of property not booked. The owner shall sign the appropriate form acknowledging receipt of the item.

#### **802.3.1 PROPERTY BOOKING PROCEDURE**

All property must be booked prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

- (a) Complete the RMS property entry describing each item separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) The officer shall mark each item of evidence with initials and date.
- (c) Items too small to mark, or that will be damaged, degraded or devalued by marking, should be individually packaged, labeled and the package marked with initials and date.
- (d) Complete an evidence/property label and attach it to each package or envelope in which the property is stored.
- (e) If completed, the inventory form shall be submitted with the case report.
- (f) When the property is too large to be placed in a temporary property locker, the item may be temporarily stored in any department supply room or other location that can be secured from unauthorized entry. The location shall be secured to prevent entry.

#### **802.3.2 ADDITIONAL DOCUMENTATION**

Members must document the circumstances detailing how the property came into their possession. Documentation should be in accordance with the Report Preparation Policy and should include photographs of the property, if appropriate.

#### **802.3.3 NARCOTICS AND DANGEROUS DRUGS**

All narcotics and dangerous drugs shall be booked separately. Drug and narcotics paraphernalia shall also be booked separately.

The officer seizing the narcotics and dangerous drugs shall place them in the designated temporary property locker.

A label specific to narcotics should be printed and placed on the package.

#### **802.3.4 FIREARMS**

All firearms shall be UNLOADED, photographed, and secured in a box when possible. Any ammunition should be packaged and recorded separately from the firearm.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

The make, model and serial number of the firearm shall be recorded on in the evidence entry and associated police report. When any of this information is not readily apparent, it shall be noted in the report. Every effort should be made to fully identify the firearm information for proper background clearance.

A label specific to firearms should be printed and applied to the box.

#### 802.3.5 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify an immediate supervisor or the Shift Sergeant. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property and evidence technician is responsible for transporting to an appropriate agency that is equipped to safely dispose of such materials, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

#### 802.3.6 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Any evidence collected which may contain DNA, should be properly labeled as such.
- (b) Property stained with bodily fluids such as blood or semen stains shall be air-dried prior to booking.
- (c) License plates found not to be stolen or connected with a known crime should be released directly to the property and evidence technician. No formal property booking process is required.
- (d) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence technician or placed in the bicycle storage area until a property and evidence technician can log the property.
- (e) All items of significant value (e.g., cash, jewelry, >\$100) shall be shown on body worn camera, and when possible counted or inventoried in the presence of another officer, photographed and the package or envelope initialed by two officers. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall also witness the count and will initial and date the property documentation and specify any additional security procedures to be used.
- (f) All evidence collected by personnel processing a crime scene requiring specific storage requirements pursuant to laboratory procedures should clearly indicate storage requirements on the property label.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

- (g) Items that are potential biohazards shall be appropriately packaged and marked to reduce the risk of exposure or contamination.

Town property, unless connected to a known criminal case, should be released directly to the appropriate Town department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

#### **802.3.7 ITEMS NOT TO BE SUBMITTED AS PROPERTY**

Certain property items require immediate disposal and are not allowed inside the evidence storage area. They present a hazard that cannot be subverted and therefore must be photographed and properly disposed of.

The Municipal Prosecutor has given an exemption to keeping the following items as evidence due to the exceptional hazards associated with their storage and handling. Photos shall be taken and submitted as evidence documentation.

- (a) Vape Pens present a spontaneous fire hazard and shall not be booked into evidence.

Other items may require an approval from the prosecutor in order for the substitution of photos to be allowed. Officers have the authority to dispose of items that they believe are too hazardous to store and possibly present a danger to staff or facilities.

#### **802.4 PACKAGING OF PROPERTY**

Packaging will conform to certain procedures. Certain items require special consideration and shall be booked separately as follows:

- (a) Controlled substances
- (b) Firearms (ensure they are unloaded, rendered safe, and booked separately from ammunition)
- (c) Property with more than one known owner
- (d) Drug paraphernalia
- (e) Fireworks
- (f) Contraband
- (g) Biohazards

#### **802.4.1 PACKAGING CONTAINER**

Employees shall package all property, except controlled substances, in a suitable container that is appropriate for its size. Knife boxes should be used to package knives or any other sharp items. Handgun boxes should be used for handguns. Syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

##### **802.4.2 PACKAGING CONTROLLED SUBSTANCES**

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged and placed in the designated locker. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. When conducted, the result of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size, available in the report room. The booking officer shall initial the sealed envelope and the initials shall be covered with cellophane tape. Controlled substances shall not be packaged with other property.

The booking officer shall weigh the suspected narcotics or dangerous drugs in the container in which it was seized. A full description of the item, along with packaging and total weight of the item as seized, will be placed in the case report and on the property label. After packaging and sealing as required, the entire package will be weighed and the Gross Package Weight (GPW) will be written on the outside of the package, initialed and dated by the packaging officer.

The GPW will be verified every time the package is checked in or out of the Evidence Room. Any discrepancies shall be noted on the outside of the package. Any change in weight should be immediately reported to the Investigations supervisor.

A completed property tag shall be attached to the outside of the container. The chain of custody shall be recorded on the back of this tag.

##### **802.4.3 RIGHT OF REFUSAL**

The property and evidence technician has the right to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the property and evidence technician refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting officer's supervisor.

##### **802.5 RECORDING OF PROPERTY**

The property and evidence technician receiving custody of evidence or property shall scan the barcode label for each piece of property received. The documentation in the evidence software will be the permanent record of the property in the Evidence Room. The property and evidence technician will record GPW if it is a controlled substance to be used as evidence, the date and time the property was received and where the property will be stored.

A property logbook or databases shall be maintained and a unique property number created for each piece of property received. The logbook shall record, by property number, the date received, case number, tag number, item description, item location and date disposed. A unique property number shall be obtained for each item or group of items from the logbook or database. This number shall be recorded on the property tag.

Any changes in the location of property held by the Mead Police Department shall be noted in the property logbook or database.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

#### **802.6 PROPERTY CONTROL**

Each time the property and evidence technician receives property or releases property to another person, he/she shall enter this information into the evidence logbook or database.. Officers desiring property for court shall contact the property and evidence technician at least one day prior to the court day.

##### **802.6.1 RESPONSIBILITIES OF OTHER PERSONNEL**

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving written authorization from a supervisor or investigator.

Request for analysis of items other than controlled substances shall be completed on the appropriate forms and submitted to the property and evidence technician. This request may be filled out anytime after booking of the property or evidence.

##### **802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY**

The transporting employee will check the evidence out of property, indicating the date and time on the logbook or database and the request for laboratory analysis.

The property and evidence technician releasing the evidence must complete the required information in the logbook or database and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Department for filing with the case.

##### **802.6.3 STATUS OF PROPERTY**

Each person receiving property will make the appropriate entry to document the chain of custody. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the logbook or database, stating the date, time and to whom it was released.

The property and evidence technician shall obtain the signature of the person to whom property was released and the reason for release. Any employee receiving property shall be responsible for such property until it is returned to the Evidence Room or released to another authorized person or entity.

The return of the property should be recorded on logbook or database, indicating date, time and the person who returned it.

##### **802.6.4 AUTHORITY TO RELEASE PROPERTY**

The property and evidence technician shall not release any property without a signed authorization from an appropriate authorized member of the Department. The Detective Bureau shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

For property in custody of the Department for investigatory or prosecutorial purposes and owned by a victim or witness, a property and evidence technician shall, upon the request of the owner:

- (a) Provide a list describing the property, unless such release would seriously impede an investigation.
- (b) Return the property expeditiously, unless the property is contraband or required as evidence.

Upon the direction of a prosecuting attorney, property held as evidence of a crime may be photographed and released to the owner.

Prior to being released, the value of processing the item should be considered. Processing includes any one or combination of, but is not limited to the following procedures;

- Photographing - sufficient pictures to record the item, any unique marks or features, and sufficient for identification in court.
- Latent Fingerprints - utilizing any latent print collection method to gather a print from the item.
- DNA - swabbing or otherwise collecting DNA for testing or future testing purposes.
- Ballistics - collecting a fired bullet from a firearm that could be used to identify bullets fired from the same firearm.

#### 802.6.5 RELEASE OF PROPERTY

A reasonable attempt shall be made to identify the rightful owner of found or stolen property or evidence not needed for an investigation.

Property belonging to a crime victim shall be promptly released to the victim unless needed for evidence (CRS § 24-4.1-302.5(1)(k)). Following a request from the victim, property no longer needed for evidence shall be returned to the victim within five working days unless the property is contraband or subject to forfeiture proceedings (CRS § 24-4.1-303(7)).

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or investigator and must conform to the items listed on the property label or must specify the specific item to be released. Release of all property shall be properly documented.

With the exception of firearms, cash and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 30 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 30 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed. The final disposition of all such property shall be fully documented in related reports.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

A property and evidence technician shall release the property to the owner or finder, upon valid identification and proper documentation presented by the owner or finder, for which an authorized release has been received. The owner or finder shall also pay any costs incurred by the agency, including costs for advertising or storage. A signature of the person receiving the property shall be recorded on the original property documentation.

When the property owner is unable to personally sign for the property, a notarized letter from the owner specifically naming another to receive the property will be accepted. Shipping items to the owner or their designee at their cost is also allowable. Documentation of the owner's authorization, shipping receipts, and receiving signatures will be kept in the case file.

Upon release or other form of disposal, the proper entry shall be recorded in all property documentation and logs.

#### 802.6.6 STOLEN OR EMBEZZLED PROPERTY

Stolen or embezzled property or property believed to be stolen or embezzled that is in the custody of this department shall be restored to the legal owner. Such property may be released from law enforcement custody when the following is satisfied (CRS § 13-25-130(3)):

- (a) Photographs of the property are filed and retained by the Evidence Room.
- (b) Satisfactory proof of ownership is shown by the owner.
- (c) A declaration of legal ownership is signed under penalty of perjury.
- (d) If a defendant has been filed upon, he/she has been notified that such photographs, video tapes or films have been taken, recorded or produced.
- (e) A receipt for the property is obtained from the owner upon delivery.

#### 802.6.7 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a court order or other proof of the undisputed right to the involved property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for the Department may be asked to file an interpleader in court to resolve the disputed claim.

#### 802.6.8 VIEWING OF PROPERTY

A prosecutor or defense attorney may schedule a time to view any and all evidence housed at the Mead Police Department pursuant to the Colorado Rules of Evidence and Discovery. Viewings will be conducted by a sworn Mead Police Department Officer. The viewing location will be predetermined by the supervisor and provide sufficient security for the safe handling and viewing.

The viewings will be conducted in a secure area separate from any additional parties. The prosecutor or defense attorney may bring an investigator to the viewing. The inclusion of an investigator or investigators will be made when the viewing is scheduled.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

During the viewing, all evidence will be handled and manipulated exclusively by a Mead Police Officer and no one else. Any violations of this policy will result in an immediate conclusion of the viewing and a new viewing date will have to be scheduled. Photographs of the evidence by an attorney or their investigator is permitted.

#### **802.7 DISPOSITION OF PROPERTY**

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be sold at a public auction in compliance with existing laws, upon receipt of proper authorization for disposal. The property and evidence technician shall request a disposition or status on all property which has been held in excess of 120 days and for which no disposition has been received from a supervisor or detective.

Upon any release or sale of any property, the proper notation shall be made on the property control card and in the property logbook. Proceeds from the sale of unclaimed property shall be deposited into the Town treasury, minus reimbursement for department expenses.

Abandoned motor vehicles impounded by the Department may be sold at a public or private sale following notice pursuant to CRS § 42-4-1805.

##### **802.7.1 EXCEPTIONAL DISPOSITIONS**

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law or by a court of competent jurisdiction:

- Weapons declared by law to be nuisances
- Animals, birds and equipment related to their care and containment that have been ordered forfeited by the court
- Counterfeiting equipment
- Gaming devices
- Obscene matter ordered to be destroyed by the court
- Altered vehicles or component parts
- Narcotics
- Unclaimed, stolen or embezzled property
- Destructive devices

##### **802.7.2 UNCLAIMED MONEY**

If found money is no longer required as evidence and remains unclaimed after one year, the money is presumed abandoned property (CRS § 38-13-201).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

#### **802.8 RETENTION OF BIOLOGICAL EVIDENCE**

The Evidence Room supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor
- (d) Any sexual assault victim
- (e) The Investigations Division supervisor

Biological evidence shall be retained for a minimum period established by law or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file and a copy forwarded to the Investigations Commander.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the Investigations Commander should be consulted and the sexual assault victim should be notified at least 60 days prior to the disposition of the evidence. The evidence shall be retained for an additional ten years upon objection by the victim to destruction (CRS § 24-4.1-303; CRS § 18-3-407.5).

#### **802.8.1 SUFFICIENT SAMPLE PRESERVATION**

DNA evidence that is subject to preservation pursuant to CRS § 18-1-1103 shall be preserved in an amount and manner sufficient to develop a DNA profile, based on the best scientific practices at the time of collection, from the biological material contained in or included on the evidence (CRS § 18-1-1104(2)).

If DNA evidence is of such a size, bulk or physical character as to render retention impracticable, the property and evidence technician shall remove and preserve portions of the evidence likely to contain DNA related to the offense in a quantity sufficient, based on the best scientific practices at the time of collection, to permit future DNA testing.

The preserved DNA evidence shall, whenever possible, include a sample sufficient to allow for independent testing by the defendant. After preserving the necessary amount of the DNA evidence, the remainder of the evidence may be properly destroyed as allowed by law.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

##### 802.8.2 RECORDS RETENTION AND PRESERVATION

The Department shall maintain a DNA record for the statutory period of a DNA specimen collection from an eligible individual from the date of collection.

- (a) DNA evidence collected in reference to a criminal investigation of a felony that does not result in or has not resulted in charges being filed shall be preserved for the length of the statute of limitations for the felony crime that was investigated (CRS § 18-1-1103(1)).
- (b) Except as provided by law (CRS § 18-1-1105; CRS § 18-1-1106; CRS § 18-1-1107), the Department shall preserve the DNA evidence for the life of a defendant who is convicted, if the sample was collected in a criminal investigation that resulted in a conviction listed in CRS § 18-1-1102(1) and CRS § 18-1-1103(2).
- (c) A court may order the Department to preserve existing biological evidence for DNA testing at the request of a defendant (CRS § 18-1-414(2)).

##### 802.8.3 EXPUNGEMENT OF DNA EVIDENCE

A person may qualify for expungement and destruction of DNA evidence. This department will destroy DNA evidence after written notice is received from the Colorado Bureau of Investigation (CRS § 16-23-105).

##### 802.8.4 DISPOSITION OF DNA EVIDENCE

In cases described in state law (CRS § 18-1-1102(1)(c); CRS § 18-1-1102(1)(d)), the Department may seek to dispose of DNA evidence by providing notice to the District Attorney who prosecuted the charges (CRS § 18-1-1105(2)).

If the District Attorney determines that the DNA evidence should not be disposed of, the District Attorney will provide notice. Upon receipt of the notice, the Department shall preserve the DNA evidence until such time that a court order is obtained to dispose of the DNA evidence (CRS § 18-1-1105(4)).

If the Department does not receive notice from the District Attorney within a reasonable amount of time, the Department may file a motion with the court that entered the conviction in the case, asking for a court order to dispose of the DNA evidence.

The Department may not request permission to dispose of DNA evidence in cases described in state law (CRS § 18-1-1102(1)(a); CRS § 18-1-1102(1)(b); CRS § 18-1-1105(1)).

##### 802.8.5 DISPOSITION OF VICTIM DNA EVIDENCE

If DNA evidence is being held that is the property of the victim, the victim may request the District Attorney to review whether the DNA evidence may be returned. If the District Attorney determines the DNA evidence may be returned, the District Attorney may file a petition with the court for the return of the DNA evidence. Upon proper receipt, the Department will release DNA evidence belonging to the victim (CRS § 18-1-1107).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

#### **802.9 REPORT OF ABANDONED PROPERTY (MONEY)**

The Detective Bureau supervisor or Evidence Technician shall complete and file a report of presumed abandoned property to the State Treasurer each year (CRS § 38-13-401). The report shall cover the period from July 1 to June 30 and shall be submitted no later than the immediately following November 1 date (CRS § 38-13-403).

#### **802.10 INSPECTIONS OF THE EVIDENCE ROOM**

On a monthly basis, the Detective Bureau supervisor, or authorized designee, shall inspect the property and evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

- (a) Unannounced inspections of property and evidence storage areas shall be conducted annually, as directed by the Chief of Police.
- (b) An annual audit of property and evidence held by the Department shall be conducted by a Commander, or authorized designee, who is not routinely or directly connected with property and evidence control, as assigned by the Chief of Police.
- (c) Whenever a change is made in personnel who have access to the Evidence Room, an inventory of all evidence/property shall be made by an individual not associated with the Evidence Room or function to ensure that records are correct and all evidence and property is accounted for.

The date and results of all inspections and audits shall be documented and forwarded to the Chief of Police.

#### **802.11 RELEASE OF CURRENCY THAT WAS DEPOSITED IN THE BANK**

The return or release of currency that was deposited in the bank requires sufficient notification for a check to be obtained.

#### **802.12 RELEASE AND DISPOSAL OF FIREARMS**

A firearm may not be released until the following have been completed satisfactorily;

- It has been verified that the person receiving the weapon is not prohibited from receiving or possessing the weapon (18 USC § 922 (d); CRS § 13-14-105.5; CRS § 18-1-1001; CRS § 18-6-801; CRS § 24-33.5-424).
- The weapon being released has been cleared through NCIC/CCIC and is not listed or wanted.
- The weapon has been traced through the ATF eTrace system to confirm ownership and legal status.

##### **802.12.1 RELEASE OF FIREARMS IN RISK PROTECTION ORDER MATTERS (ERPO)**

Upon notice from the Records Manager that an extreme risk protection order has been terminated or not renewed, notice should be provided to the respondent of the process for the return of firearms (CRS § 13-14.5-109).

Upon request by the person named in a risk protection order, firearms or permit surrendered pursuant to the order shall be returned to the person within three days after confirming eligibility

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Property and Evidence*

---

to own or possess the firearm under federal and state law through a criminal history record check (CRS § 13-14.5-109). Additionally, prior to the release of firearms or a permit the Department should:

- (a) Confirm that the risk protection order is no longer in effect.
- (b) Provide notice to any family or household member of the person that the firearms or ammunition are going to be returned.

If a person other than the person named in the risk protection order claims ownership of any seized firearms, the Department shall follow the procedures outlined in CRS § 13-14.5-108.

If a person who has surrendered firearms pursuant to a risk protection order elects to transfer ownership of the firearms to another person, the Department shall follow the procedures outlined in CRS § 13-14.5-108 prior to releasing any firearm.

If a firearm remains unclaimed for at least one year from the date that an extreme risk protection order expired, the firearm should be disposed of according to department procedures (CRS § 13-14.5-109).

## Records Department Procedures

### 803.1 PURPOSE AND SCOPE

The Records Manager shall keep the Department Records Department procedures continuously updated to reflect the procedures being followed within the Records Department. Policies and procedures that apply to all employees of this department are contained in this chapter.

#### 803.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically by Records Department personnel.

Reports, summonses and citations are numbered commencing with the last two digits of the current year, the agency designation, followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number 22ML00001 would be the first new case beginning January 1, 2022.

### 803.2 RECORDS DEPARTMENT RESPONSIBILITIES

The responsibilities of the Records Department include but are not limited to:

- (a) Maintaining a records management system for case reports.
  - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
  - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Entering summons and citation information into the records management system.
  - 1. Entries will allow cross-referencing by name, date, location and incident number.
- (d) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (e) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the Division of Criminal Justice for:
  - 1. Qualifying incidents, including those involving the use of force by an officer that results in death or serious bodily injury or involves the use of a weapon (CRS § 24-31-903).
  - 2. Criminal offenses, including information regarding arrests and disposition of charges (CRS § 24-33.5-412; CRS § 24-33.5-518).
  - 3. All instances of an officer's resignation while under investigation (CRS § 24-31-903).
- (f) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (g) Identifying missing case reports and notifying the responsible member's supervisor.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Department Procedures*

---

- (h) Establishing a process for the entry of extreme risk protection orders into appropriate databases, notice to courts, and removal of orders from databases, as applicable (CRS § 13-14.5-110).
- (i) Establishing a process for the filing of the following with the court after service of a risk protection order, as applicable (CRS § 13-14.5-108):
  - 1. The original receipt of surrendered items within 72 hours of service of the order. A copy of the receipt shall also be properly maintained by this department.
  - 2. In cases where no firearms were taken into custody, a statement notifying the court of the same.
    - (a) A copy of the receipt shall also be properly maintained by the Department.
- (j) Providing notice to the Evidence Room upon the termination or non-renewal of an extreme risk protection order (CRS § 13-14.5-107).
- (k) Establishing a process for entering reports of lost or stolen firearms into the Colorado Bureau of Investigations Crime Information Center Database within 5 days of receiving the report (CRS § 18-12-113).

#### 803.2.1 RECORDS MANAGER REPORTING RESPONSIBILITIES

The Records Manager is responsible for submitting data and statistics required by local, state or federal law including:

- (a) To the Colorado Division of Criminal Justice for;
  - 1. Qualifying incidents, including those involving the use of force by an officer that results in death or serious bodily injury or involves the use of a weapon (CRS § 24-31-903).
  - 2. Criminal offenses, including information regarding arrests and disposition of charges (CRS § 24-33.5-412; CRS § 24-33.5-518).
  - 3. All instances of an officer's resignation while under investigation (CRS § 24-31-903).
  - 4. Contact with the public conducted by officers, including any searches or entries (CRS § 24-31-903).
  - 5. Instances of unannounced entry into a residence (CRS § 24-31-903).
  - 6. Every incident that resulted in a student's arrest, summons or ticket during the previous academic year for an offense that occurred at a public elementary school, middle or junior high school, or high school, in a school vehicle, or at a school activity or sanctioned event (C.R.S. 22-32-146(5)).
- (b) To the Weld County District Attorney for;
  - 1. Qualifying incidents, where an officer actually responds to an emergency drug or alcohol overdose event (not when only medical responds)(CRS § 18-1-711).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Department Procedures*

---

### **803.3 PRIVACY POLICY**

The Records Manager shall apply, and assist in the development and maintenance of, the organization's policy standardizing the collection, storage, transfer and use of personally identifiable information pursuant to CRS § 24-72-502. Minimally, the policy shall include:

- (a) A declaration supporting the protection of individual privacy.
- (b) Standards which minimize the collection of personally identifiable information to the least amount of information required to complete a particular transaction.
- (c) The applicability of the Colorado Criminal Justice Records Act.
- (d) A method for feedback from the public on compliance with the privacy policy.
- (e) Notation that the policy applies to the collection of all personally identifiable information, regardless of the source or medium.

The privacy policy shall be published on the organization's website.

### **803.4 FILE ACCESS**

All reports including, but not limited to, initial, supplemental, follow-up, evidence and all reports related to a case shall be maintained in a secure area within the Records Department, accessible only to authorized Records Department personnel. Access to report files after hours or when records personnel are otherwise not available may be obtained through the Shift Sergeant, or authorized designee.

#### **803.4.1 REQUESTING ORIGINAL REPORTS**

Generally, original reports shall not be removed from the Records Department. Should an original report be needed for any reason, the requesting employee shall first obtain authorization from the Records Manager. All original reports removed from the Records Department shall be recorded on the report check-out log, which shall constitute the only authorized manner by which an original report may be removed from the Records Department.

All original reports to be removed from the Records Department shall be photocopied and the photocopy retained in the report file location of the original report until the original is returned to the Records Department. The photocopied report shall be shredded upon return of the original report to the file.

### **803.5 RECORDS MANAGER TRAINING**

The Records Manager shall receive training in records management, including proper maintenance, retention and disposal of records and the proper release of records under state and federal law.

## Records Maintenance and Release

### 804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance, access and release of department records. Protected information is separately covered in the Protected Information Policy.

### 804.2 POLICY

The Mead Police Department is committed to providing public access to records in a manner that is consistent with the Colorado Criminal Justice Records Act (CCJRA) (CRS § 24-72-301 et seq.).

### 804.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to (CRS § 24-72-301 et seq.):

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department records.
- (b) Maintaining and updating the department records retention schedule including:
  1. Identifying the minimum length of time the Department must keep records.
  2. Identifying the department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law (CRS § 24-72-306).

### 804.4 PROCESSING REQUESTS FOR RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

#### 804.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following:

- (a) The Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
  1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Maintenance and Release*

---

system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

- (c) The payment of any authorized fees required for the copying or mailing of the records requested as authorized by CRS § 24-72-306.
- (d) Records related to arrests (i.e., official action) shall, and all other records may, be made available for inspection at reasonable times except as otherwise provided by law (CRS § 24-72-303; CRS § 24-72-304).
  - 1. The Custodian of Records shall deny access to a requester seeking access to records unless the requester signs a statement which affirms that the records shall not be used for the direct solicitation of business for pecuniary gain (CRS § 24-72-305.5).
- (e) If the records requested are related to an arrest and are in active use, in storage, or otherwise not readily available, the Custodian of Records shall notify the requester of the status. This notice shall be in writing if requested by the requester. If requested, the Custodian of Records shall set a date and hour, within three working days, at which the records will be available to the requester (CRS § 24-72-303):
  - 1. If the Department does not have the records related to an arrest, the Custodian of Records shall include in the notice, in detail to the best of his/her knowledge and belief, the agency which has custody or control of the requested record.
- (f) For all other records requested (i.e., not related to an arrest) that are not in the custody or control of the Department, the Custodian of Records shall notify the requester of the status. The notice shall be in writing if requested by the requester. The notice shall include the reason for the absence of the records from the Department's custody or control, their location, and what person has custody or control of the records (CRS § 24-72-304).
  - 1. If the Custodian of Records has knowledge that the records requested are in the custody and control of the central repository for criminal justice records, the request shall be forwarded to the central repository.
- (g) If the Custodian of Records denies access to a record and the applicant has requested a written statement of the grounds for the denial, the Custodian of Records shall prepare the written statement and provide it to the applicant within 72 hours, citing to the law or regulation under which access is denied or the general nature of the interest to be protected by the denial (CRS § 24-72-305).
- (h) Records related to completed internal investigations (including any appeals) into the alleged misconduct of an in-uniform or on-duty officer, when involving a member of the public, shall be made available for inspection as required by CRS § 24-72-303. [See attachment: 2019 IA release and redaction guidance.pdf](#).

#### **804.5 RELEASE RESTRICTIONS**

Examples of release restrictions include but are not limited to:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Maintenance and Release*

---

record, or any department record, including traffic accident reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

- (b) Victim information that may be protected by statutes (CRS § 24-4.1-303; CRS § 24-72-304).
- (c) Juvenile-related information that may be protected by statutes (CRS § 19-1-304).
- (d) Certain types of reports involving, but not limited to, child abuse or neglect (CRS § 19-1-307) and at-risk adult abuse (CRS § 26-3.1-102).
- (e) The name and any other identifying information of a child victim or child witness except as permitted by CRS § 24-72-304.
  - 1. When notified by a court that the name of a child victim or child witness has been disclosed during a court proceeding, or when requested by a child victim, child witness, or the child's legal guardian, the record and file containing the record should be marked with the notation "CHILD VICTIM" or "CHILD WITNESS" (CRS § 24-72-304).
- (f) Records that contain the notation "SEXUAL ASSAULT" shall have identifying information deleted as required by CRS § 24-72-304.
- (g) Records that contain information concerning an application for victim's compensation (CRS § 24-4.1-107.5).
- (h) Information received, made, or kept by the Safe2Tell® program (CRS § 24-31-607).
- (i) Records of the investigations conducted by the Department, records of the intelligence information or security procedures of the Department, or any investigatory files compiled for any other law enforcement purpose (CRS § 24-72-305).
- (j) The result of chemical biological substance testing (CRS § 24-72-305).
- (k) The address of an individual who has requested and been approved for address confidentiality (CRS § 24-30-2108).
- (l) Personnel records, medical records, and similar records which would involve personal privacy.
- (m) Information regarding the immigration status of any victim who is requesting certification for a U visa or T visa, or any documents submitted for U visa or T visa certification and any written responses to a certification request except where allowed by law (CRS § 24-4.1-404).
- (n) Any other record subject to inspection where such inspection would be or is (CRS § 24-72-305):
  - 1. Contrary to any state statute.
  - 2. Prohibited by rules promulgated by the state supreme court or by order of any court.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Maintenance and Release*

---

#### **804.6 SUBPOENAS AND DISCOVERY REQUESTS**

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, Town Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

#### **804.7 RELEASED RECORDS TO BE MARKED**

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

#### **804.8 EXPUNGEMENT OR SEALED RECORDS**

Expungement orders or orders to seal criminal records received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge or seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is expunged or sealed, members shall respond to any inquiry as though the record did not exist (CRS § 24-72-702; CRS § 24-72-703).

##### **804.8.1 EXPUNGEMENT OF ARREST RECORDS RESULTING FROM MISTAKEN IDENTITY**

If the Detective Bureau supervisor determines that a person was arrested based on mistaken identity and no charges were filed following the arrest, the Custodian of Records shall file a petition for an order to expunge any arrest or criminal records resulting from the mistaken identity. The petition must be filed no later than 90 days after the investigation determines the mistaken identity, in the judicial district where the arrest occurred (CRS § 24-72-702).

##### **804.8.2 EXPUNGEMENT OF CERTAIN JUVENILE RECORDS WITHOUT COURT ORDER**

The Custodian of Records shall acknowledge receipt of a notice issued by the district attorney or other diversion provider that a juvenile has successfully completed a prefiling diversion. Upon receipt of the notice, the Custodian of Records shall treat the records as expunged within 35 days and without need of a court order (CRS § 19-1-306).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Maintenance and Release*

---

#### **804.9 SECURITY BREACHES**

Members who become aware that any Mead Police Department system containing personal information may have been breached should notify the Custodian of Records as soon as practicable.

The Custodian of Records shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person. If the security breach is reasonably believed to affect 500 or more Colorado residents, the Custodian of Records shall also notify the Colorado attorney general. Notice may not be required if the Custodian of Records, after a reasonable investigation, makes a determination that misuse of the individual's information has not occurred and is not reasonably likely to occur. Additional notices to consumer reporting agencies may be required if the security breach requires notification to more than 1,000 Colorado residents (CRS § 24-73-103).

Notice shall be given in the most expedient time possible and without unreasonable delay, and not later than 30 days from the discovery of the breach, consistent with the needs of the department and any measures necessary to determine the scope of the breach, prevent further disclosures, and restore the reasonable integrity of the data system. Notice may be delayed if notification will impede a criminal investigation. In such cases, notice shall be made not later than 30 days after a determination is made that notification will no longer impede the investigation (CRS § 24-73-103).

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following when not encrypted, redacted, or secured by any other method that renders the information unreadable or unusable (CRS § 24-73-103):

- (a) Social Security number
- (b) Driver's license number or identification card number
- (c) Student, military, passport, or health insurance identification number
- (d) Medical information
- (e) Biometric data
- (f) Username or email address, in combination with a password or security questions and answers, that would permit access to an online account
- (g) Full account number or credit or debit card number, in combination with any required security code, access code, or password that would permit access to the individual's account

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Custodian of Records should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Records Maintenance and Release*

---

#### **804.10 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO ALLEGED MISCONDUCT**

Unedited video and audio recordings related to an incident where a peace officer, civilian, or nonprofit organization has made a complaint of officer misconduct shall be released upon a proper public record request within 21 days of the request (CRS § 24-31-902).

The Custodian of Records should work as appropriate with the Chief of Police or the Internal Affairs Unit supervisor in determining what recordings may qualify for disclosure when a request for a recording is received.

##### **804.10.1 DELAY OF RELEASE**

Disclosure of recordings related to alleged misconduct during active criminal or administrative investigations may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident if disclosure would substantially interfere with or jeopardize the investigation. The Chief of Police or the authorized designee should work as appropriate with the prosecuting attorney so that the prosecuting attorney may produce the required notice (CRS § 24-31-902).

##### **804.10.2 RELEASE OF AUDIO OR VIDEO RECORDINGS DEPICTING A DEATH**

Upon request, the Custodian of Records shall release unedited video and audio recordings depicting a death to the victim's spouse, parent, legal guardian, child, sibling, grandparent, grandchild, significant other, or other lawful representative, and inform the requesting party of the requesting party's right to receive and review the recording at least 72 hours prior to public release (CRS § 24-31-902).

##### **804.10.3 RESTRICTIONS RELATED TO PRIVACY**

If the Custodian of Records, in consultation with the Chief of Police or the authorized designee, determines that specific portions of a recording may raise substantial privacy concerns for a person depicted in the recording, the Department should use technology to blur portions of a recording made available for release. In such cases, unblurred footage shall not be released without the written authorization of the victim or the victim's next of kin (CRS § 24-31-902).

If blurring is insufficient to protect the substantial privacy interest of a person, the Custodian of Records should, within 20 days of receipt of the complaint of alleged misconduct (CRS § 24-31-902):

- (a) Provide a copy of the recording upon request to the victim or the victim's next of kin.
- (b) Inform the person whose privacy interest is implicated of the right to waive the interest in writing and allow release of the unedited recording.

## Front Desk and Lobby Procedures

### 805.1 CUSTOMER SERVICE

It is the policy of the Mead Police Department to provide excellent service to the community. Any member in a position to greet and assist a person in the lobby is expected to do so in a friendly and welcoming manner. Regardless of the reason for the persons visit, the member should assist them in getting connected to the appropriate member of town staff to best address their need.

### 805.2 CASH HANDLING

Only members who are authorized should accept monetary deposits. If an authorized member is not available, the visitor should be assisted in making the payment at town hall or provide a time to return when an authorized member will be present to accept the payment.

Members authorized to accept payments shall receive training from town staff on procedures to secure, transfer and document the payments.

Members authorized to accept payments will follow the procedures of the Town of Mead and use the utmost discretion in securing the funds. [See attachment: Cash Receipting TOM.pdf](#)

- (a) The lockbox will be used to secure any funds that cannot be immediately transferred to the town's financial designee.
- (b) No funds, other than the necessary change, shall be left in the lockbox longer than necessary.

This policy does not apply to items logged in as property or evidence.

### 805.3 LOBBY HOURS

The department lobby is an important avenue to allow access by the community to the department. The lobby will be open as much as possible during normal business hours.

When the lobby is not open, there should be a clearly visible sign on the front door that gives notice of the closure and also provides the direct number for dispatch services.

## Protected Information

### 806.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Mead Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

#### 806.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored or accessed by members of the Mead Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

Criminal Justice Information Services (CJIS) - Services that provide authorized individuals access to Criminal Justice information (CJI).

Local Area Security Officer (LASO) - the primary information security contact for the MPD.

CCIC Coordinator / Terminal Agency Coordinator (TAC) - serves as the point-of-contact at the MPD for matters relating to CJIS information access.

### 806.2 POLICY

Members of the Mead Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

### 806.3 COORDINATOR RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Division of Motor Vehicles (DMV) records and the Colorado Crime Information Center (CCIC).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Protected Information*

---

- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.
- (g) Report any misuse violations to CBI.
- (h) Respond to audit requests from CBI in a prompt and thorough manner.

#### **806.4 ACCESS TO PROTECTED INFORMATION**

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Mead Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

#### **806.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION**

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Department to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

#### **806.6 LASO RESPONSIBILITIES**

The Chief of Police will select a member of the Department to oversee the security of protected information.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Protected Information*

---

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.
- (e) Respond to audit requests from CBI in a prompt and thorough manner.

#### **806.6.1 MEMBER RESPONSIBILITIES**

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

#### **806.6.2 CJIS ACCOUNTABILITY STANDARDS**

Members of the MPD with access to CJIS are accountable to the following sources of training and proper use policy.

- (a) FBI CJIS Security Policy
- (b) DOJ C.F.R. Title 28 Part 20
- (c) NCIC Operating Manual
- (d) CCIC User Agreement
- (e) CBI Misuse Policy
- (f) CBI Declaration of Understanding

Any member suspected of being in violation of this policy or the referenced policies or guidelines, may be subject to an investigation into the violation. Violations of this policy can be serious in nature and will be fully investigated to determine if misuse or abuse can be substantiated.

#### **806.7 CHALLENGE TO CRIMINAL OFFENDER RECORD**

Any person has the right to challenge the accuracy and completeness of criminal justice records pertaining to him/her and to request that said records be corrected (CRS § 24-72-307). Any such requests shall be forwarded to the Records Manager.

Upon receipt of a request to correct the record, the Records Manager will evaluate the request as follows:

- (a) The Records Manager will review the request for correction and make a determination of whether to grant or refuse the request, in whole or in part.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Protected Information*

---

- (b) In the event that the Records Manager requires additional time to evaluate the merit of the request for correction, the Records Manager shall notify the applicant in writing.
  - 1. The Records Manager shall then have 30 days from the date of receipt of the request for correction to evaluate the request and to make a determination of whether to grant or refuse the request, in whole or in part.
  - 2. The Records Manager will communicate that decision to the applicant in writing.
- (c) If the Records Manager refuses to make the requested correction and the person requests a written statement of the grounds for the refusal, the Records Manager shall promptly provide such a written statement.
- (d) If the Records Manager decides to make the correction, the Records Manager will ensure the change is made in the records of the Mead Police Department and communicate the correction to the Colorado Bureau of Investigation.

#### **806.8 TRAINING**

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

## Animal Control

### 807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

### 807.2 POLICY

It is the policy of the Mead Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

### 807.3 COMMUNITY SERVICE OFFICER RESPONSIBILITIES

Animal control services are generally the primary responsibility of Community Service Officer and include:

- (a) Animal-related matters during periods when Community Service Officer is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Community Service Officer is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.
- (d) Tasks identified in the Colorado Animal Protection Act (CRS § 35-42-101 et seq.).

### 807.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
  - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Animal Control*

---

2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

#### **807.5 ANIMAL CRUELTY COMPLAINTS**

Laws relating to the cruelty to animals should be enforced, including but not limited to CRS § 18-9-202 et seq.

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

#### **807.6 ANIMAL BITE REPORTS**

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

If a biting dog has been killed (see Destruction of Animals section) in order to prevent further injury or death, the local board of health shall be notified of the facts related to the bite and the killing, and the body of the dog shall be held for release to the board of health (6 CCR 1009-1:1).

#### **807.7 STRAY DOGS**

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

#### **807.8 DANGEROUS ANIMALS**

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Sergeant, or authorized designee, will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

#### **807.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS**

Members should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

#### **807.10 DECEASED ANIMALS**

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Animal Control*

---

Deceased animals on public property should be removed, sealed in a plastic bag and properly disposed of by the responding member.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

#### **807.11 INJURED ANIMALS**

When a member becomes aware of an injured domesticated animal, all reasonable attempts shall be made to contact the owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

#### **807.12 DESTRUCTION OF ANIMALS**

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

# Crime Prevention

## **808.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines and responsibilities pertaining to the Mead Police Department.

## **808.2 POLICY**

The Mead Police Department is committed to preventing crime in the community. Crime prevention is an integral part of the mission of the Mead Police Department and requires the participation of and strong collaboration between the Department and the community.

## **808.3 CRIME PREVENTION PROGRAMS**

The prevention of crime is the responsibility of all members of the Department. Crime prevention programs may vary depending upon budget and community need. Programs that may be administered include, but are not limited to, the following:

- Neighborhood Watch
- Business Watch
- Crime prevention through environmental design (CPTED)
- Workplace safety
- Community safety coalition lead
- Drug abuse prevention
- Youth violence prevention
- Security lighting

## **808.4 CRIME PREVENTION SUPERVISOR RESPONSIBILITIES**

The crime prevention supervisor, or authorized designee, oversees the daily functions of crime prevention efforts and is responsible for coordinating with all of the Department Divisions to ensure that crime prevention functions are tailored to reflect changing department and community needs. The crime prevention supervisor or the authorized designee acts as the primary crime prevention liaison between the Department, community groups and other government entities.

To maximize the impact of crime prevention, the crime prevention supervisor should:

- Organize and establish a liaison with crime prevention groups within the community.
- Utilize crime data to customize specific crime prevention programs and responses.
- Understand community perceptions and misperceptions of crime.
- Conduct a documented evaluation of all active crime prevention initiatives at least once every three years.
- Communicate with other Town groups (e.g., zoning, code compliance, street lighting, building permits, environmental design) regarding crime prevention issues.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Crime Prevention*

---

##### 808.4.1 COMMUNITY ORIENTED POLICING

The crime prevention supervisor serves as the primary source and liaison for all Department-initiated community oriented policing initiatives.

##### 808.4.2 CITIZEN SURVEY

A citizen's survey should be conducted at least once every three years including:

- Overall department performance
- Overall competence of department members
- Perception of department members' attitude and behavior
- Any safety or security concerns
- Recommendations and suggestions for improvements

A written summary of the compiled results should be provided to the Chief of Police.

## **Chapter 9 - Custody**

## Temporary Custody of Adults

### 900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Mead Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

#### 900.1.1 DEFINITIONS

Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Temporary custody** - The time period an adult is in custody at the Mead Police Department prior to being released or transported to a housing or other type of facility.

### 900.2 POLICY

The Mead Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

### 900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

#### 900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Mead Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
  - (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
  - (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
  - (g) Any individual who has exhibited extremely violent or continuously violent behavior.
  - (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
  - (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

#### 900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision (6 CCR 1010-13:18.0). Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

#### 900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

- (c) Any other person authorized by the Shift Sergeant.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

#### **900.4 INITIATING TEMPORARY CUSTODY**

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others (6 CCR 1010-13:14.0). The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication, or evidence surrounding the individual's arrest and transportation that would indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the jail or other appropriate facility.

The officer should promptly notify the Shift Sergeant of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Sergeant shall determine whether the individual will be placed in a cell, immediately released or transported to the jail or other facility.

##### **900.4.1 SCREENING AND PLACEMENT**

The officer responsible for an individual in custody shall:

- (a) Advise the Shift Sergeant of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
  1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
  2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
    - (a) Continuous, direct sight and sound supervision.
    - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
  3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
  4. Ensure males and females are separated by sight and sound when in cells.
  5. Ensure restrained individuals are not placed in cells with unrestrained individuals.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

- (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

#### 900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Operations Commander, or authorized designee, will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
  - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
  - 1. If the country is on the mandatory notification list, then:
    - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
    - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
    - (c) Forward any communication from the individual to his/her consular officers without delay.
    - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
  - 2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
    - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
    - (b) Forward any communication from the individual to his/her consular officers without delay.

#### 900.5 SAFETY, HEALTH AND OTHER PROVISIONS

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

##### 900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Mead Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including his/her name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks.
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the Mead Police Department.

The Shift Sergeant should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Shift Sergeant should make periodic checks to ensure all log entries and safety and security checks are made on time.

##### 900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted on the log.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
  - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
  - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins (6 CCR 1010-13:10.0).
- (d) There is reasonable access to a drinking fountain or water (6 CCR 1010-13:10.0).
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
  - 1. Personal clothing taken shall be cleaned, disinfected or stored so as to control communicable diseases (6 CCR 1010-13:12.0).
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual (6 CCR 1010-13:12.0).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

1. The supervisor should ensure that there is an adequate supply of clean blankets.
  - (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
  - (j) Adequate furnishings are available, including suitable chairs or benches (6 CCR 1010-13:8.0).

#### 900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times (6 CCR 1010-13:14.0).

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Mead Police Department. They should be released or transferred to another facility as appropriate.

#### 900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Shift Sergeant shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

#### 900.5.5 TELEPHONE CALLS

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival (CRS § 16-3-402).

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.
  1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
  - (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

#### 900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

#### 900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

#### 900.5.8 ATTORNEYS

Attorney visits will not be accommodated for those in custody at the Mead temporary holding facility. Those in custody who wish to consult with attorneys will need to do so at the County Jail.

#### 900.5.9 VISITATION

Visitors will not be accommodated for those in custody at the Mead temporary holding facility. Those in custody who wish to have visitors will need to do so at the County Jail.

#### 900.5.10 FOOD SERVICE

Food provided will be purchased from a retail or commercial food provider (6 CCR 1010-13:13.0).

#### 900.5.11 ACCESS TO PRE-TRIAL RELEASE OR BAIL SERVICES

Officers shall provide detainees access to pre-trial release services if available.

Officers shall provide detainees with access to bail bondsmen services when they qualify.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

Officers shall not intentionally inhibit any detainees access to any of the above services.

#### **900.6 USE OF RESTRAINT DEVICES**

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Mead Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

##### **900.6.1 PREGNANT ADULTS**

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

#### **900.7 PERSONAL PROPERTY**

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return. If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The Shift Sergeant shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Shift Sergeant shall attempt to prove or disprove the claim.

#### **900.8 HOLDING CELLS**

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary (6 CCR 1010-13:18.0). An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces and jackets, shall be removed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to department members.
- (d) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (e) Safety checks by department members shall occur no less than every 15 minutes.
  - 1. Safety checks should be at varying times.
  - 2. All safety checks shall be logged.
  - 3. The safety check should involve questioning the individual as to his/her well-being.
  - 4. Individuals who are sleeping or apparently sleeping should be awakened.
  - 5. Requests or concerns of the individual should be logged.

#### **900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY**

The Operations Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Mead Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate
- (b) Immediate notification of the Shift Sergeant, Chief of Police and Investigations Commander
- (c) Notification of the spouse, next of kin or other appropriate person
- (d) Notification of the appropriate prosecutor
- (e) Notification of the Town Attorney
- (f) Notification of the Coroner
- (g) Evidence preservation

#### **900.10 RELEASE AND/OR TRANSFER**

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Custody of Adults*

---

- (f) The individual is not permitted in any nonpublic areas of the Mead Police Department unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.
  - 1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

#### **900.11 ASSIGNED ADMINISTRATOR**

The Operations Commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security
- (b) Key control
- (c) Sanitation and maintenance (6 CCR 1010-13:18.0)
- (d) Emergency medical treatment including (6 CCR 1010-13:14.0)
  - 1. Procedures for emergency evacuation of the inmate from the facility
  - 2. A designated emergency on-call physician and dental services provider
  - 3. A designated hospital emergency room or other appropriate health care facilities
- (e) Escapes
- (f) Evacuation plans (6 CCR 1010-13:14.0)
- (g) Fire- and life-safety (6 CCR 1010-13:16.0)
- (h) Disaster plans
- (i) Building and safety code compliance (6 CCR 1010-13:3.0)
- (j) Insect and rodent control (6 CCR 1010-13:7.0)
- (k) Storage, collection, transportation and disposal of garbage, refuse and recyclable materials (6 CCR 1010-13:6.0)
- (l) Poisonous, toxic or hazardous substance use and storage (6 CCR 1010-13:15.0)
- (m) If authorized, receiving mail/packages and managing visitation for individuals in custody

# Mead Police Department

Policy Manual

Policy Manual

## *Temporary Custody of Adults*

---

### **900.12 TRAINING**

Department members should be trained and familiar with this policy and any supplemental procedures.

## Custodial Searches

### 901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Mead Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

#### 901.1.1 DEFINITIONS

Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

### 901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

### 901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

### 901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Mead Police Department facilities. Except in exigent circumstances, the search should be conducted by a

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Custodial Searches*

---

member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

#### 901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Mead Police Department identification number and information regarding how and when the property may be released.

#### 901.4.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

#### 901.5 STRIP SEARCHES

No individual in temporary custody at any Mead Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Custodial Searches*

---

- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
  - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

#### 901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Mead Police Department facilities shall be conducted as follows (28 CFR 115.115; CRS § 16-3-405):

- (a) Written authorization from the Shift Sergeant, or authorized designee, shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
  - 1. The facts that led to the decision to perform a strip search.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The written authorization for the search, obtained from the Shift Sergeant.
  - 4. The name of the individual who was searched.
  - 5. The name and sex of the members who conducted the search.
  - 6. The name, sex and role of any person present during the search.
  - 7. The time and date of the search.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Custodial Searches*

---

8. The place at which the search was conducted.
  9. A list of the items, if any, that were recovered.
  10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- (h) A copy of the written authorization should be retained and made available upon request to the detainee or the detainee's authorized representative.

#### **901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES**

A strip search may be conducted in the field only with Shift Sergeant, or authorized designee, authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Shift Sergeant authorization does not need to be in writing.

#### **901.6 PHYSICAL BODY CAVITY SEARCH**

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Sergeant, or authorized designee, and only upon a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician or nurse may conduct a physical body cavity search (CRS § 16-3-405(5)).
- (c) Except for the physician or nurse conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Custodial Searches*

---

- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
  - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The Shift Sergeant's approval.
  - 4. A copy of the search warrant.
  - 5. The time, date and location of the search.
  - 6. The medical personnel present.
  - 7. The names, sex and roles of any department members present.
  - 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and should be made available to the individual who was searched or other authorized representative upon request.

#### **901.7 TRAINING**

The Commander, or authorized designee, shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

## Prison Rape Elimination

### 902.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against detainees in the Mead Police Department Temporary Holding Facilities (28 CFR 115.111).

#### 902.1.1 DEFINITIONS

Definitions related to this policy include:

**Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

**Sexual abuse** - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the detainee, arrestee or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a detainee, arrestee or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

**Sexual harassment** - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one detainee, arrestee or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a detainee, arrestee or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

**Transgender** - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

#### **902.2 POLICY**

The Mead Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Mead Police Department will take immediate action to protect detainees who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

#### **902.3 PREA COORDINATOR**

The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards in the Mead Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of Mead Police Department detainees or arrestees includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of detainees (28 CFR 115.151).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
  - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
  - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
  - 3. A process to document all referrals to other law enforcement agencies.
  - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
  - 5. In accordance with security needs, provisions to permit, to the extent available, detainee access to victim advocacy services if the detainee is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that detainees with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
  - 1. The agency shall not rely on other detainees for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee's safety, the performance of first-response duties under this policy, or the investigation of a detainee's allegations of sexual abuse, harassment or retaliation.
- (h) Publishing on the department's website:
  - 1. Information on how to report sexual abuse and sexual harassment on behalf of a detainee (28 CFR 115.154).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
  1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
  2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house detainees overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

#### **902.4 REPORTING SEXUAL ABUSE AND HARASSMENT**

Detainees may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other detainees or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all detainees of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward detainee reports of sexual abuse and sexual harassment to agency officials. This allows the detainee to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

##### **902.4.1 MEMBER RESPONSIBILITIES**

Department members shall accept reports from detainees and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the Shift Sergeant any knowledge, suspicion or information regarding:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against detainees or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

#### **902.4.2 SHIFT SERGEANT RESPONSIBILITIES**

The Shift Sergeant, or authorized designee, shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Shift Sergeant shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee was sexually abused while confined at another facility, the Shift Sergeant shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Shift Sergeant shall document such notification (28 CFR 115.163).

If an alleged detainee victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the detainee's potential need for medical or social services, unless the detainee requests otherwise (28 CFR 115.165).

#### **902.5 INVESTIGATIONS**

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

##### **902.5.1 FIRST RESPONDERS**

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

#### 902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a detainee or a member of the Mead Police Department.
- (f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe a detainee sexually abused another detainee in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

#### 902.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

##### 902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No detainee who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Detainee victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

##### 902.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the Town Manager. The Chief of Police or Town Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with detainees by a contractor or volunteer.

##### **902.6 RETALIATION PROHIBITED**

All detainees and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Shift Sergeant or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for detainee victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for detainees or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Shift Sergeant or the authorized designee shall identify a staff member to monitor the conduct and treatment of detainees or members who have reported sexual abuse and of detainees who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of detainees, such monitoring shall also include periodic status checks.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

### **902.7 REVIEWS AND AUDITS**

#### **902.7.1 INCIDENT REVIEWS**

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

#### **902.7.2 DATA REVIEWS**

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

- (e) An assessment of the department's progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Mead Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

#### **902.8 RECORDS**

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

#### **902.9 TRAINING**

All employees, volunteers and contractors who may have contact with detainees shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Commander shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department's zero-tolerance policy and detainees' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which detainees are most vulnerable.
- The right of detainees and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all detainees.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Prison Rape Elimination*

---

- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Commander shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

## Transporting Detainees

### 903.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the Mead Police Department.

Additional guidance can be found in the Medical Aid and Response Policy.

### 903.2 POLICY

It is the policy of the Mead Police Department to make reasonable efforts to protect the safety of persons in custody while they are being transported.

### 903.3 OPERATIONS COMMANDER RESPONSIBILITIES

The Operations Commander, or authorized designee, is responsible for reviewing the safety and restraint systems for all vehicles used to transport persons in custody. The review shall ensure the restraint systems comply with the law and shall determine whether they reasonably meet the needs of the Department. Safety systems should allow for transporting members to be in constant and reasonably clear audio contact with each person being transported.

The Operations Commander should establish related procedures for safely transporting persons who have their legs restrained in some manner other than leg shackles.

### 903.4 PROCEDURES

Members transporting a person in custody should ensure:

- (a) Their body camera is activated during the arrest and remain activated during the transport.
- (b) All persons are properly restrained by a seat belt or other approved safety restraint system.
- (c) All persons in custody remain in a seated or otherwise safely restrained position in the rear of the vehicle.
- (d) Any person behaving in a manner so violent or uncooperative that he/she cannot or will not sit upright is:
  1. Reviewed for a medical condition by an emergency medical services provider and if a medical condition exists, transported by ambulance for a medical examination.
    - (a) If no medical condition exists or an ambulance is unavailable or unwilling to transport the prisoner, alternative transportation should be arranged (e.g., special transport van).
- (e) A verbal welfare check is made with a person in custody every 10 minutes.
  1. If a person being transported is not responsive or indicates a medical condition, the transporting member should advise dispatch and render aid as soon as practicable (see the Medical Aid and Response Policy).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Transporting Detainees*

---

2. Special conditions (e.g., suicidal persons, persons wearing a spit hood) may require closer observations or visual monitoring as indicated in other parts of this policy and in the Handcuffing and Restraints and Temporary Custody of Adults policies.
- (f) All areas of the vehicle accessible to a person in custody are searched before and after each transport.
  - (g) A person in custody is searched immediately after his/her arrest, before transport in any department vehicle, after transportation and any time another person assumes custody.
    - (a) Whenever practicable, the search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.
  - (h) Transport is accomplished in a direct and timely manner.
    - (a) Whenever practicable, the transport should be conducted by an officer of the same sex as the person being transported.
  - (i) The same consideration is shown to a person in custody as would be reasonably shown to any other passenger (e.g., avoiding loud or objectionable music, excessive heat or cooling).
  - (j) The manner in which a person being transported is not used as a form of punishment or retaliation.
  - (k) Persons suspected of having a communicable disease are transported in compliance with the exposure control plan.
  - (l) Persons in custody are transported individually when practical, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances:
    1. Juveniles are not to be transported with adults.
    2. Females are not to be transported with males. When possible, transgender or intersex persons should be transported with persons of the gender they identify with.
    3. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, are not to be transported together.
  - (m) Dispatch is advised of the following:
    1. The time when a transport begins and the vehicle's mileage.
    2. The time, vehicle's mileage and reason for any stops.
    3. The time of arrival at the destination and the vehicle's mileage.
  - (n) Reasonable efforts are made to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
  - (o) Direct visual observation and audio communication is provided during transport of:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Transporting Detainees*

---

1. Individuals in auxiliary restraints (see the Handcuffing and Restraints Policy).
2. Individuals in leg restraints.
3. Individuals wearing a spit hood.
4. Individuals who are a suspected suicide risk.

#### **903.4.1 TRANSPORTING PERSONS WITH DISABILITIES**

When transporting a person with a disability, a transporting member should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member should ensure that any special equipment, (e.g., canes, wheelchairs or prosthetics) is transported in such a manner to not threaten the safety or security of the person or member and that such equipment is transported to the person's destination.

Members transporting a person with a disability should use their judgment in determining what, if any, restraining devices may be appropriate based on the person's disability to ensure the security, safety and dignity of all persons.

#### **903.5 PROHIBITIONS**

When transporting a person in custody members should not:

- (a) Leave the vehicle unattended with the person in the vehicle.
- (b) Stop to conduct any personal activities.
- (c) Respond to calls or engage in other enforcement activities except in exigent circumstances.
- (d) Engage in a pursuit unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the person in transport.
  1. A vehicle containing more than a single person in custody should not be involved in any pursuit.
- (e) Transport persons in a vehicle that is not equipped to safely transport prisoners except in an emergency. A properly equipped vehicle should be requested.
- (f) Drive in a manner intentionally designed to punish or make the person uncomfortable.

#### **903.6 ESCAPES**

In the event that a person in custody escapes while being transported, the member transporting the person should immediately advise dispatch and other units of the escape, provide a description of the escapee, notify the Shift Sergeant, or authorized designee, and submit a written report as soon as practicable describing the circumstances of the escape and any recapture.

The Shift Sergeant should notify the Chief of Police upon learning of an escape. The Shift Sergeant should review the report submitted by the transporting member, investigate the circumstances surrounding the escape and submit a report to the Chief of Police as soon as practicable.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Transporting Detainees*

---

##### **903.7 NOTIFICATIONS**

Members should notify a supervisor and any receiving facility of information regarding any circumstances the member reasonably believes would be potential safety concerns or medical risks to the person (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred prior to, or during, transportation.

##### **903.8 DOCUMENTATION**

Members should document, in the appropriate report, when a person is injured during transportation. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other prisoners). Any visible injuries should be photographed and included with the report.

##### **903.9 TRAINING**

The Operations Commander, or authorized designee, should ensure that members receive training on detainee transportation policies and procedures, restraint systems and restraint devices.

## **Chapter 10 - Personnel**

---

## Recruitment and Selection

### 1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Mead Police Department and that are promulgated and maintained by the Department of Human Resources.

### 1000.2 POLICY

In accordance with applicable federal, state, and local law, the Mead Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

### 1000.3 RECRUITMENT

The Administration Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Administration Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process and should periodically inform each candidate of the candidate's status in the recruiting process.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Recruitment and Selection*

---

#### **1000.4 SELECTION PROCESS**

The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Integrity Interview or voice stress analyzer examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

The Department shall not seek the wage history of applicants, rely on the wage rate history of a prospective employee, or otherwise engage in wage discrimination (CRS § 8-5-102).

##### **1000.4.1 CANDIDATES PREVIOUSLY EMPLOYED BY GOVERNMENTAL AGENCY**

The Administration Commander shall ensure that a waiver is included in the application for applicants employed or previously employed by a law enforcement or governmental agency that authorizes disclosure of all files, including the candidates' internal affairs files.

The Administration Commander shall submit the waiver to the agency at least 21 days prior to making a hiring decision regarding the candidate (CRS § 24-33.5-115).

The Administration Commander shall determine if a new hire, appointee, or transfer has a record contained in the Colorado Peace Officer Standards and Training (POST) Board misconduct database created pursuant to CRS § 24-31-303, and notify the POST Board if the Department employs the individual in a POST-certified position (CRS § 24-31-305).



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Recruitment and Selection*

---

##### 1000.4.2 EXAMINER AND INVESTIGATOR QUALIFICATIONS

If a polygraph or voice stress analysis examination is administered, the examiner should be appropriately licensed or certified and a copy of the license or certification should be maintained by the accreditation coordinator.

Medical and psychological examinations should be administered by appropriately licensed professionals. Examination results should be securely maintained in accordance with Colorado law and the established records retention schedule (see the Personnel Records and the Records Maintenance and Release policies).

Only members who have received department-approved training should conduct background investigations.

##### 1000.4.3 VETERAN'S PREFERENCE

Veterans and spouses of veterans of the United States Armed Forces shall receive preference as applicable (CRS § 29-5.5-104; Colo. Const. art. XII, § 15(1)).

#### **1000.5 BACKGROUND INVESTIGATION**

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Mead Police Department.

##### 1000.5.1 BACKGROUND INVESTIGATION CONSIDERATIONS

Background investigators shall verify a candidate's qualifying credentials. Background investigations should involve a home visit with the candidate and his/her family and interviews with neighbors and at least three personal references of the candidate. Personal references should include at least one employer if the candidate has an employment history.

##### 1000.5.2 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

##### 1000.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administration Commander should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Administration Commander should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Recruitment and Selection*

---

Regardless of whether a third party is used, the Administration Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

#### **1000.5.4 DOCUMENTING AND REPORTING**

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

#### **1000.5.5 RECORDS RETENTION**

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

#### **1000.6 DISQUALIFICATION GUIDELINES**

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

#### **1000.7 EMPLOYMENT STANDARDS**

All candidates shall meet the minimum standards required by state law (CRS § 24-31-305; 4 CCR 901-1:10). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Recruitment and Selection*

---

performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

#### 1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the following minimum standards established by the POST Board (CRS § 24-31-305; 4 CCR 901-1:10):

- (a) Have completed basic training and passed a POST-administered examination, as applicable (CRS § 24-31-305)
- (b) Have submitted to both a physical and a psychological evaluation (CRS § 24-31-303)
- (c) Have a high school diploma or equivalent (CRS § 24-31-305)
- (d) Possess a current first aid and cardiopulmonary resuscitation certificate (CRS § 24-31-305)
- (e) Have submitted to a fingerprint-based criminal history record check (CRS § 24-31-303)
- (f) Unless granted an exemption by the POST director, have no disqualifying incidents, as defined in 4 CCR 901-1:1 and CRS § 24-31-305.

#### 1000.8 ACADEMY CADETS AND DEPARTMENT LIAISON

Recruits that are hired to attend or while attending a POST Academy shall be assigned a department liaison.

- (a) The liaison shall communicate regularly with the Academy staff and the Recruit.
- (b) The liaison shall report back to the Commander the progress of the recruit and any concerns of the Academy staff.

#### 1000.9 NOTIFICATION TO POST REGARDING ELIGIBLE IMMIGRANTS

If the Department employs an eligible immigrant to attend a POST-approved training academy, the Administration Commander or the authorized designee should notify the POST Board of the eligible immigrant's compliance with the department's written firearms policy (CRS § 16-2.5-101).

## Evaluation of Employees

### 1001.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

### 1001.2 POLICY

The Mead Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

### 1001.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and civilian/non-sworn supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Evaluation of Employees*

---

#### **1001.4 FULL-TIME REGULAR STATUS PERSONNEL**

Regular employees are subject to three types of performance evaluations:

**Regular** - An employee performance evaluation shall be completed once each year by the employee's immediate supervisor on or near the anniversary of the employee's date of hire, except for employees who have been promoted, in which case an employee performance evaluation shall be completed on the anniversary of the employee's date of last promotion.

**Transfer** - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, an evaluation shall be completed by the current supervisor with contributions from the previous supervisor.

**Special** - A special evaluation may be completed any time the rater or the rater's supervisor determine one is necessary for other reasons, including an assessment of employee performance that appears to have become substandard. Generally, when used to demonstrate those areas of performance that appear to be substandard the evaluation would include followup action (e.g., action plan, remedial training, retraining). The evaluation form and any documentation shall be submitted as one package.

##### 1001.4.1 RATINGS

The definition of each rating category and anchor guidelines is as follows:

**Greatly Exceeds Standards** - Actual performance that is well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

**Above Standards** - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected but is not of such rare nature to warrant outstanding.

**Meets Standards** - Performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

**Progressing** - A level of performance less than that expected of a fully competent employee and less than the standards required of the position. A needs-improvement rating must be thoroughly discussed with the employee.

**Below Standards** - Performance is inferior to the standards required of the position. It is very inadequate or undesirable performance that cannot be tolerated.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses and suggestions for improvement. Any rating under any job dimension marked below or exceeds standards shall be substantiated in the rater comments section.

The rater will provide a recommendation at the end of the evaluation for a step increase or to remain at the current step. This decision is based on the qualifications for a step increase as outlined in the step program and also on the ratings of the current evaluation. The officer must receive a "meets expectations" or above in every category to be recommended for a step increase.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Evaluation of Employees*

---

##### **1001.5 EVALUATION INTERVIEW**

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the recently completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation. Employees may also write comments in the employee comments section of the performance evaluation report.

##### **1001.6 EVALUATION REVIEW**

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the Chief of Police. The Chief shall review the evaluation for fairness, impartiality, uniformity and consistency. The Chief shall use the quality of performance ratings prepared as a factor to evaluate the supervisor.

##### **1001.7 EVALUATION DISTRIBUTION**

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Human Resources Director for the employee's tenure. A copy will be given to the employee and a copy will be maintained in the employees training file in the office of the Chief of Police.

##### **1001.8 EVALUATION FREQUENCY**

Employees are evaluated based on the following;

**Meetings with Employees** - At the beginning of each year, supervisors will meet individually with their assigned employees and will share the goals, values, and expectations of the work group with each employee. The employee and the supervisor will establish mutually agreed upon and attainable individual goals and performance expectations that are directed toward the accomplishment of the goals of the work group. These individual goals and expectations will be documented in the form of a performance agreement in the employee's performance journal for future reference utilizing an acceptable form or electronic file.

**Supervisor Documentation** - Supervisors will be required to document employee progress, significant accomplishments, areas of needed improvement, or other performance issues at least twice each month in the employee's performance journal, again utilizing the appropriate form or electronic file.

**Employee/Supervisor Monthly Meetings** - Supervisors will meet with each of their assigned employees at least once per month to review the employee's progress toward goal achievement, as well as any and all documentation that has been added to the employee's performance journal and to provide any necessary guidance or direction toward the accomplishment of the mutually agreed upon performance objectives.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Evaluation of Employees*

---

**Annual Evaluations** - Approximately 30 days prior to an employee's scheduled evaluation date, the supervisor will evaluate the employee by using information from a number of sources: the employee's performance journal, performance supplemental reports by other supervisors, personal knowledge, and other data available in department files dealing with education, training, commendations, and personnel investigations. The completed report will then be forwarded to the rater's supervisor.

#### **1001.9 EMPLOYEE PERFORMANCE JOURNALS**

A journal is maintained for every sworn officer below the rank of Commander.

The employee's journal is an important tool for recording information for future reference and can assist a supervisor in making decisions relative to the employee and when completing the employee's yearly evaluation. The journal should be used to:

- Document quarterly and monthly meetings as described
- Document specific instances of an employee's good work, or specific instances of an employee's inadequate or inappropriate work effort
- Record observed patterns of excellent or poor job performance
- Record specific informal advice and training tips and techniques provided to the officer by a supervisor
- Contain photocopies of commendations

Primary responsibility for making entries into an employee's journal lies with an employee's immediate supervisor. Other department supervisors may also record entries, but should notify the primary supervisor, as a courtesy, as soon as practical.

Entries may be made as often as appropriate to document any event, situation, or circumstance. Whenever an entry is recorded, the supervisor will allow the employee to read it as soon as practical. The employee may write additional comments if he or she wishes to do so and those comments should be added into the journal.

Completed log pages are retained in an individual's log book until a subsequent yearly evaluation is written.

Log entries may be quoted or otherwise utilized in the writing of a yearly evaluation.

All log pages for the current evaluation period are attached to the completed evaluation for inclusion in the employee's personnel file maintained by administrative staff.

A copy of the completed yearly evaluation should be included for reference in the employee's journal.

## Promotional and Transfer Policy

### 1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Mead Police Department.

#### 1002.1.1 GENERAL REQUIREMENTS

The following conditions will be used in evaluating employees for promotion and transfer:

- (a) Presents a professional and neat appearance
- (b) Maintains a physical condition that aids in his/her performance
- (c) Demonstrates:
  - 1. Emotional stability and maturity
  - 2. Stress tolerance
  - 3. Sound judgment and decision-making
  - 4. Personal integrity and ethical conduct
  - 5. Leadership
  - 6. Initiative
  - 7. Adaptability and flexibility
  - 8. Ability to conform to organizational goals and objectives
  - 9. Skills and abilities related to the position

### 1002.2 CERTIFIED NON-SUPERVISORY SELECTION PROCESS

The following positions are considered transfers or optional duty assignments and are not considered promotions:

- (a) Investigator
- (b) Motor officer
- (c) Collision Investigator
- (d) Field Training Officer
- (e) Community Relations/Training Officer
- (f) School Resource Officer

#### 1002.2.1 DESIRABLE QUALIFICATIONS

The following qualifications apply to consideration for transfer or optional duty assignments:

- (a) Three years experience
- (b) Regular employee status



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Promotional and Transfer Policy*

---

- (c) Has shown an express interest in the position applied for
- (d) Education, training and demonstrated abilities in related areas, such as enforcement activities, investigative techniques, report writing and public relations
- (e) Completed any training required by Colorado Peace Officer Standards and Training (POST), federal or state law

#### **1002.3 SELECTION PROCESS**

The following criteria apply to transfers or optional duty assignments:

- (a) An administrative evaluation as determined by the Chief of Police that shall include a review of supervisor recommendations. Each supervisor who has overseen or has otherwise been accountable for the candidate's performance will submit recommendations.
- (b) The supervisor recommendations will be submitted to the Chief of Police. The Chief will schedule interviews with each candidate.
- (c) Based on supervisor recommendations and after the interview, the Chief of police will make the appointment.

The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

#### **1002.4 PROMOTIONAL SPECIFICATIONS**

The Police Department publishes a written announcement of a promotional process not more than 90 days, nor less than 30 days, prior to the beginning of the process.

The promotional processes of the Police Department is developed and administered by the Police Department, in consultation with the Director of Human Resources.

The Director of Human Resources establishes an eligibility list based on the results of the examination. Position vacancies are filled from the eligibility list, once the list has been established by the Director of Human Resources.

When five or fewer names appear on the eligibility list, the Chief of Police may recommend an appointment, or that a new list be established.

The Chief of Police may select any candidate from the existing eligibility list and recommend that person to the Town Manager for appointment.

The Town Manager may appoint any candidate from the eligibility list, or decline appointment and request that a new list be established.

The duration of an eligibility list is one-year, unless exhausted or canceled, or extended by the Director of Human resources for an additional period not to exceed one year.

#### **1002.5 SUPERVISOR CERTIFICATE**

Within one year of the effective date of assignment, all full-time first-line supervisors should complete a supervisor training course.

# Mead Police Department

Policy Manual

Policy Manual

## *Promotional and Transfer Policy*

---

### **1002.6 REMOVAL FROM A TRANSFER OR OPTIONAL DUTY ASSIGNMENT**

Participation in a transfer of optional duty assignment is considered voluntary and at the discretion of the Chief of Police. Officers may be removed from a transfer or optional duty assignment for the following reasons:

- At his or her own request;
- Transfer to an incompatible regular assignment;
- Promotion to a higher rank;
- Failure to maintain acceptable levels of performance or proficiency for the specific transfer or optional duty assignment in which they serve; and
- Failure to maintain an acceptable level of performance in his or her regular assignment.

## Grievance Procedure

### 1003.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance. The Department's philosophy is to promote free verbal communication between employees and supervisors.

#### 1003.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment, or the interpretation or application of any of the following documents:

- This Policy Manual
- Town rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual employee or by an employee bargaining group representative.

Specifically excluded from the category of grievances are:

- (a) Complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy.
- (b) Complaints related to state workers' compensation.
- (c) Personnel complaints consisting of any allegation of misconduct or improper job performance by any department employee that, if true, would constitute a violation of department policy, federal, state, or local law as set forth in the Personnel Complaint Procedure Policy.

### 1003.2 PROCEDURE

If an employee believes that he/she has a grievance as defined above, the employee shall observe the following procedure:

- (a) Attempt to resolve the issue through informal discussion with the immediate supervisor.
- (b) If after a reasonable period of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request interviews through the chain of command up to the Commander of the affected division.
- (c) If a successful resolution is not found through the chain of command, the employee may request a meeting with the Chief of Police.
- (d) If the employee and the Chief of Police are unable to arrive at a mutual solution, the employee shall submit a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor that includes the following information:
  1. The basis for the grievance (e.g., the facts of the case)
  2. Allegation of the specific wrongful act and the harm done

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Grievance Procedure*

---

3. The specific policies, rules or regulations that were violated
4. The remedy or goal being sought by the grievance

The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.

The Chief of Police will receive the written grievance. The Chief of Police and the Town Manager will review and analyze the facts or allegations and respond to the employee within five business days. The response will be in writing and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the Chief of Police and/or Town Manager is considered final.

#### **1003.3 PUNITIVE ACTION**

At no time will punitive action be taken against an employee for exercising any rights during the grievance procedure.

#### **1003.4 GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administration for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the Town Manager's office to monitor the grievance process.

#### **1003.5 GRIEVANCE AUDITS**

The Commander shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Commander shall record these findings in a memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this Policy Manual, the Commander should promptly notify the Chief of Police.

## Anti-Retaliation

### 1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

### 1004.2 POLICY

The Mead Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

### 1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Anti-Retaliation*

---

#### **1004.4 COMPLAINTS OF RETALIATION**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the Town Director of Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

##### **1004.4.1 WHISTLE-BLOWING**

Colorado law protects public employees who (CRS § 8-3.3-103; CRS § 29-33-104):

- Discuss or express personal views regarding representation and workplace issues, subject to the restrictions in CRS § 8-3.3-101 et seq., if applicable.
- Engage in protected, concerted activity for their mutual aid or protection.
- Participate in the political process while off-duty and not in uniform including:
  - Speaking with members of the town's governing body on terms and conditions of employment, or any other matter of public concern.
  - Engaging in other political activities in the same manner as other citizens of Colorado.
- Organize, join, or assist an employee organization or refrain from the same.

Members who believe they have been the subject of retaliation for engaging in protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Internal Affairs Unit for investigation in accordance with the Personnel Complaints Policy.

#### **1004.5 SUPERVISOR RESPONSIBILITIES**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Anti-Retaliation*

---

- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

#### **1004.6 COMMAND STAFF RESPONSIBILITIES**

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

#### **1004.7 RECORDS RETENTION AND RELEASE**

The Records Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

#### **1004.8 TRAINING**

The policy shall be reviewed with each new member (CRS § 24-31-906).

All members shall receive periodic refresher training on the requirements of this policy (CRS § 24-31-906).

# Reporting of Employee Convictions

## **1005.1 PURPOSE AND SCOPE**

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

## **1005.2 DOMESTIC VIOLENCE CONVICTIONS AND PROTECTION ORDERS**

Colorado and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; CRS § 18-12-108).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

## **1005.3 CRIMINAL CONVICTIONS**

Any person convicted of a felony is prohibited from being a peace officer in the State of Colorado (CRS § 24-31-305(1.5)).

If a person is convicted of a misdemeanor crime listed in CRS § 24-31-305(1.5) after July 1, 2001, they may not obtain POST certification without a waiver or may have their POST certification suspended or revoked.

Even when legal restrictions are not imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by a member of this department may prohibit him/her from carrying out law enforcement duties.

### **1005.3.1 COURT ORDERS**

All employees shall promptly notify the department if they are part of any criminal or civil court order. Court orders may prevent peace officers from possessing a firearm or require suspension or revocation of their peace officer POST certificate (see generally CRS § 24-31-303).

## **1005.4 REPORTING PROCEDURE**

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction, regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Reporting of Employee Convictions*

---

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

#### 1005.4.1 ANNUAL CERTIFICATION OF PEACE OFFICER RECORDS

The Chief of Police or the authorized designee shall verify the accuracy of the information associated with POST-certified officers of the Mead Police Department. Certification shall be made annually in the form and manner prescribed by POST (4 CCR 901-1:17).

## Drug- and Alcohol-Free Workplace

### 1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

### 1006.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

### 1006.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Sergeant or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

#### 1006.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair the member's abilities, without a written release from the member's physician.

#### 1006.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-duty is prohibited and may lead to disciplinary action.

### 1006.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Drug- and Alcohol-Free Workplace*

---

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

#### **1006.5 EMPLOYEE ASSISTANCE PROGRAM**

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

#### **1006.6 WORK RESTRICTIONS**

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

#### **1006.7 SCREENING TESTS**

A supervisor may require an employee to submit to a screening test under any of the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of the employee's duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of the employee's duties and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.

##### **1006.7.1 SUPERVISOR RESPONSIBILITIES**

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect alcohol or drugs, or both.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Drug- and Alcohol-Free Workplace*

---

- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but that refusal may result in dismissal or other disciplinary action.

#### 1006.7.2 DISCIPLINE

An employee may be subject to disciplinary action if the employee:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

#### **1006.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

#### **1006.9 CONFIDENTIALITY**

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

## Sick Leave

### 1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the Town personnel manual Chapter VI, referred to as Paid Time Off (PTO).

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq ).

### 1007.2 POLICY

It is the policy of the Mead Police Department to provide eligible employees with a sick leave/PTO benefit.

### 1007.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences (CRS § 8-13.3-404; CRS § 8-13.3-405). Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both (CRS § 8-13.3-418).

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

#### 1007.3.1 NOTIFICATION

All members should notify the Shift Sergeant or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (CRS § 8-13.3-404).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

#### 1007.3.2 MANNER OF NOTIFICATION

Notice may be made orally or in writing and should include the expected duration of the absence (CRS § 8-13.3-404). Members are not required to disclose details related to domestic violence, sexual assault, stalking, or health information details (CRS § 8-13.3-412).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Sick Leave*

---

#### **1007.4 EXTENDED ABSENCE**

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work (CRS § 8-13.3-404). Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

##### **1007.4.1 EXTENDED ABSENCE DUE TO PUBLIC HEALTH EMERGENCY**

Members will not be required to provide documentation from a health care provider for paid sick leave taken during a public health emergency when authorized under CRS § 8-13.3-405.

#### **1007.5 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
  1. Negatively affected the member's performance or ability to complete assigned duties.
  2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

# Communicable Diseases

## 1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

### 1008.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Mead Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

## 1008.2 POLICY

The Mead Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

## 1008.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
  1. Providing baseline testing for members who are exposed to known or possible sources of hepatitis C during the course and within the scope of employment (CRS § 8-42-101).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communicable Diseases*

---

2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
3. Reporting of diseases (6 CCR 1009-1:1 et seq.; 6 CCR 1009-7:1 et seq.).
4. Reporting cases of active or suspected tuberculosis to the Colorado Department of Public Health and Environment (CRS § 25-4-502; 6 CCR 1009-1:4).

The ECO should periodically review and update the exposure control plan and review implementation of the plan.

#### **1008.4 EXPOSURE PREVENTION AND MITIGATION**

##### 1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
  1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communicable Diseases*

---

##### 1008.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

##### **1008.5 POST EXPOSURE**

###### 1008.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

###### 1008.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury and Death Reporting and Illness and Injury Prevention policies).

###### 1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communicable Diseases*

---

- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

#### 1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

#### 1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Working with the Colorado Department of Public Health and Environment or local health officers through their authority to investigate and control communicable diseases (CRS § 25-1.5-102; CRS § 25-4-506; CRS § 25-4-408; CRS § 25-4-412; CRS § 25-4-413).
- (c) Obtaining a court order for exposures related to assault offenses (CRS § 16-3-303.8; CRS § 18-3-202; CRS § 18-3-203; CRS § 18-3-204; CRS § 18-3-415).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the Town Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

#### **1008.6 CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law).

Test results from persons who may have been the source of an exposure are to be kept confidential as well.

#### **1008.7 TRAINING**

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

- (a) Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Communicable Diseases*

---

- (b) Should be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

## Smoking and Tobacco Use

### 1009.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Mead Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 1009.2 POLICY

The Mead Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

### 1009.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Mead Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside Town facilities and vehicles.

### 1009.4 ADDITIONAL PROHIBITIONS

No member shall smoke or use any tobacco product inside department facilities or smoke tobacco products within 25 feet of an entryway of any department building (CRS § 25-14-204). Smoking includes the use of an electronic smoking device as defined in CRS § 25-14-203.

## Personnel Complaints

### 1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Mead Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

### 1010.2 POLICY

The Mead Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state, and local law, municipal and county rules, and the requirements of any collective bargaining agreements (CRS § 24-31-305).

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

#### 1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal**- Supervisor Inquiry - A matter in which the Shift Sergeant is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - Internal Affairs Investigations (IA) - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs Unit, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

##### 1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

##### 1010.3.3 REPORTING AUTHORITY

The person responsible for the Internal Affairs Unit has the authority to report matters directly to the Chief of Police when necessary.

#### **1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS**

##### 1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Town facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

##### 1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

#### **1010.5 DOCUMENTATION**

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

#### **1010.6 ADMINISTRATIVE INVESTIGATIONS**

Allegations of misconduct will be administratively investigated as follows.

##### 1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
  - 1. The original complaint form will be directed to the Shift Sergeant of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
  - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Commander or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
  - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
  - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Sergeant.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Sergeant and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the Shift Sergeant for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Shift Sergeant, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

- (h) Investigating a complaint as follows:
  - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
  - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### 1010.6.2 NOTIFICATION TO COMPLAINANT

Supervisors should periodically communicate the status of an investigation to the complainant. Upon final disposition of a formal Internal Affairs Unit investigation and after taking into account any restrictions provided in applicable collective bargaining agreements and by Colorado law, the complaining party should be provided written notification of the outcome of the investigation.

#### 1010.6.3 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to employees:

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Mead Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
  - 1. This should be provided in written form and include the employee's rights and responsibilities relative to the investigation.
  - 2. The employee should be informed of the ranks, names and commands of the person in charge of the interview and of all other persons to be present during the interview.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
  - 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
    1. Upon request, the employee shall be provided copies of recordings, transcriptions and reports made of an interview session.
  - (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
    1. Uninvolved attorneys or representatives present during interviews shall not be required to disclose any information received from the employee during the administrative investigation.
  - (j) All employees shall provide complete and truthful responses to questions posed during interviews.
  - (k) No employee may be compelled to submit to a deception detection device examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

Information concerning administrative interviews shall not be released to the public unless approved by the Chief of Police or the authorized designee.

#### 1010.6.4 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Alleged Policy Violations and Evidence** - Each allegation should be listed and appropriate policy references noted.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

**Investigation and Follow up** - a chronological documentation of the investigation with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Findings** - The results of the investigation and supporting evidence for those determinations. Any recommendation for further action should be provided.

**Disposition** - A disposition for each allegation should be given, following the defined dispositions in 1010.6.5.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

**Summary** - A separate document that summarizes an internal investigation for the purpose of release upon request.

#### 1010.6.5 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish by clear and convincing evidence that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

#### 1010.6.6 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within 60-days from the date of discovery by an individual authorized to initiate an investigation.

#### 1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

##### **1010.8 ADMINISTRATIVE LEAVE**

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

##### **1010.9 CRIMINAL INVESTIGATION**

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Mead Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction.

No disciplinary action should be taken until an independent administrative investigation is conducted.

##### **1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police. The Chief of Police may make recommendations for disciplinary action to the Human Resources Director..

###### **1010.10.1 COMMANDER RESPONSIBILITIES**

Upon receipt of any completed personnel investigation, the Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

Prior to forwarding recommendations to the Chief of Police, the Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

#### 1010.10.2 FORMS OF DISCIPLINE

The following methods may be considered for correcting poor job performance or misconduct:

- (a) Training
- (b) Counseling
  - 1. Counseling may be administered by the Chief of Police, Commander or other supervisor depending on the severity of the matter.
  - 2. The supervisor or staff member administering the counseling shall document the purpose and effect of the counseling.
- (c) Verbal reprimand
- (d) Written reprimand
- (e) Loss of leave
- (f) Suspension without pay
- (g) Punitive transfer
- (h) Demotion
- (i) Reduction in pay or step
- (j) Termination

The order of the above listed methods does not imply a required sequence. The Chief of Police should determine the method of correction by considering the actions of the member.

#### 1010.10.3 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Complaints*

---

1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

#### **1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

#### **1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

The Chief of Police or the authorized designee shall notify the Division of Criminal Justice when an officer resigned while under investigation for violating department policy (CRS § 24-31-903).

#### **1010.13 RETENTION OF PERSONNEL INVESTIGATION FILES**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

# Mead Police Department

Policy Manual

Policy Manual

## *Personnel Complaints*

---

### **1010.14 NOTIFICATION OF POST**

The Chief of Police or the authorized designee shall notify POST of any sustained findings of use or threatened use of unlawful force or failure to intervene by any officer currently employed by this department (CRS § 18-1-707; CRS § 24-31-904; 4 CCR 901-1:17).

The Chief of Police or the authorized designee shall provide information regarding officer misconduct (e.g., knowingly making an untruthful statement, termination for cause, resignation or retirement pending investigation, conduct that subjects the officer to criminal investigation) to the POST Board misconduct database as required (CRS § 24-31-303; 4 CCR 901-1:17).

## Seat Belts

### 1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

#### 1011.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213 (CRS § 42-4-236).

### 1011.2 POLICY

It is the policy of the Mead Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

### 1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty or when in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained (CRS § 42-4-236; CRS § 42-4-237).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

### 1011.4 TRANSPORTING CHILDREN

All children younger than 8 years of age shall be restrained in a child restraint system (CRS § 42-4-236).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

### 1011.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Seat Belts*

---

not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

#### **1011.6 INOPERABLE SEAT BELTS**

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

#### **1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS**

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operating requirements for safe use.

#### **1011.8 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.



## Body Armor

### 1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

### 1012.2 POLICY

It is the policy of the Mead Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

### 1012.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Mead Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

#### 1012.3.1 USE OF SOFT BODY ARMOR AND MANDATORY USE

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

#### 1012.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

#### 1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Body Armor*

---

surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

#### **1012.4 RESPONSIBILITIES**

It is the department's goal to protect its members by providing personal protective equipment, such as ballistic vests.

##### 1012.4.1 MEMBER

It is the member's responsibility to care for their issued body armor as required by this policy.

It is the member's responsibility to notify their immediate supervisor of any issue with their body armor.

Issues relating to body armor that should be reported include but are not limited to;

- (a) Any visible damage or excessive wear to the vest or its parts.
- (b) Any change that has caused the vest to no longer fit properly.

Members may be responsible for the costs of repair or replacement for a vest that is damaged due to neglect.

##### 1012.4.2 RANGEMASTER

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

##### 1012.4.3 COMMANDER

The Commander should:

- (a) Insure that new members have suitable body armor issued to them prior to being deployed in the field.
- (b) Monitor the use and performance of the department's body armor, insuring that members are adequately protected.
- (c) Make any budgetary recommendations needed to improve the body armor program for the department.

# Mead Police Department

Policy Manual

Policy Manual

## *Body Armor*

---

- (d) Enforce the requirements of this policy as needed.

## Personnel Records

### 1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

### 1013.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Colorado (CRS § 24-72-301 et seq.)

### 1013.3 PERSONNEL FILE

The department file shall be maintained Human Resources as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaint summaries.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
  - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
  - 2. Any member response shall be attached to and retained with the original adverse comment.
  - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

### 1013.4 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments,

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Records*

---

notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

#### **1013.5 TRAINING FILE**

An individual training file shall be maintained by the Commander for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Commander or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Commander or supervisor shall ensure that copies of such training records are placed in the member's training file.

#### **1013.6 INTERNAL AFFAIRS FILE**

Internal affairs files shall be maintained under the exclusive control of the Internal Affairs Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Internal Affairs Unit supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

#### **1013.7 MEDICAL FILE**

A medical file shall be maintained by Human Resources separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Records*

---

#### **1013.8 SECURITY**

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the Town Manager, Town Attorney or other attorneys or representatives of the Town in connection with official business.

##### **1013.8.1 REQUESTS FOR DISCLOSURE**

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

##### **1013.8.2 RELEASE OF PERSONNEL INFORMATION**

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

##### **1013.8.3 RELEASE OF FILES TO AUTHORIZED AGENCIES**

Upon receipt of a valid waiver, the Custodian of Records shall disclose data in the personnel file of a current or former officer, including internal affairs files, within 21 days to another law enforcement or governmental agency that is interviewing the officer. Prior to release, the Custodian of Records shall ensure that the information is not subject to a binding nondisclosure agreement. Disclosure may be accomplished by either providing copies of the personnel files or allowing the requesting agency to review the personnel files at the Department (CRS § 24-33.5-115; CRS § 24-35-120; CRS § 30-10-526; CRS § 31-30-108; CRS § 33-9-112).

#### **1013.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS**

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personnel Records*

---

chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

#### **1013.10 RETENTION AND PURGING**

Unless provided otherwise in this policy, personnel records shall be maintained for a minimum of five years and in accordance with the established records retention schedule (CRS § 24-34-408).

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of

# Mead Police Department

Policy Manual

Policy Manual

## *Personnel Records*

---

such matter may be destroyed in accordance with the established records retention schedule.



## Commendations and Awards

### 1014.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Mead Police Department and individuals from the community.

### 1014.2 POLICY

It is the policy of the Mead Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

### 1014.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

### 1014.4 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond the typical duties.

#### 1014.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
  1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
  2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

#### 1014.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:
  1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Commendations and Awards*

---

2. For individuals from the community - name, address, telephone number
  - (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
  - (c) The signature of the person submitting the documentation.

#### 1014.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Commander, or authorized designee, for his/her review. The Commander should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administration secretary for entry into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Administration Commander. The documentation will be signed by the Commander and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

#### 1014.5 AWARDS

The department has established a program of awards (medals, ribbons, and other decorations) to reward and publicly recognize exemplary employee performance. Decorations established by the Chief of Police, and awarded solely through his authority, are categorized as follows:

- a. Critical Incident medals - Medal of Honor, Medal of Valor, Medal of Gallantry, Purple Heart
- b. Administrative Awards - Meritorious Service Award, Distinguished Service Award, Police Service Award
- c. Service Awards - Service Stripes or Stars, Safety Award
- d. Assignment Pins - Crime Scene Investigator, Field Training Officer, Firearms instructor, Drug Recognition Expert, SWAT, etc.

#### **MEDAL OF HONOR**

The Medal of Honor is the highest decoration awarded by the police department and is reserved for employees who have performed acts of courage or heroism, with grave risk to their lives, while in the performance of their duty.

The act performed must have been one of conspicuous bravery or self-sacrifice so notable as to set the individual apart from his or her peers; and in which, under extraordinary circumstances, the employee displayed a willingness to risk his or her life in the performance of duty.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Commendations and Awards*

---

Clear proof of the act is required, and the recommendation will only be considered on the basis of extraordinary merit.

Any employee who gives his or her life in the line of duty, while performing an act of valor, shall be considered for the Medal of Honor posthumously.

The pin designating a Medal of Honor award is P4746.

#### **MEDAL OF VALOR**

The Medal of Valor is the second highest award, and is reserved for employees who have performed acts of valor beyond the call of duty, in situations presenting a significant danger to the employees, and during which the employees persevere and carry out whatever must be done with demonstrated courage and professionalism.

The award may be given where employees act to save a life or perform a duty and, in so doing, severely jeopardize their own lives.

Exceptional performance of normal duties alone will not justify this award.

The pin designating a Medal of Valor award is P4740.

#### **MEDAL OF GALLANTRY**

The Medal of Gallantry is reserved for employees who conduct themselves in an exemplary manner, displaying exceptional courage and demeanor, while serving in a duty of great responsibility and importance during a critical incident.

The pin designating a Medal of Gallantry award is P4747.

#### **PURPLE HEART**

The Purple Heart is awarded when an employee is wounded or seriously injured by a deadly weapon, as the result of an assault, while the employee is performing official duties and responsibilities.

The pin designating a Purple Heart award is P4728.

#### **MERITORIOUS SERVICE**

The Meritorious Service Award may be given when an employee performs a particularly meritorious act during which the employee demonstrates exemplary skill and professionalism, or performs a physical act that saves the life of another person under circumstances not life threatening to the employee.

The pin designating a Meritorious Service award is P4727.

The pin designating a Life Saving award is P4731.

#### **DISTINGUISHED SERVICE**

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Commendations and Awards*

---

The Distinguished Service Award is reserved for employees who distinguish themselves through exceptional service to the city and the department through unselfish and sustained efforts over a long period.

The pin designating a Distinguished Service award is P4730.

#### **POLICE SERVICE**

The Police Service Award may be presented to employees who perform a police service in an outstanding manner to bring credit to themselves and the department:

where an employee, by exemplary conduct and demeanor, performs his or her assigned functions in an unusually effective manner; or

an employee who, through personal initiative, tenacity, and great effort, acts to solve a major crime (or crimes), resulting in the arrest of a heinous criminal.

This award may not be granted for arrests arising solely from the information of an informant, but for extraordinary cases involving painstaking investigation.

The pin designating a Police Service award is P4725.

#### 1014.5.1 COMPENSATORY AWARDS

The Department may issue compensatory awards, such as additional time off with pay or additional pay, to recognize exceptional performance by employees.

## Fitness for Duty

### 1015.1 PURPOSE AND SCOPE

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

### 1015.2 MEMBER RESPONSIBILITIES

It shall be the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of the position.

During working hours, all members are required to be alert, attentive, and capable of performing their assigned responsibilities.

Members who feel unable to perform their duties shall promptly notify a supervisor. In the event that a member believes that another department member is unable to perform the member's duties, such observations shall be promptly reported to a supervisor.

### 1015.3 SUPERVISOR RESPONSIBILITIES

All supervisors should be alert to any indication that a member may be unable to safely perform the member's duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility, or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior, or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

#### 1015.3.1 REPORTING

A supervisor observing a member, or receiving a report of a member, who is perceived to be unable to safely or effectively perform the member's duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Fitness for Duty*

---

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document the supervisor's observations and actions in a written report and inform the Shift Sergeant or the member's Commander.

#### **1015.3.2 DUTY STATUS**

In conjunction with the Shift Sergeant or the member's Commander, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of the member's job, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of the member's job, the Shift Sergeant or the member's Commander should immediately relieve the member of duty pending further evaluation.

Employees relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Chief of Police shall be promptly notified in the event that any member is relieved of duty.

#### **1015.4 LIMITATION ON HOURS WORKED**

Absent emergency operations, members should not work more than:

- 16 hours in a one-day period (24-hour period)
- 30 hours in any two-day period (48-hour period)
- 84 hours in any seven-day period (168-hour period)

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, special events, contract work, general overtime, and any other work assignments.

#### **1015.5 APPEALS**

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievance Procedure Policy.

#### **1015.6 POLICY**

The Mead Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine the member's ability to perform essential functions.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Fitness for Duty*

---

#### **1015.7 FITNESS-FOR-DUTY EVALUATIONS**

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty or following an officer-involved shooting or death-in-custody incident.

##### 1015.7.1 PROCESS

The Chief of Police, in cooperation with the Department of Human Resources, may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any member, the Department will provide all appropriate documents and available information.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Department of Human Resources.

## Meal Periods and Breaks

### 1016.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as reasonably possible, shall conform to the policy governing all Town employees.

#### 1016.1.1 MEAL PERIODS

Sworn employees shall remain on-duty subject to call during meal breaks. They should not take a meal break if there are pending calls and shall not take a meal break if there is a pending priority call. Meal breaks can be taken outside of the Town limits but should be limited to carry-out and within a five-mile radius of Town boundaries.

All other employees are not on-call during meal breaks unless directed otherwise by a supervisor.

Uniformed officers shall request clearance from Weld County Regional Communications Center prior to taking a meal period.

The time spent for the meal period shall not exceed the authorized time allowed. Officers shall be granted a paid meal period of no more than forty-five (45) minutes.

#### 1016.1.2 15-MINUTE BREAKS

Each employee is entitled to a 15-minute break, near the midpoint, for each four-hour work period. Only one 15-minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This does not prohibit them from taking a break if they are outside the facility on official business.

Field officers will take their breaks in their assigned areas, subject to call, and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of Weld County Regional Communications Center.



## Lactation Break Policy

### 1017.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

### 1017.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor and Standards Act and the Colorado Workplace Accommodations for Nursing Mothers Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to two years after a child's birth (29 USC § 207, CRS § 8-13.5-101 and CRS § 8-13.5-104(1)).

### 1017.3 LACTATION BREAK TIME

Employees wishing to express breast milk for their nursing child shall be permitted to do so during any authorized break. A break period should be permitted each time the employee has the need to express breast milk (29 USC § 207). Such breaks, if feasible, should be taken at the same time as the employee's regularly scheduled break or meal periods. In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period are reasonable.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled break time will be considered unpaid.

A reasonable period for such break should be consistent with existing law regulating work breaks under the FLSA, which are generally 5 to 20 minutes in duration (29 CFR § 785.18).

Employees desiring to take a lactation break shall notify Weld County Regional Communications Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt Department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

### 1017.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

The area assigned for this purpose should not be used for storage of any devices, supplies or expressed milk and should be returned to its original state after each use.

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid

# Mead Police Department

Policy Manual

Policy Manual

## *Lactation Break Policy*

---

interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

### **1017.5 STORAGE OF EXPRESSED MILK**

Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such. No expressed milk shall be stored at the Department beyond the employee's shift.

## Payroll Records

### 1018.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

### 1018.2 POLICY

The Mead Police Department maintains timely and accurate payroll records.

### 1018.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

### 1018.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the Town payroll procedures.

### 1018.5 RECORDS

The Administration Commander shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

## Overtime Compensation Requests

### 1019.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate nonexempt salaried employees who work authorized overtime by payment of wages. The employee must complete and submit for Overtime Payment as soon as practicable after overtime is worked.

#### 1019.1.1 DEPARTMENT POLICY

Because of the nature of law enforcement work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Nonexempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked, rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a request for such a period, the employee shall comply.

### 1019.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

#### 1019.2.1 SWORN EMPLOYEE RESPONSIBILITIES

Employees shall email the request immediately after working the overtime and submit it to their immediate supervisor and copy the Shift Sergeant.

#### 1019.2.2 SUPERVISOR RESPONSIBILITIES

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

Supervisors shall use discernment when evaluating any advance request for overtime.

#### 1019.2.3 NON-SWORN EMPLOYEE RESPONSIBILITIES

Approvals for overtime for non-sworn members should follow the town's policies and procedures for consistency.

All requests for overtime approval must be approved ahead of time with the exceptions below.

- (a) CSOs may be held over by a supervisor when necessary and there is insufficient sworn members to complete the necessary work.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Overtime Compensation Requests*

---

#### **1019.3 ACCOUNTING FOR OVERTIME WORKED**

Employees are to record the actual time worked in an overtime status. In some cases, the minimum number of hours will be paid, (e.g., two hours for court, range qualifications during time off). The supervisor will verify the actual time worked.

Sworn officers will document any overtime when it occurs on their time-sheet. However, the exact amount of time being paid as overtime will be documented at the end of their 80 hour pay period on their time-sheet. Flexing any additional hours accumulated during a pay period is encouraged when staffing allows.

##### **1019.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR**

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1.0 hour

##### **1019.3.2 VARIATION IN TIME REPORTED**

Where two or more employees are assigned to the same activity, case or court trial, and the amount of time for which payment is requested varies between the two, the Shift Sergeant or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

## Outside Employment / Special Events

### 1020.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for Department employees engaging in outside employment, all employees shall initially obtain written approval from the Town Manager prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Town Manager in accordance with the provisions of the Town of Mead policy.

### 1020.2 OUTSIDE EMPLOYMENT

The Mead Police Department realizes that its members may choose to engage in activities outside of their employment with the Town of Mead for monetary or other consideration. As such the Mead Police Department reserves the right to restrict these activities and require appropriate notification as outlined below.

#### 1020.2.1 OBTAINING APPROVAL FOR OUTSIDE EMPLOYMENT

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy is grounds for disciplinary action.

To obtain approval for outside employment, the employee must complete an application that shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the appropriate chain of command to the Chief of Police for consideration. The Chief of Police will ensure that the request complies with the Town of Mead policies. Nothing in this policy is meant to conflict with the Town of Mead policies, which take precedent.

If approved, the employee will be provided with a copy of the approved application. Unless otherwise indicated in writing on the approved application, an approved application will be valid through the end of the calendar year in which it is approved. Any employee seeking to continue outside employment shall submit a new application in a timely manner.

Any employee seeking approval of outside employment whose application has been denied shall be provided with a written reason for the denial of the application at the time of the denial and within 30 days of the application.

#### 1020.2.2 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's application is denied or rescinded by the Department, the employee may file a written notice of appeal to the Chief of Police within 10 days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to the Grievance Procedure Policy.

#### 1020.2.3 PROHIBITED OUTSIDE EMPLOYMENT

The Department expressly reserves the right to deny any application submitted by an employee seeking to engage in any activity that:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Outside Employment / Special Events*

---

- (a) Involves the employee's use of Department time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act that the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department below minimum standards or would render the employee unavailable for reasonably anticipated overtime assignments and other job-related demands that occur outside regular working hours.
- (e) Due to the potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.
- (f) No officer may engage in such outside employment during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute.
- (g) No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

#### 1020.2.4 DEPARTMENT RESOURCES

Employees are prohibited from using any Department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

#### 1020.2.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his/her outside employment during the period of an approved application, the employee shall promptly submit written notification of such termination to the Chief of Police through the appropriate chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material shall report the change.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Outside Employment / Special Events*

---

##### **1020.2.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY OR ADMINISTRATIVE LEAVE**

Department members engaged in outside employment who are placed on disability or administrative leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether they intend to continue to engage in outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any work-related doctor's orders and make a recommendation to the Chief of Police whether such outside employment should continue or the approved application be suspended or revoked.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify the supervisor of his/her intentions regarding the employment application, a notice of intent to revoke the employee's application will be forwarded to the involved employee and a copy attached to the original employment application. The revocation process outlined in this policy shall be followed.

Criteria for revoking or suspending an approved outside employment application while on disability status or administrative leave includes, but is not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the Town's professional medical advisers.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.
- (c) The employee's failure to make timely notice of his/her intentions to his/her supervisor.
- (d) The outside employment is not compatible with the reason the employee is on administrative leave.

##### **1020.2.7 SPECIAL RESTRICTIONS**

Except for emergency situations or with prior authorization from the Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity that might reasonably disclose the officer's law enforcement status.

##### **1020.3 SPECIAL EVENT PROCEDURES**

The Mead Police Department supports the communities needs for public safety support for events in and around the Mead area. In order to best support these events, the Mead Police Department will accept applications for officers to provide public safety assistance at these events. The applicant will assume the financial responsibility of reimbursing the Town of Mead for the cost of the officers and equipment.

Applications and Requests will be approved by the Chief of Police and then forwarded to Human Resources for invoicing and collections. The police department will have the final say in any discrepancies about number of officers provided and the expectations for services.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Outside Employment / Special Events*

---

A supervisor should be assigned for any event requiring four or more officers. This is at the discretion of the Chief of Police and is dependent on the type of event and surrounding circumstances. The presence of supervisory personnel from other agencies is a justified consideration for not assigning a supervisor.

This procedure does not affect events that are sponsored by the Town of Mead.

#### 1020.3.1 SPECIAL EVENT ASSIGNMENT

Special Event Assignments are approved use of officers and departmental equipment by the Chief of Police. The purpose of these assignments is to increase public safety in the jurisdiction and to assist other agencies with public safety duties in their jurisdiction at their request.

- A. Application - A written request for the Police Department to provide officers for public safety functions at an private event in the Town of Mead. The applicant is responsible for the cost of the officers and equipment at the Mead Special Event rate. Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Any such application requires the approval of the Chief of Police. Such special event will be monitored by the patrol supervisor if one is not assigned.
  - (a) The applicant will be required to enter into a written indemnification agreement prior to approval.
  - (b) The applicant will be required to reimburse the town for the cost of officers and equipment requested for such event services.
  - (c) If such a request is approved, any employee working the special event shall be subject to the following conditions:
    - (a) The officer shall wear the Department uniform/identification.
    - (b) The officer shall be subject to all the rules and regulations of this department.
    - (c) Compensation for such approved special event services shall be pursuant to special event procedures..
- B. Request – A request by another agency for mutual aid assistance which is reimbursed by that agency at the Mead Special Event rate.
  - (a) The officer shall be subject to all the rules and regulations of the host agency, when they have incident command and an operations plan in place.
  - (b) The officer shall be subject to all the rules and regulations of this department.
  - (c) The officer shall wear the Department uniform/identification.
  - (d) The officer shall contact their supervisor immediately if there is a conflict in rules or regulations. The Chief of Police will have final say in the resolution of these conflicts.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Outside Employment / Special Events*

---

- C. Restrictions on members working special events and/or extra-duty assignments. Any member may have their privileges to work special events revoked at any time for any of the following reasons;
  - (a) A conflict is found to exist;
  - (b) The employment interferes with the officer's primary Department duties;
  - (c) The officer:
    - (a) Violates Department policies and/or procedures or town administrative regulations
    - (b) Is on administrative leave, a PIP, or is the subject of a criminal or administrative investigation
    - (c) Is on leave due to injury or illness; or is receiving worker's compensation benefits

#### 1020.3.2 SPECIAL EVENT ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official law enforcement action while working in an approved special event assignment shall be required to complete all related reports in a timely manner pursuant to Department policy. Time spent on the completion of such reports shall be considered incidental to the special event assignment.

# Occupational Disease and Work-Related Injury and Death Reporting

## 1021.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases and work-related injuries and deaths.

### 1021.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 8-40-201):

**Accident** - Any unforeseen event occurring without the will or design of the member whose mere act caused it. An accident or injury includes disability or death resulting from accident or occupational disease.

**Occupational disease** - Any disease resulting directly from employment or work conditions that is a natural incident of the work and a result of the exposure occasioned, and that can be fairly traced to the employment as a proximate cause and not from a hazard to which the member would have been equally exposed outside of his/her employment.

## 1021.2 POLICY

The Mead Police Department will address occupational diseases and work-related injuries and deaths appropriately, and will comply with applicable state workers' compensation requirements (CRS § 8-43-101 et seq.).

## 1021.3 RESPONSIBILITIES

### 1021.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours to a supervisor, and shall seek medical care when appropriate.

### 1021.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Townwide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

If an employee is physically or mentally unable to provide notice of an occupational disease or work-related injury, his/her supervisor shall report such disease or injury in writing as soon as practicable (CRS § 8-43-102).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Occupational Disease and Work-Related Injury and Death Reporting*

---

##### 1021.3.3 COMMANDER RESPONSIBILITIES

The Commander who receives a report of an occupational disease or work-related injury or death should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the Town's risk management entity and the Administration Commander.

##### 1021.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

The Chief of Police or the authorized designee shall ensure that a printed card notifying employees of their responsibility to report a workplace injury is displayed at all times in a prominent place in the workplace pursuant to CRS § 8-43-102.

##### **1021.4 OTHER DISEASE OR INJURY**

Diseases, injuries or deaths caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Commander through the chain of command and a copy sent to the Administration Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

##### **1021.5 SETTLEMENT OFFERS**

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

##### 1021.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the Town to determine whether the offered settlement will affect any claim the Town may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the Town's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

## Personal Appearance Standards

### 1022.1 PURPOSE AND SCOPE

To project uniformity and neutrality toward the public and other members of the Department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

### 1022.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

#### 1022.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male certified officers, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female certified officers, hair must be no longer than the horizontal level of the bottom of the uniform shoulder patch when the employee is standing erect, and worn up or in a tightly wrapped braid or ponytail.

The use of hair dye resulting in hair colors that do not occur naturally is subject to approval by the Chief of Police. For the purposes of this section, natural shades of red, brown, black, blonde, and grey are acceptable. No employee will use spray-on substances such as glitter, neon or fluorescent colors.

#### 1022.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

#### 1022.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

#### 1022.2.4 FACIAL HAIR

Facial hair is authorized for officers at the discretion of the Chief of Police. Mustaches, goatees, and beards will be kept neatly trimmed and professional in appearance. This determination will be at the sole discretion of the Chief of Police who may direct an employee to trim or remove facial hair. Other facial hair not specifically mentioned is not authorized by any member of the Department.

Any beard shall be worn with a mustache. No facial hair shall exceed 1/4 inch in length. Facial hair shall be uniform in length.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personal Appearance Standards*

---

Any facial hair that is deemed to interfere with the appropriate use and or fitting of personal protective equipment, will be deemed in violation of this policy.

#### 1022.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

#### 1022.2.6 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small post style.
- (c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

#### 1022.3 TATTOOS

No tattoos, body art, or brands are permitted on the hands, face, or front of the neck of any employee. Tattoos, body art or brands that are excessive, obscene, offensive, sexually explicit or advocate or symbolize sex, gender, racial, religious, ethnic, or national origin discrimination are prohibited. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

The Chief shall have the final authority to approve or deny any proposed tattoo, body art or brand of any officer.

Officers must receive authorization from the Chief prior to obtaining any tattoo that will be visible while wearing any authorized Mead Police uniform. Failure to obtain such authorization is a Class A violation of policy and could result in termination from employment.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Personal Appearance Standards*

---

##### **1022.4 BODY PIERCING OR ALTERATION**

Body piercing or alteration to any area of the body that is visible in any authorized uniform or attire, and is a deviation from normal anatomical features and that is not medically required is prohibited.

Such body alteration includes, but is not limited to, the following:

- (a) Tongue splitting or piercing
- (b) The complete or transdermal implantation of any material other than hair replacement or breast augmentation
- (c) Abnormal shaping of the ears, eyes, nose or teeth
- (d) Branding or scarification

## Police Uniform Regulations

### 1023.1 PURPOSE AND SCOPE

The uniform policy of the Mead Police Department is established to ensure that uniformed officers, special assignment personnel and civilian/non-sworn employees will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated policies:

- Firearms Policy
- Department-Owned and Personal Property Policy
- Body Armor Policy
- Personal Appearance Standards Policy

The Mead Police Department uniform specifications and procedures are maintained and periodically updated by the Chief of Police or the authorized designee and should be consulted regarding authorized equipment and uniform specifications.

The Mead Police Department will provide uniforms for all employees who are required to wear them.

### 1023.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose, which is to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) All peace officers of this department shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) Employees shall not loan any portion of the uniform to others.
- (e) Employees shall not permit the uniform to be reproduced or duplicated.
- (f) The uniform is to be worn in compliance with the specifications set forth in the Department's uniform specifications and procedures, which are maintained separately from this policy.
- (g) All supervisors will perform periodic inspections of their personnel to ensure conformance to the Mead Police Department uniform specifications and procedures.
- (h) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (i) Uniforms are only to be worn while on-duty, while in transit to or from work, for court or at other official Department functions or events.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Police Uniform Regulations*

---

- (j) If the uniform is worn in transit when driving other than while on duty, the member should consider wearing an outer garment over the uniform shirt so as not to bring attention to the employee while off-duty and provide additional protection against being targeted or followed.
- (k) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform, including the uniform pants.
- (l)
- (m) Visible jewelry, other than those items listed below, shall not be worn with the uniform, unless specifically authorized by the Chief of Police or the authorized designee.
  - 1. Wrist watch
  - 2. Wedding rings, class ring or other ring of tasteful design; a maximum of one ring/set may be worn on each hand.
  - 3. Medical alert bracelet

#### 1023.2.1 DEPARTMENT-ISSUED IDENTIFICATION

The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department-issued identification card at all times while on-duty or when carrying a concealed weapon.

- (a) Whenever on-duty or acting in an official capacity representing the Department, employees shall display their department-issued identification in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers working specialized assignments may be excused from the requirements regarding the possession and display of identification when directed by their Commander.

#### 1023.3 UNIFORM CLASSES

The various uniform specification classes are those identified in this policy.

##### 1023.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions, such as funerals, graduations, promotions, ceremonies or as directed. The Class A uniform is required for all certified officers. The Class A uniform includes the standard issue uniform with the following:

- (a) Long sleeve shirt with tie
- (b) Polished shoes
- (c) Eight point hat

The eight point hat may be worn for events held outdoors. Boots with pointed toes are not permitted.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Police Uniform Regulations*

---

##### **1023.3.2 CLASS B UNIFORM**

All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) An approved over the shirt vest carrier may be worn.
- (b) The long or short-sleeve shirt may be worn with the collar open. No tie is required.
- (c) A black crew neck or mock turtleneck undershirt must be worn with the uniform.
- (d) All shirt buttons must remain buttoned except for the last button at the neck.
- (e) Polished shoes; approved all-black unpolished shoes or boots may be worn.
- (f) Boots with pointed toes are not permitted.
- (g) An authorized Mead Police baseball style hat may be worn - must be worn with the badge/insignia facing forward.

##### **1023.3.3 CLASS C UNIFORM**

The Class C uniform may be established to allow field personnel cooler clothing during the summer months or for special duty assignments. The Chief of Police will establish the regulations and conditions for wearing the Class C uniform and its specifications.

##### **1023.3.4 SPECIALIZED UNIT UNIFORMS**

The Chief of Police may authorize special uniforms to be worn by officers in specialized units, such as School Resource Officer, Canine Team, SWAT, bicycle patrol, motor officers and other specialized assignments.

##### **1023.3.5 FOUL WEATHER GEAR**

The authorized uniform jacket, head wear, and rain gear may be worn during foul weather.

Black colored snow boots may be worn during extreme winter conditions.

#### **1023.4 INSIGNIA AND PATCHES**

- (a) The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, 3/4 of an inch below the shoulder seam of the shirt, and be bisected by the crease in the sleeve.
- (b) Service stripes and other indicators for length of service may be worn on long-sleeve shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn 1 1/2 inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only. Service stripes represent 5 years of service for each stripe.
- (c) The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's initial of their first name and full last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Police Uniform Regulations*

---

- (d) Assignment insignias, (e.g., SWAT, FTO or similar) may be worn as designated by the Chief of Police or the authorized designee.
- (e) An American flag or thin blue line pin may be worn, centered above the nameplate.
- (f) The department-issued badge, or an authorized sewn-on cloth replica, must be worn and be visible at all times while in uniform. Certified non-uniformed personnel will wear or carry their badge in a manner that the badge is in reasonable proximity to their firearm and able to be displayed whenever appropriate.
- (g) The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police or the authorized designee may authorize exceptions.

#### **1023.4.1 MOURNING BADGE BAND**

Uniformed employees may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) A peace officer from this state - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of a fallen peace officer.
- (d) National Peace Officers Memorial Day (May 15) - From midnight through the following midnight.
- (e) As directed by the Chief of Police or the authorized designee.

#### **1023.5 CIVILIAN ATTIRE**

There are assignments within the Department that do not require wearing a uniform because recognition and authority are not essential to their function. There are also assignments in which wearing civilian attire is necessary.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains and not damaged or excessively worn.
- (b) All personnel will wear professionally appropriate business casual attire. Collared shirts and trousers that are free of excessive wrinkles, and shoes or boots.
- (c)
- (d)
- (e) The following items shall not be worn on-duty:
  1. T-shirt alone
  2. Open-toed sandals or thongs
  3. Swimsuit, tube tops or halter tops
  4. Spandex type pants or see-through clothing

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Police Uniform Regulations*

---

5. Distasteful printed slogans, buttons or pins
  6. Denim pants of any color
  7. Shorts
  8. Sweatshirts, sweatpants or similar exercise clothing
- (f) Variations from this order are allowed at the discretion of the Chief of Police or the authorized designee when the employee's assignment or current task is not conducive to wearing such clothing.
- (g) No item of civilian attire may be worn on-duty that would adversely affect the reputation of the Mead Police Department or the morale of the employees.
- (h) Certified employees carrying firearms while wearing civilian attire should wear clothing that effectively conceals the firearm or display the department badge prominently next to the firearm.
- (i) Sport shirts may be embroidered with the department badge, the officer's name, and the officer's assignment.
- (j) Appropriate jackets, coats, or topcoats may be worn as needed in addition to business attire.
- (k) Jewelry including necklaces, bracelets, and jewelry may be worn, but must be reasonably conservative.

Supervisors will ensure that assigned personnel dress in an appropriate manner and in keeping with the business and professional demeanor of the department.

Some permanent or temporary special assignments may require that an officer take on an appearance other than that normally associated with a police officer in a more visible position. An officer so assigned may be authorized by his or her department supervisor to dress according to the requirements of the task at hand, and wear a hair style, grow a beard or other facial hair, or take other steps to disguise his or her true appearance and identity.

#### **1023.6 POLITICAL ACTIVITIES, ENDORSEMENTS, ADVERTISEMENTS OR OTHER APPEARANCES IN UNIFORM**

Unless specifically authorized by the Chief of Police, Mead Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published or displayed, the image of another employee, or identify him/herself as an employee of the Mead Police Department to do any of the following:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support or oppose, any product, service, company or other commercial entity

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Police Uniform Regulations*

---

- (d) Appear in any commercial, social or nonprofit publication, or any motion picture, film, video, public broadcast, photo, any website or any other visual depiction

#### **1023.7 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT**

- (a) Any of the items listed in the uniform and equipment specifications manual as optional shall be purchased at the expense of the employee.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee (e.g., repairs due to normal wear and tear).
- (c) Replacement of items listed in this order as optional shall be done as follows:
  1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
  2. When the item is no longer functional because of damage in the course of the employee's duties, it may be replaced following the procedures for the replacement of damaged personal property outlined in the Department-Owned and Personal Property Policy.

#### **1023.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES**

Mead Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the uniform and equipment specifications manual or by the Chief of Police or the authorized designee.

Mead Police Department employees may not use or carry any tool or other piece of equipment unless specifically authorized in the uniform and equipment specifications manual or by the Chief of Police or the authorized designee.

#### **1023.9 COURT APPEARANCE AND DEMEANOR**

Police officers assigned to the Patrol Bureau will appear at court in uniform when on-duty, or when the appearance begins within two hours of the start of the officer's tour of duty. Otherwise, the wearing of the uniform to court by sworn personnel is optional. When a uniform is not worn for a court appearance, department personnel shall dress appropriately, within the following guidelines:

Male personnel will wear a suit or combination sport coat and neatly pressed trousers, dress shirt, necktie, and shoes or boots. Denim slacks, turtleneck sweaters, and canvas-type shoes are not permitted.

Female personnel will dress in a professional manner to include suits, dresses, pantsuits, dress slacks, and blouses, Denim slacks, canvas shoes, spandex slacks, sweatpants, tank tops, and sundresses are not considered appropriate attire.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Police Uniform Regulations*

---

Shoes and boots must be neat and in keeping with the professional and businesslike appearance standard. Inclement weather footwear must be conservative, and employees must have dress footwear available.

Coats or topcoats may be worn as needed in addition to business attire.

Necklaces, bracelets, and jewelry may be worn, but must be reasonably conservative. If male personnel wear a necklace, it will be worn under the shirt and tie and out of view. Male personnel will not be permitted to wear earrings or studs while on duty or when testifying in court.

When waiting to testify in any court or hearing, or during any court recess, department personnel are expected to conduct themselves in a mature and professional manner at all times.

## Nepotism and Employment Conflicts

### 1024.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure effective supervision, safety, security, performance, assignments and discipline while maintaining positive morale by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest by or between members of this department. This policy is superseded by the Town of Mead policy on Nepotism in the Town of Mead Employee Handbook.

#### 1024.1.1 DEFINITIONS

Definitions related to this policy include:

**Relative** - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

**Personal relationship** - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

**Business relationship** - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the employee's annual interest, compensation, investment or obligation is greater than \$250.

**Conflict of interest** - Any actual, perceived or potential conflict of interest in which it reasonably appears that an employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

**Supervisor** - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

**Subordinate** - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

### 1024.2 RESTRICTED DUTIES AND ASSIGNMENTS

While the Department will not prohibit personal or business relationships between employees, the following restrictions apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
  1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters involving the involved employee to an uninvolved supervisor.
  2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Nepotism and Employment Conflicts*

---

subordinate situations. The Department reserves the right to transfer or reassign any employee to another position within the same classification as it may deem necessary in order to avoid conflicts with any provision of this policy.

- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever reasonably possible, Field Training Officers (FTOs) and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
- (e) Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, or is a convicted felon, parolee, fugitive, registered offender or who engages in intentional violations of state or federal laws.

#### 1024.2.1 EMPLOYEE RESPONSIBILITIES

All employees are required to adhere to state guidelines and to disclose of conflicts of interest as required by law (Colo. Const. art. XXIX; CRS § 18-8-308; CRS § 24-18-104; CRS § 24-18-105).

Prior to entering into any personal or business relationship or other circumstance that the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, immediate supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide other official information or services to any relative or other individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify Weld County Regional Communications Center to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

#### 1024.2.2 SUPERVISOR RESPONSIBILITIES

Upon being notified of or becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to mitigate or avoid such violations whenever reasonably possible. Supervisors shall also promptly notify the



# Mead Police Department

Policy Manual

Policy Manual

## *Nepotism and Employment Conflicts*

---

Chief of Police or the authorized designee of such actual or potential violations through the chain of command.

## Department Badges

### 1025.1 PURPOSE AND SCOPE

A Mead Police Department badge and uniform patch as well as the likeness of these items and the name of the Mead Police Department are property of the Department and their use shall be restricted as set forth in this policy.

### 1025.2 POLICY

The uniform badge shall be issued to Department members as a symbol of authority. The use and display of Department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

#### 1025.2.1 FLAT BADGE

Certified officers may be issued a flat badge that can be carried in a wallet. The use of the flat badge is subject to all the same provisions of Department policy as the uniform badge.

- (a) Should the flat badge become lost, damaged or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Department-Owned and Personal Property Policy.
- (b) An honorably retired officer may keep his/her flat badge upon retirement.
- (c) The purchase, carrying or display of a flat badge is not authorized for civilian/non-sworn personnel.

#### 1025.2.2 CIVILIAN/NON-SWORN PERSONNEL

Badges and Department identification cards issued to civilian/non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. parking control, dispatcher).

- (a) Civilian/Non-Sworn personnel shall not display any Department badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.
- (b) Civilian/Non-Sworn personnel shall not display any Department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a certified officer.

#### 1025.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement after 5 or more years of service, employees may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy. The department will present the badge at no cost to any retiree completing 10 or more years of service to the Mead Police Department.

# Mead Police Department

Policy Manual

Policy Manual

## *Department Badges*

---

### **1025.3 UNAUTHORIZED USE**

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all certified employees and civilian/non-sworn uniformed employees for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as electronic mail or websites and web pages.

The use of the badge, uniform patch and Department name for all material (e.g., printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police or the authorized designee.

Employees shall not loan the badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

### **1025.4 PERMITTED USE BY EMPLOYEE GROUPS**

The likeness of the Department badge shall not be used without the express authorization of the Chief of Police or the authorized designee and shall be subject to the following:

- (a) The likeness of the Department badge for endorsement of political candidates shall not be used without the express approval of the Chief of Police or the authorized designee.

## Temporary Modified-Duty Assignments

### 1026.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, or Town rules. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

### 1026.2 POLICY

Subject to operational considerations, the Mead Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

### 1026.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Colorado Anti-Discrimination Act (CADA) shall be treated equally, without regard to any preference for a work-related injury (CRS § 24-34-401 et seq.).

No position in the Mead Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

### 1026.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Modified-Duty Assignments*

---

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the Town Attorney as appropriate.

#### **1026.5 ACCOUNTABILITY**

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Commander.

##### **1026.5.1 EMPLOYEE RESPONSIBILITIES**

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

##### **1026.5.2 SUPERVISOR RESPONSIBILITIES**

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Temporary Modified-Duty Assignments*

---

- (c) Ensuring that employees returning to full duty have completed any required training and certification.

#### **1026.6 MEDICAL EXAMINATIONS**

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

#### **1026.7 PREGNANCY**

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k); CRS § 24-34-401 et seq.). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

##### **1026.7.1 NOTIFICATION**

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the Town's personnel rules and regulations regarding family and medical care leave.

#### **1026.8 MAINTENANCE OF CERTIFICATION AND TRAINING**

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

---

# Employee Speech, Expression and Social Networking

## 1027.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

### 1027.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media or public speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

## 1027.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Mead Police Department will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over employee speech and expression.

## 1027.3 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Mead Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Employee Speech, Expression and Social Networking*

---

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

#### **1027.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Mead Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Mead Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Mead Police Department or its employees. Examples include statements that indicate disregard for the law or the state or U.S. Constitution; expression that demonstrates support for criminal activity; participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Mead Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial gain, or data classified as confidential by state or federal law, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Mead



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Employee Speech, Expression and Social Networking*

---

Police Department on any personal or social networking or other website or web page without the express authorization of the Chief of Police.

- (h) Accessing websites for unauthorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
  1. When brief personal communications may be warranted by the circumstances (e.g., informing family of extended hours).
  2. During authorized breaks; such usage should be limited as much as practicable to areas out of the sight and sound of the public and shall not be disruptive to the work environment.

In addition, an employee is required to take reasonable and prompt action to remove any content that is in violation of this policy, whether posted by the employee and/or others, from any web page or website maintained by the employee (e.g., social or personal website).

#### 1027.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Mead Police Department or identify themselves in any way that could be reasonably perceived as representing the Mead Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support, or oppose any product, service, company or other commercial entity
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group) is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Mead Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Employee Speech, Expression and Social Networking*

---

##### 1027.4.2 CIVIL LIABILITY

Members should consider 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.
- (b) Publishing or posting private facts and personal information about someone 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 or for an exploitative purpose.
- (d) Publishing the creative work of another, trademarks or certain confidential information without the permission of the owner.

##### 1027.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

##### 1027.5.1 OTHER PRIVACY CONSIDERATIONS

Members should consider that privacy protection varies among social media sites and personal information posted on such sites may not be protected.

##### 1027.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

##### 1027.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

# Mead Police Department

Policy Manual

Policy Manual

## *Employee Speech, Expression and Social Networking*

---

### **1027.8 REPORTING VIOLATIONS**

Any member of the Mead Police Department becoming aware of or having knowledge of a posting or of any website or web page in violation of the provisions of the social media and internet policies of the Department and Town, shall notify his or her supervisor as soon as practical.

## Line-of-Duty Deaths

### 1028.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Mead Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

#### 1028.1.1 DEFINITIONS

Definitions related to this policy include:

**Line-of-duty death** - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian/non-sworn member during the course of performing their assigned duties.

**Survivors** - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

### 1028.2 POLICY

It is the policy of the Mead Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

### 1028.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Sergeant and Weld County Regional Communications Center.
  1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Shift Sergeant should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Shift Sergeant or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

#### **1028.4 NOTIFYING SURVIVORS**

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Sergeant or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Mead Police Department members may be apprised that survivor notifications are complete.

#### **1028.4.1 OUT-OF-AREA NOTIFICATIONS**

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

#### **1028.5 NOTIFYING DEPARTMENT MEMBERS**

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

#### **1028.6 LIAISONS AND COORDINATORS**

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CISM) coordinator.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

##### **1028.6.1 DEPARTMENT LIAISON**

The Department Liaison should be a Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

#### 1028.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
  - 1. The survivors and others whose presence is requested by the survivors.
  - 2. Department members and friends of the deceased member.
  - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Mead Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
  - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
  - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

#### 1028.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Commander. The following should be considered when selecting the Survivor Support Liaison:



# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
  1. Items should not be delivered to the survivors until they are ready to receive the items.
  2. Items not retained as evidence should be delivered in a clean, unmarked box.
  3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
  4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
  1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

#### 1028.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
  - 1. Members involved in the incident.
  - 2. Members who witnessed the incident.
  - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
- (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

#### 1028.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
  1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
  2. Bagpipers/bugler
  3. Uniform for burial
  4. Flag presentation
  5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

#### 1028.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Mead Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

##### 1028.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury and Death Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
  - 1. Public Safety Officers' Benefits (PSOB) Programs.
  - 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
  - 3. Social Security Administration.
  - 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
  - 1. Survivor or domestic partner pension benefits (CRS § 31-31-807 et seq.; CRS § 14-15-107)
  - 2. Disability benefits (CRS § 31-31-803)
  - 3. Educational benefits (CRS § 23-3.3-205)
  - 4. Insurance benefits (CRS § 31-31-902; CRS § 31-31-903)
- (d) Researching and assisting survivors with application for other survivor benefits such as:
  - 1. Private foundation survivor benefits programs.
  - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
  - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

##### 1028.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
  - 1. Paying survivors' travel costs if authorized.
  - 2. Transportation costs for the deceased.
  - 3. Funeral and memorial costs.
  - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

##### 1028.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
  - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
  - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
  - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Line-of-Duty Deaths*

---

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

#### **1028.8 DEPARTMENT CHAPLAIN**

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain are in the Chaplains Policy.

#### **1028.9 INVESTIGATION OF THE INCIDENT**

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

#### **1028.10 NON-LINE-OF-DUTY DEATH**

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

# PEACE OFFICER CREDIBILITY (BRADY) DISCLOSURE NOTIFICATIONS

## 1029.1 PURPOSE

Consistent with the requirements under state law, this policy seeks to establish uniform and consistent standards requiring law enforcement agencies to disclose specific information to district attorneys that may impact the credibility of a peace officer in a criminal prosecution, and to establish uniform procedures for district attorneys to timely disclose such information to the defense under the Colorado Rules of Criminal Procedure and to increase transparency to allow members of the public to access information concerning peace officers who are subject to a credibility disclosure notification.

[See attachment: Weld County DA SB 21-174 Peace Officer Credibility Disclosure Policy.pdf](#)

## 1029.2 DEFINITIONS

As used in this policy, the below terms shall have the following meaning:

- A. "Credibility Disclosure Notification" means the notification described in C.R.S. 16-2.5-502(2)(c) and described in Section (III)(A) and (III)(B) of this policy.
- B. "Law Enforcement Agency" means a state or local agency that employs peace officers.
- C. "Official Criminal Justice Record" means any handwritten or electronically produced report or documentation that a law enforcement agency requires a peace officer to complete as part of the peace officer's official duties, for the purpose of serving as the agency's official documentation of an incident, call for service, response to an alleged or suspected crime, a use of force, or during a custodial arrest or the direct supervision of a person who is in custody. Official criminal justice records also include any other reports or documents that an agency requires a peace officer to complete as part of the peace officer's official duties where the peace officer knows, or should know the information included may be relevant to an ongoing or future criminal or administrative investigation.
- D. "Untruthfulness" or "dishonesty" means conduct that involves a knowing misrepresentation, including but not limited to intentionally untruthful statements, knowing omissions of material information, and knowingly providing or withholding information with an intent to deceive or mislead.
- E. "Sustained finding" means a final determination by a law enforcement agency, following a law enforcement agency's administrative procedures for investigating and reviewing alleged misconduct by a peace officer on the merits.

## 1029.3 LAW ENFORCEMENT AGENCY'S OBLIGATION TO PROVIDE OFFICER CREDIBILITY DISCLOSURE NOTIFICATION

Notwithstanding any other procedures or existing legal requirements regarding the disclosure of exculpatory evidence in a criminal proceeding, beginning January 1, 2020, every law enforcement agency shall:

# Mead Police Department

## Policy Manual

### Policy Manual

#### PEACE OFFICER CREDIBILITY (BRADY) DISCLOSURE NOTIFICATIONS

- A. Promptly notify the district attorney's office(s) in the law enforcement agency's jurisdiction, in writing, of any sustained finding made on or after January 1, 2020, where a peace officer:
1. Knowingly made an untruthful statement concerning a material fact;
  2. Demonstrated a pattern of bias based on race, religion, ethnicity, gender, sexual orientation, age, disability, national origin, or any other protected class;
  3. Tampered with or fabricated evidence;
  4. Been convicted of any crime involving dishonesty or has been charged with any felony or any crime involving dishonesty;
  5. Violated any policy of the law enforcement agency regarding dishonesty
- B. In addition to the credibility disclosure notification required under Section (III)(A), a law enforcement agency shall also notify the district attorney's office(s) in the law enforcement agency's jurisdiction as soon as practicable when a peace officer is under a criminal or administrative investigation that if sustained, would require disclosure under Section (III)(A), and where it also meets both of the following circumstances:
1. The peace officer is a potential witness in a pending criminal prosecution in which a criminal defendant has been formally charged; and
  2. The criminal or administrative investigation of the peace officer involves an allegation related to the peace officer's involvement in the defendant's pending criminal case.
- C. For disclosures made pursuant to Section (III)(B), the law enforcement agency shall promptly notify the district attorney's office(s) once the law enforcement agency has completed the agency's administrative process for investigating and evaluating the allegations on the merits.
1. If the law enforcement agency determines through its administrative process that the criminal or administrative allegations are not sustained based on the merits, the law enforcement agency should promptly notify the district attorney of the outcome and the agency or involved peace officer may request that the district attorney's office(s) remove the credibility disclosure notification from its records as set forth in Section (V)(C), below. However, nothing in this section shall require a district attorney to remove any credibility disclosure notification that was made to a defendant pursuant to Rule 16 in a pending criminal proceeding where the requirements of Section (III)(B) applied at the time of the disclosure.
- D. Prior to making any credibility disclosure notification required under Sections (III)(A) or (III)(B), a law enforcement agency must give the involved peace officer at least seven (7) calendar days' notice of the agency's intent to send a credibility disclosure notification to the district attorney's office.
1. If seven (7) days' notice is not practicable due to an impending trial date, the agency shall provide as much notice to the involved peace officer as is practicable under the circumstances.



# Mead Police Department

## Policy Manual

### Policy Manual

#### *PEACE OFFICER CREDIBILITY (BRADY) DISCLOSURE NOTIFICATIONS*

---

##### **1029.4 CREDIBILITY DISCLOSURE NOTIFICATION PROCEDURES**

- A. A law enforcement agency shall include the following information in the credibility disclosure notification to be provided in writing to the district attorney's office(s):
  - 1. The peace officer's name;
  - 2. The name of the law enforcement agency that employs or employed the peace officer at the time of the sustained findings or at the time of the criminal or administrative investigation'
  - 3. The following statement: "This notification is to inform you that there is information in the law enforcement agency's possession regarding [name of peace officer] that may affect the peace officer's credibility in court."
  - 4. The applicable statutory provision identifying the basis for the credibility disclosure notification, including whether the notification is based on a sustained finding pursuant to Section (III)(A) or whether the notification relates to an open criminal or administrative investigation pursuant to Section 1029.3.B. In the case of notification required under Section 1029.3.B, the name of the defendant and the agency case number shall be included.
- B. The law enforcement agency shall send the required credibility disclosure notification in writing, either electronically or by mail, to the contact(s) designated by the district attorney's office(s) located in the law enforcement agency's jurisdiction.

##### **1029.5 DISTRICT ATTORNEY OBLIGATIONS**

- A. On or before January 1, 2022, each district attorney shall:
  - 1. Designate the contact(s) to whom law enforcement agencies should send the required credibility disclosure notifications;
  - 2. Establish a process to timely notify defense counsel or a defendant of credibility disclosure notification records pursuant to Rule 16 of the Colorado Rules of Criminal Procedure;
  - 3. Maintain a current record of all credibility disclosure notifications, distinguishing between sustained findings disclosed pursuant to Section 1029.3.A and open investigations disclosed pursuant to Section 1029.3.B;
  - 4. Comply with the procedures set forth in Section B for entering credibility disclosure notifications.
  - 5. Remove any credibility disclosure notifications records as set forth in Section C below.
  - 6. Post on the district attorney's or county's website the procedures for how a member of public can access the database created by the P.O.S.T. Board pursuant to section 24-31-303 (1)(r).
- B. For any credibility disclosure notification made to a district attorney pursuant to Section 1029.3.A (i.e. involving a sustained allegation), or where a district attorney receives a notification pursuant to Section (III)(B) and the district attorney is subsequently notified by the law enforcement agency that the completed criminal or administrative

# Mead Police Department

## Policy Manual

### Policy Manual

#### *PEACE OFFICER CREDIBILITY (BRADY) DISCLOSURE NOTIFICATIONS*

---

concluded the allegations against the peace officer were sustained, each district attorney shall require members of the district attorney's office to denote in its current record the involved officer as having a credibility disclosure notification.

- C. District attorneys shall remove credibility disclosure notification records from the district attorney's records and notification procedures under the following circumstances:
  - 1. When a law enforcement agency made a credibility disclosure notification about an open criminal or administrative investigation pursuant to Section (III)(B), and subsequently notifies the district attorney that the agency concluded through its administrative process that the criminal or administrative allegations are not sustained based on the merits, and the law enforcement agency or peace officer makes a written request that the district attorney's office(s) remove the credibility disclosure notification from the district attorney's records.
  - 2. When a district attorney makes an independent determination, based on a review of the underlying records (if access to the underlying records is granted by the agency, officer, or by court order) that removal is appropriate or lawful.
  - 3. When a district attorney receives a court order directing the district attorney to remove the credibility notification records.
- D. Each district attorney shall review the policies and procedures adopted and implemented under this Section at least every four (4) years to ensure compliance with controlling federal and state case law interpreting *Brady v. Maryland*, 373 U.S. 83 (1963); *Giglio v. United States*, 405 U.S. 150 (1972); *Kyles v. Whitely*, 514 U.S. 419 (1995), and it progeny, as well as the Colorado Rules of Criminal Procedure.

## Wellness Program

### 1030.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

#### 1030.1.1 DEFINITIONS

Definitions related to this policy include:

**Critical incident** – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

**Critical Incident Stress Debriefing (CISD)** – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

**Peer support** – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

### 1030.2 POLICY

It is the policy of the Mead Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

### 1030.3 WELLNESS COORDINATOR

The Chief of Police should appoint a wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., Department of Human Resources, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
  1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Wellness Program*

---

2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
  1. Defining the types of incidents that may initiate debriefings.
  2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members.

#### **1030.4 DEPARTMENT PEER SUPPORT**

The Peer Support Program is designed to enhance the EAP and other wellness resources that are offered by the Town of Mead and Mead Police Department. Peer Support is recognized by the Colorado Legislature in CRS 13-90-107.

[See attachment: 2023 Mead Peer Support Policy and Operational Guidelines.pdf](#)

#### **1030.5 CRITICAL INCIDENT STRESS DEBRIEFINGS**

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include peer support members and those directly involved in the incident.

#### **1030.6 WELLNESS PROGRAM AUDIT**

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services

# Mead Police Department

## Policy Manual

### Policy Manual

#### *Wellness Program*

---

- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinator should present the completed audit to the Chief of Police for review and consideration of updates to improve program effectiveness.

#### **1030.7 TRAINING**

The coordinator or the authorized designee should collaborate with the Commander to provide all members with regular education and training on topics related to member wellness.

## Attachments

**Weld\_County\_Inter-  
Agency\_Pursuit\_Policydocx (1).pdf**

WELD COUNTY INTER-AGENCY POLICY FOR  
MULTI-JURISDICTIONAL VEHICULAR PURSUIT  
2023

**No Weld County law enforcement agency is obligated under this procedure to participate or continue to participate in any vehicular pursuit initiated by any other law enforcement agency. If any conflict occurs with respect to an individual agency's pursuit policy, that agency's policy will prevail.**

**I. Operational Considerations:**

- A. Warning other motorists a pursuit is in progress by using emergency lights and sirens on authorized emergency vehicles involved in the pursuit.
- B. The severity of offense which gave cause to initiate the pursuit by weighing the nature of offense such as a serious felony versus a misdemeanor when opting to participate in a pursuit.
- C. Alternative methods of apprehending the suspect(s).
- D. The danger to the public if the suspect(s) is/are not immediately apprehended.
- E. The risk to the public and others from agencies involved in the pursuit if the pursuit continues. For example, the speed of a pursuit should be reasonable under the circumstances.
- F. Existing driving conditions including, but not limited to, road conditions, traffic congestion, weather conditions, and vehicle performance limitations if known at the time.

**II. Scope:**

The Inter-Agency Vehicular Pursuit Procedure is intended to provide common operational guidelines when the officer originating a pursuit, still in pursuit, leaves their jurisdiction and enters another jurisdiction within Weld County. The statutory authority to pursue an offender is as follows:

- A. C.R.S. 16-3-104(1)(c). **Arrest by peace officer from another jurisdiction.** "Fresh pursuit" means the pursuit, without unnecessary delay, of a person who has committed a crime, or who is reasonably believed to have committed a crime.
- B. C.R.S. 16-3-106. **Peace officer may pursue offender.** When any peace officer is in fresh pursuit of an alleged offender, having a warrant for his arrest or having knowledge that such warrant has been issued, or, in the absence of an arrest warrant, when the offense was committed in the officer's presence or the officer has reasonable grounds to believe that the alleged offender has committed a criminal offense, and the alleged offender crosses a boundary line marking the territorial limit of his authority, such peace officer may pursue him beyond such



boundary line and make the arrest, issue a summons and complaint, or issue a notice of penalty assessment.

- C. Neither the provisions of this Inter-agency Procedures for Multi-jurisdictional Vehicular Pursuit nor individual departmental policies shall relieve an officer or deputy from the civil or legal consequences of such driver's reckless disregard for the safety of others. See C.R.S. 42-4-108(4). Injury or threat of injury to innocent third persons during a pursuit, regardless of compliance with this or departmental policy, is not justified if the pursuit is conducted in a reckless or criminally negligent fashion. See C.R.S. 18-1-707(3).

### III. Responsibility

Information from **the agency initiating a pursuit**, or any other agency obtaining information, which may reasonably affect the decision to continue a pursuit shall be provided to other agencies involved in an expedient manner.

**Each agency** is responsible for the training of its personnel in the application of this agreement.

**Each agency** participating in a multi-jurisdictional pursuit is encouraged to participate in an "after action" pursuit critique.

**Each agency** participating in a multi-jurisdictional pursuit is responsible to notify communications when they discontinue or will not be directly engaged in a pursuit.

**The dispatch center for the primary pursuit vehicle is** responsible, when possible, to inform other law enforcement agencies when a pursuit in progress may enter that agency's jurisdiction. This dispatch center is responsible when possible, depending on the radio system used by each agency, to initiate and maintain continuous contact with other agencies whose jurisdiction the pursuit traverses. Special notice should be provided to the dispatch center to express if one agency is merely notifying another agency of a pursuit coming through their jurisdiction or if they are requesting assistance.

### IV. Definitions

Pursuit-- an attempt to apprehend a violator who is trying to avoid apprehension by one or more peace officers. Avoidance may include high speed driving, unexpected turning movements, failing to comply with a peace officer's signal to stop, or other evasive tactics.

- Primary Vehicle-- the lead law enforcement vehicle following the violator.
- Secondary Vehicle(s)-- additional law enforcement vehicle(s) assigned to assist the primary law enforcement vehicle during the course of the pursuit.
- Vehicle Disabling Device-- an agency approved, less-lethal, tire deflating device which may be deployed to disable a fleeing vehicle.
- Tactical Vehicle Intervention-- (TVI) is an agency approved method of forcing a suspect vehicle off the road.

V. Assignments

Primary Vehicle:

The primary vehicle should provide the appropriate dispatch center with all information pertinent to the pursuit such as location, direction of travel, speed, vehicle description, occupant(s) description(s), and reason for the pursuit.

Secondary Vehicle:

The purpose of the secondary vehicle is to provide assistance to the primary vehicle upon termination of the pursuit or assuming the primary position if required. The secondary vehicle shall maintain a safe distance from the fleeing vehicle and primary pursuit vehicle.

The secondary vehicle should attempt to serve as the primary communication point of the pursuit if both the secondary and primary vehicles are from the same agency or able to communicate on the same radio frequency.

The secondary vehicle shall use its emergency equipment in compliance with C.R.S. 42-4-108.

Other Participating Vehicles:

Inter-county, multi-jurisdictional pursuits should be limited, if practical, to one primary pursuing law enforcement vehicle and one secondary pursuing law enforcement vehicle.

Self-assignment of additional vehicles beyond the primary and secondary is strongly discouraged unless additional vehicles have been requested by the primary or secondary vehicle.

Additional law enforcement vehicles may provide support by blocking traffic at major intersections and/or notifying pursuing agencies of special hazards, unusual terrain, other emergency traffic, etc.

Types of Vehicles:

If a pursuit is initiated by a peace officer operating an unmarked law enforcement vehicle, motorcycle, or other vehicle not normally used for patrol use, that vehicle should withdraw from a pursuit as soon as possible, and a marked patrol unit should assume the primary vehicle pursuit function. Vehicles other than a marked patrol unit are discouraged from participating in a pursuit in any capacity due to the extreme danger to officers and others.

Agency Communication Centers:

With the exception of UNC Police, CSP, Erie and Longmont, all Weld County Agencies are dispatched by Weld County Regional Communications Center (WCRCC) - For all agencies within WCRCC jurisdiction, the dispatch center for the primary pursuit vehicle will facilitate interagency radio communication by patching the appropriate law primary channel to the talk group being utilized by the pursuit vehicle when a specific request is made of the WCRCC.

- If the agency where pursuit initiates is outside WCRCC jurisdiction and that agency's Dispatch Center calls WCRCC, WCRCC will inform the Weld County affected agencies and give them the radio channel supplied by their Dispatch Center i.e. DTRS MAC 7 or FRCC NMAT/SMAT channel.
  - o If the channel given is from DTRS MAC - Agencies should be aware WCRCC can create the patch but will require the cooperation of the initiating dispatch center.
  - o If the channel given is from FRCC mutual aid (NMAT/SMAT) WCRCC can patch this channel to a primary law or tactical channel.
- WCRCC strongly discourages the patching of primary talk groups together to facilitate communication.
- All agencies joining or assisting the pursuit will be directed to turn to the assigned mutual aid channel.
- Units not on the pursuit will remain on their designated primary talk groups. They may be directed to migrate to their designated secondary or clearance talk groups to conduct routine business.
- Dispatchers are to obtain clear, concise and specific information regarding the facts about the pursuit and the driver, and are to provide timely updates.
- In the event of a fast moving, highly dynamic pursuit, agencies should be aware it may not be possible for the primary dispatch center to patch various primary talk groups together to facilitate interagency communication.
- Communication may only consist of updates from Communications Center to Communications Center.

Command/Supervisory:

The overall command of a pursuit shall rest with the jurisdiction of the primary pursuit vehicle. If the primary vehicle relinquishes the pursuit and another agency assumes the pursuit, the command authority will shift to the jurisdiction of the vehicle assuming the primary pursuit vehicle position. Transfer of primary command of the pursuit from one agency to another will be clearly announced by the agency passing it and clearly acknowledged by the agency taking over the pursuit.

Any involved agency with an on-duty supervisor shall be required to monitor in-progress pursuits involving their officers. Supervisors of involved agencies are expected to monitor the tactics deployed and use of force issues associated with a given situation. Supervisors are expected to assess the known facts in each episode and weigh the safety of the public and officers involved to determine whether or not a pursuit should be allowed to continue. This assessment will be determined within a reasonable amount of time and may vary based on the informational gathering ability and the factors surrounding the pursuit. This requires supervisors to exercise greater affirmative command and control of a pursuit.

Nothing in this procedure limits the ability of each agency to conduct an internal review of their agency's action at their own discretion.

Tactics:

Tactics employed to stop a fleeing vehicle should be based on the greatest probability of success with the least likelihood of injury to the general public and peace officers. Tactics which could reasonably result in injury or death to occupants of the fleeing vehicle will be applied in accordance with constitutional and statutory provisions for use of less-lethal and lethal physical force. **Individual agency policy and procedure for use of less-lethal and lethal physical force is considered incorporated herein by reference.** The implementation of any tactic should be directed by either the primary or secondary unit through dispatch. Any tactic requiring supervisory approval by the pursuing agency policy should be sought through their supervisor(s) monitoring the pursuit.

UPON TERMINATION OF ANY PURSUIT, IT IS STRONGLY RECOMMENDED THE INVOLVED OFFICERS EMPLOY FELONY OR HIGH-RISK STOP PROCEDURES FOR THEIR SAFETY AS WELL AS THE SAFETY OF THE PUBLIC. IT IS ALSO RECOMMENDED, IF PRACTICAL, ALL AGENCIES PARTICIPATING IN THIS SHARED PURSUIT PROCEDURE TRAIN TOGETHER ANNUALLY ON A COMMON HIGH RISK STOP PROCEDURE.

Requests for Mutual Aid:

All requests for mutual aid assistance should be made by command or supervisory personnel when possible.

Requests for mutual aid assistance should specify the actions desired.

Peace officers assigned to provide mutual aid to an agency requesting assistance are under the direction of the primary vehicle, unless such direction is in conflict with such officer's home agency policy or directions given from their on duty supervisors

Investigation at Termination:

In the event the initiating agency is not present at the termination point of a pursuit, a representative should be sent as soon as possible. The primary agency at the termination point will be responsible for making the arrest.

The arrestee will be released to the initiating agency unless otherwise determined by on scene supervisors of the involved agencies. The command officer for the initiating agency will assume

The appropriate charges or felony filing will be presented to the appropriate district attorney's office by the initiating agency unless otherwise determined.

Media/Public Information:

Media/public information requests will be directed to the command or supervisory officer of the initiating agency unless otherwise determined another agency should take the lead.

VI. Maintenance

This procedure will be administered by the Weld County Chiefs' of Police organization. This procedure will be reviewed annually in January by the Weld County Chiefs' of Police and revisions may be made at any time with 30 days advance written notice to each agency.

This procedure will be reviewed for signature by all participating agencies each year.

By signing this document, the Chief of Police or Sheriff is indicating that the individual officers and or deputies of their law enforcement agency will operate under the guidelines of this Weld County Inter-Agency Procedures for Multi-Jurisdictional Vehicular Pursuit as contained in this document, unless or until such time as the document is modified or the agency head opts out of these established procedures.

APPENDIX

DocuSigned by:

*Jim Gerdeman* 6/8/2023

0454C095295F448...

Jim Gerdeman  
President

DocuSigned by:

*Dave Arnold* 6/8/2023

662C1249C3984A9...

Dave Arnold  
Vice President

DocuSigned by:

*Adam Turk* 6/8/2023

E1F3B9936247460...

Adam Turk  
Secretary-Treasurer

Tom Nissen  
Ault PD

Ian Whittington  
Colorado State Patrol

Matthew Skaggs  
Dacono PD

DocuSigned by:

*Kevin Sturch* 6/8/2023

EE47E49051F8409...

Kevin Sturch  
Eaton PD

Michael Rourke  
District Attorney

Tom Walde  
District Attorney  
Chief Investigator

DocuSigned by:

*Kim Stewart* 6/8/2023

00EF471999F1573...

Kim Stewart  
Erie PD

Rick Brandt  
Evans PD

David Angelo  
Firestone PD

Todd Norris  
Frederick PD

John Fryar  
Ft. Lupton PD

Jeremy Black  
Garden City PD

DocuSigned by:

*Adam Turk* 6/8/2023

E1F3B9936247460...

Adam Turk  
Greeley PD

DocuSigned by:

*Scott Sedgwick* 6/8/2023

69326F2512BC4A7...

Scott Sedgwick  
Hudson PD

DocuSigned by:

*Brian Phillips* 6/9/2023

3262513C9410450...

Brian Phillips  
Johnstown PD

James Jensen  
Keensburg PD

Tracey Moore  
Kersey PD

Dave Arnold  
LaSalle PD

DocuSigned by:

*Tracey McCoy* 6/8/2023

EF8871959FDB4D1...

Tracey McCoy  
Lochbuie PD

DocuSigned by:

*Brent Newbanks* 6/8/2023

6D85D0467BF3401...

Brent Newbanks  
Mead PD

DocuSigned by:

*Benito Garcia* 6/8/2023

5CA070B818A0450...

Benito Garcia  
Milliken PD

Dakota Germer  
Nunn PD

Melissa Divido  
Parole

Carl Dwyer  
Platteville PD

DocuSigned by:

*Jim Gerdeman* 6/9/2023

0454C095295F448...

Jim Gerdeman  
Severance PD

Terry Jones  
Timnath PD

Aaron Carmichael  
UNC PD

DocuSigned by:

*Donnie Patch* 6/9/2023

17DBE36E6829463...

Donnie Patch  
Weld County Undersheriff

Roy Rudisill  
Weld County Emergency Mgr.

Steven Reams  
Weld County Sheriff

DocuSigned by:

*Rick Klimek* 6/8/2023

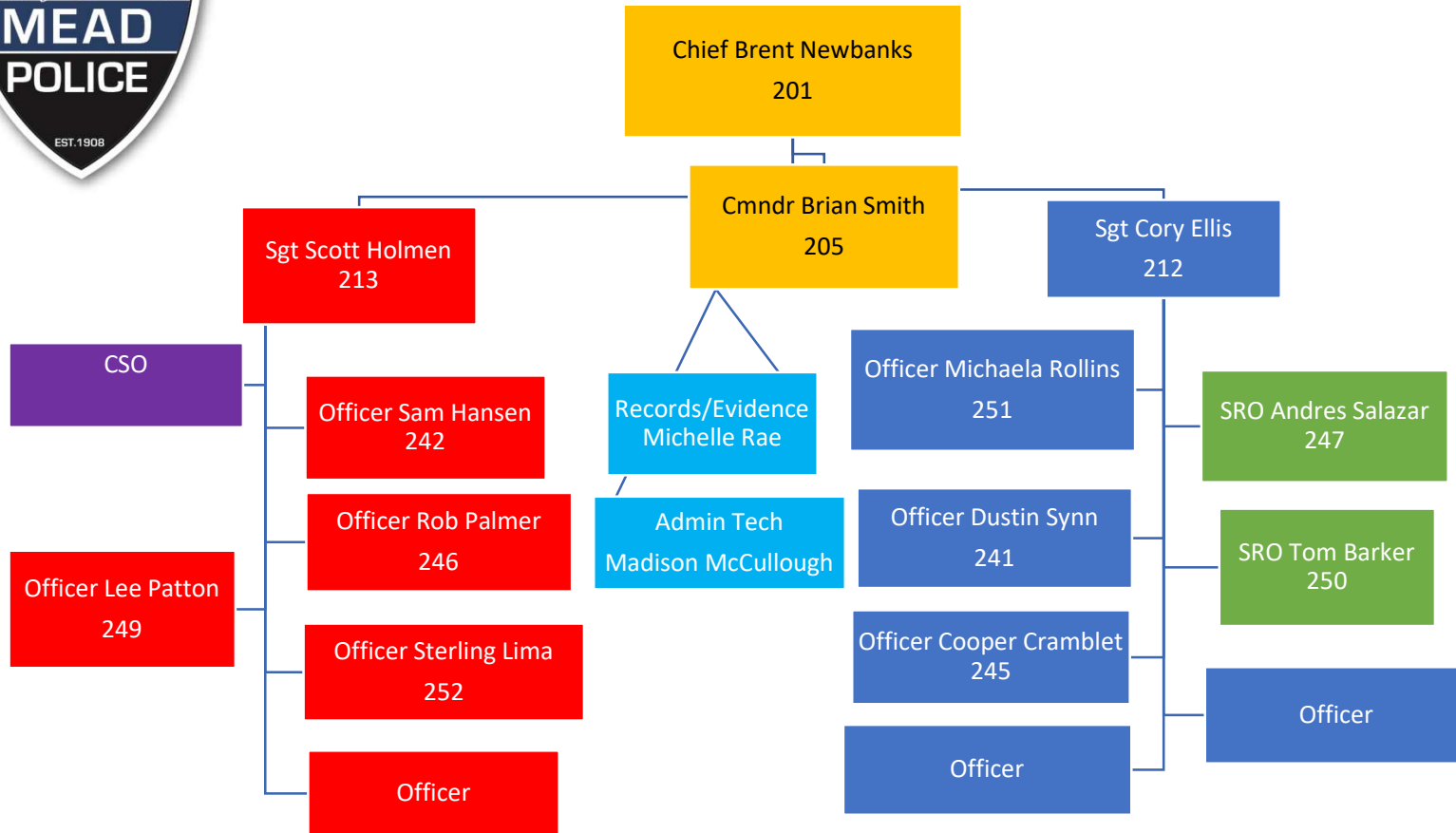
7A1FD42F2F0E4DF...  
Rick Klimek  
Windsor PD

**2023 Apr.pdf**





# Mead Police Department

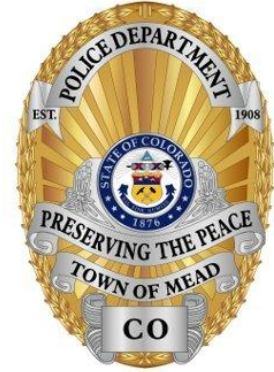


Officers Out Sick or Injured

New Hires / In Training:

**2023 Mead Peer Support Policy  
and Operational Guidelines.pdf**

# Mead Police Department Peer Support Program



The purpose of the Mead Police Department's (MPD) Peer Support program is to prevent and prepare MPD personnel for the potential impacts of the psychological, emotional and stressful circumstances an employee might experience as a result of working in the emergency medical service. The Peer Support Team consists of fellow MPD employees who have been trained by a mental health professional in stress management, critical incident stress, and crisis intervention techniques in order to provide personnel with resources and support for these experiences. Peer Support can be provided by a variety of activities, including one-on-one discussions, pre-incident education, and spousal/significant other/family support. These guidelines provide detailed information about MPD's Peer Support program, and the resources and information needed to utilize the Peer Support Team.

## The Peer Support Program

The components of the Peer Support program include one-to-one peer support, Peer Support Team meetings, crisis intervention group meetings, pre-incident training, and spousal/significant other/family support and training.

- Peers help peers with day-to-day stressors and high stress environments.
- Peers know when and how to intervene in crisis situations.
- Peers have an established approach to cope with stress in the workplace. There have been increasing requests from employees seeking support for general work stress and crisis situations. The Peer Support program was created to meet these needs. Developed by mental health professionals, the program is designed to be available to all employees.
- Issues discussed in the Peer Support program are confidential. Additional information regarding program confidentiality can be found on page 7 and team member confidentiality can be found on page 11.

## Peer Support Team Members

Peer Support Team members are co-workers who have volunteered to participate in the Peer Support program. They have received the training necessary to provide peer support under clinical supervision. They represent all levels of employees working at their regular assignments.

## What do Peer Support Team Members Do?

Peer Support Team (PST) members understand the stress of the emergency services environment. They want to be of help and are trained to listen and talk with peers who want or need opportunities to talk. PST members value trust. They respect the need for anonymity and confidentiality. Communication between a PST member and a peer is confidential, except in situations that involve a life threat or violation of the law.

## What Types of Problems do Peer Support Team Members Address?

Peer Support Team members are trained to provide initial crisis intervention for many types of problems. Some of the more common issues are work related; other issues may be more personal, such as illness, disability, relationship and/or financial difficulties. If more help is needed, appropriate referrals are made.

When several employees are adversely affected by the same event, a Peer Support Team member will assess the situation, make recommendations to command staff about what type of crisis intervention services are needed, and facilitate setting up these services.

## How does the Peer Support Program Enhance Avenues for Help?

The intent of the Peer Support program is not to direct all avenues of help, but rather to create additional paths for receiving support. PST members can help employees discover new avenues of support by offering them a variety of options, including peer support, clinical supervision, Employee Assistance Program (EAP) services, and health insurance provided counseling.

Employees have the option of talking with your Peer Support Team Clinical Supervisor and/or counselors covered by your agency's health insurance or EAP, and may at any time choose one of these options for assessment and/or ongoing counseling. The Peer Support program and these other counseling options complement each other to help employees.

# Types of Peer Support

## Reach Out

Peer Support Team members may initiate a Reach Out. In a Reach Out, a PST member initiates contact with a person who has been exposed to a stressful event, a traumatic incident, or another known or suspected stressor. For recipients, additional intervention following a Reach Out is voluntary and may include continued peer support, debriefing, and/or referral.

## Peers Listen and Refer

Peer Support Team members are available 24/7 365 to provide a first point of contact for employees, and may refer them to appropriate professional counseling services if needed. PST members receive training in basic listening skills, problem solving and decision making. PST members are not qualified to, and in practice do not, provide a counseling service. Instead, they link employees in need with appropriate specialist services in the community.

## Peers Provide Short-Term Crisis Intervention

Peer Support Team members provide short-term crisis intervention for troubled workers. PST members receive ongoing training in stress management and crisis intervention. Since they may be involved in discussing co-workers' problems in some detail, a thorough assessment is made to ensure that peers selected as PST members are respected by their co-workers and trusted to maintain confidentiality.

## Family Support

The Peer Support Team offers specific services to support the emergency service worker's primary support system. PST members can help facilitate a variety of resources and referrals for family members should a critical incident arise. PST members are trained to work exclusively with their peers. The PST Clinical Supervisor is authorized to meet with any employee and their legal partner, including emergency service volunteers. First Responder Trauma Counselors Family Support Services works with the Peer Support Team to provide support for all family members.

# PEER SUPPORT PROGRAM

## Table of Contents

<b>Section I</b>	<b>5</b>
PEER SUPPORT PROGRAM MEMBERS	5
Peer Support Liaison	5
Peer Support Team Coordinator(s)	5
Peer Support Team Assistant Coordinator	6
Peer Support Team Members	6
Clinical Supervisor	6
<b>Section II</b>	<b>6</b>
PEER SUPPORT PROGRAM GUIDELINES & PROCEDURES	6
Purpose and Scope	6
Organization and Administration	6
Peer Support Team Member Selection	7
Confidentiality	7
Critical Incidents	8
Critical Incident Debriefing/Processing	8
Notifications and Critical Incident	8
Availability and Team Response	9
Internal Investigation and Supervisory Inquiries	9
<b>Section III</b>	<b>10</b>
PEER SUPPORT TEAM OPERATIONAL GUIDELINES	10
Clinical Supervision	10
Peer Support Team Coordinator	10
Peer Support Team Assistant Coordinator	10
Primary Obligations of Peer Support Team Members	10
<b>Section IV</b>	<b>15</b>
APPENDIX	15
Clinical Supervisors Contact Information	15
FRTC Administration Contact Information	15

# Section I

## PEER SUPPORT PROGRAM MEMBERS

### Peer Support Liaison

The Peer Support Liaison:

- develops and advises program policy;
- oversees and provides administrative support for the program;
- receives information regarding the progress of the program;
- evaluates the program's operation; and
- allocates funding for the program.

### Peer Support Team Coordinator(s)

The Peer Support Team (PST) Coordinator manages the program, coordinates the Peer Support Team, and serves as the primary link between the program and the Clinical Supervisor.

The PST Coordinator:

- manages the PST;
- manages critical incident stress debriefing activities;
- maintains records of PST activities;
- facilitates the recruitment of new PST members;
- develops field education specific to the PST; and
- assists the Clinical Supervisor with his or her PST related duties.

### Peer Support Team Assistant Coordinator

The Peer Support Team Assistant Coordinator assists the PST Coordinator in managing the program and coordinating the Peer Support Team, and may also assist as the link between the program and the Clinical Supervisor.

### Peer Support Team Members

Peer Support Team members are the program's main service providers who:

- provide crisis intervention and basic support for staff and family members;
- triage in a crisis event and make recommendations to command officers about what kind of crisis intervention services are needed;
- assist in facilitating a critical incident stress management team to provide appropriate crisis intervention services when an event affects a group of responders or the whole department;
- provide referral to mental health professionals as advised by the program's Clinical Supervisor, medical insurance provider or EAP;
- assist in field education about psychological support services; and
- receive ongoing training and supervision necessary to the role.

## Clinical Supervisor

The Clinical Supervisor manages all matters related to the clinical aspects of the program. The Clinical Supervisor:

- assists in the development of the Peer Support program's Policy and Operational Guidelines;
- advises/supervises all clinical aspects of the program;
- provides clinical support and program guidance to the PST Coordinator and Assistant Coordinator;
- provides initial and ongoing training for Peer Support Team members;
- assists in the selection of new Peer Support Team members;
- hires and supervises mental health professionals as needed; and
- ensures quality of service.

## Section II

### PEER SUPPORT PROGRAM GUIDELINES & PROCEDURES

#### Purpose and Scope

The purpose of the Peer Support program is to prevent and/or lessen the potential negative impact of stress upon emergency services personnel by providing emotional support, information, and assistance.

The program provides emergency services personnel psychological and emotional support through one-on-one discussions, pre-incident education, on-scene support, demobilization intervention, and post-incident defusing.

The Peer Support Team is comprised of agency members who have been specially trained in stress management, critical incident stress and crisis intervention techniques, and who work in conjunction with designated mental health professionals.

A critical incident is any event, on-duty or job related off-duty, involving actual or threatened death or serious injury, which has the potential to create a sense of fear, helplessness, overwhelm or general distress. Additionally, Peer Support Team members offer employees a sounding board for personal life crises.

#### Organization and Administration

Peer Support Team members operate under the general direction of the PST Clinical Supervisor and the specific direction of the PST Coordinator. PST members will select the PST Coordinator and/or Assistant Coordinator when these positions are vacated by the current Coordinators or at the direction of the Clinical Supervisor. If the PST Coordinator is unavailable to administer the team, the Assistant Coordinator assumes this responsibility. In the event of the absence of both the PST Coordinator and Assistant Coordinator, an acting Coordinator will be designated.



## Peer Support Team Member Selection

Applicants interested in being Peer Support Team members must be in good standing, with no current disciplinary or performance issues, and who have not been subject to any major disciplinary action occurring in the previous 12 months. New hire applicants must have a minimum of 3 months employment following the completion of field training. PST applicants must submit a letter to the PST Coordinator stating their interests and qualifications, as well as a letter of recommendation from a supervisor. Applicants are screened by the PST Coordinator, Assistant Coordinator, and PST members. Interviews of selected applicants are conducted by the PST Coordinator, Assistant Coordinator and PST members. The PST Coordinator and/or Assistant Coordinator submit a list of qualified applicants to the Clinical Supervisor for final approval and appointment to the Peer Support Team.

## Confidentiality

Peer Support Team member confidentiality is regulated by Colorado state statute (C.R.S. 13-90-107(m): Who may not testify without consent), enacted into law in 2005. Individual, one-on-one interactions are protected under this statute; however, group interactions are not protected.

There are several other circumstances wherein information obtained by PST members is not confidential that include, but are not limited to:

- 1) A law enforcement/firefighter/emergency medical service provider or Peer Support Team member was a witness or a party to an incident which prompted the delivery of peer support services.
- 2) Information received by a Peer Support Team member is indicative of actual or suspected child abuse, as described in section C.R.S. 18-6-40.
- 3) Actual or suspected child neglect, as described in section C.R.S. 19-3-102.
- 4) Abuse or exploitation of at-risk elders, as described in section C.R.S. 18-6.5-108.
- 5) Due to alcohol or other substance intoxication or abuse, the person receiving peer support is a clear and immediate danger to oneself or others, as described in sections C.R.S. 27-81-111 and 27-82-107.
- 6) There is reasonable cause to believe that the person receiving peer support has a mental illness and, due to the mental illness, is an imminent threat to oneself or others, or is gravely disabled, as defined in section C.R.S. 27-65-102.
- 7) There is information indicative of any criminal conduct, as described in section C.R.S. 13-90-107(m).
- 8) Peace officer members of the Peer Support Team are required to take action, including making an arrest, and in domestic violence cases where there is probable cause that a crime has been committed, as described in section C.R.S. 18-6-803.6.

Peer Support Team members are subject to all other disclosures mandated by law. Information communicated in PST interactions is not subject to disclosure in any administrative investigation.

## Critical Incidents

A critical incident is defined as an incident that has the potential to cause significant physical or mental injury. Examples of critical incidents may include, but are not limited to:

- assault on an employee, including assaults with a deadly weapon;
- employee hostage situation;
- death of a fellow employee or former employee;
- sudden or unexpected loss of a current or former client;
- vehicle accidents that involve severe injury or death;
- accidental death or serious injury due to an overdose (this may include administering Narcan and/or use of an AED); and
- natural disaster or other catastrophic event that causes loss of personal property, severe injury or death.

When an employee is involved in a critical incident, the employee is assigned to a PST member who will maintain close contact with the employee and family members to provide whatever assistance is necessary. The employee or family may request assistance from someone else, but the designated PST member will be the point of contact for all communication with the family.

## Critical Incident Processing

Critical incident processing is a resource for personnel who have recently experienced a critical incident. The Peer Support Team, under the direction of the PST Clinical Supervisor, will determine whether a processing is necessary following an incident. Critical incident processing is open to all personnel directly involved and/or affected by the incident. Participation in any critical incident processing or other group interaction is voluntary.

PST member-facilitated critical incident processings must be approved by the PST Clinical Supervisor and shall be conducted in accordance with the team's operational guidelines. The identity of participants and information shared during any PST member-facilitated processing or other group PST interactions are confidential. Processings and other group interactions facilitated by the PST Clinical Supervisor are confidential within the limits prescribed by law.

## Notifications and Critical Incident

If any personnel are seriously injured, require hospitalization or die while on duty, the Line of Duty Death Policy and Procedures will be followed. If any personnel are seriously injured or die while not on duty, the on-call supervisor or designee shall be notified. In both cases, the on-call supervisor or their designee will notify the PST Coordinator, who will assign a PST member to the employee and their family. If the employee requests a specific PST member, all attempts will be made to fulfill the request. If the request cannot be made, the PST Coordinator will select another PST member.

The PST member assigned to assist the employee and their family will act as the point of contact for communication with the employee and their family. The assigned PST member will be available for confidential support and referrals for additional assistance if needed or requested.

## Availability and Team Response

Personnel involved in a critical incident may be relieved of their duties and receive support and counseling from a PST member if required, under the direction of the PST Clinical Supervisor. PST members are available on a 24-hour call-out basis, accessible by pager or phone. FRTC personnel may request a PST member to respond to an incident, and any team member may respond to any incident where assistance may be required.

PST members may respond to the scene of any critical incident or other location to meet with involved personnel to provide immediate support. PST members may be requested to respond in the following situations:

- any critical incident;
- any incident where a supervisor requests a response from the Peer Support Team;
- at the direction of the PST Clinical Supervisor, PST Coordinator and/or Assistant Coordinator;
- upon the request of an involved employee; and
- any incident that is serious enough to warrant a need for PST support.

Peer Support Team members should make every effort to contact the PST Coordinator or Assistant Coordinator prior to responding to a critical incident. If this is not possible, PST members must notify the PST Coordinator or Assistant Coordinator as soon as practical. While engaged in a PST role, PST members may need to be excused from another work assignment. Supervisors shall make every effort to allow a particular PST member to provide peer support if specifically requested by personnel involved in a critical incident.

PST assistance may be requested regarding any personal or work related matter. Supervisors may recommend that an employee under their direct supervision contact a PST member or Clinical Supervisor if they believe peer support would help their employee better manage personal or work related stressors. Such recommendations do not constitute a supervisory order and PST contact is optional.

## Internal Investigation and Supervisory Inquiries

Personnel involved in an internal investigation or a supervisory inquiry who request assistance in dealing with stressful issues arising from the investigation or inquiry may utilize the support services of the PST Clinical Supervisor or uninvolved members of the Peer Support Team. The relationship between the employee under investigation and PST members remains confidential according to Colorado state statute (C.R.S 13-9-107). PST members are protected from disclosure during internal or administrative investigations according to MPD policy.

The prohibition against testifying without consent for PST members specified in C.R.S 13-9-107(m) does not apply to the federal court system. In a federal court proceeding, the information exchanged in peer support interactions is subject to disclosure.

## Section III

### PEER SUPPORT TEAM OPERATIONAL GUIDELINES

The Peer Support Team provides peer counseling, debriefing resources, and referrals for employees and their families. PST members are committed to functioning within the parameters of their training. Peer support interactions may continue as an adjunct to comprehensive professional counseling or any other ongoing professional or self-help program. To effectively meet this responsibility, the Peer Support Team adopts the following operational guidelines.

#### Clinical Supervision

The Peer Support Team is clinically supervised by a licensed mental health professional designated as the team's Clinical Supervisor. The Clinical Supervisor is responsible for the clinical supervision and ongoing in-service training of all Peer Support Team members.

#### Peer Support Team Coordinator

The Peer Support Team Coordinator is the primary spokesperson for the Peer Support Team and represents the PST regarding matters involving department staff. The PST Coordinator is administratively responsible for PST operation and training. The PST Coordinator, in conjunction with the PST Clinical Supervisor, functions as chairperson during PST meetings.

#### Peer Support Team Assistant Coordinator

The Peer Support Team Assistant Coordinator assists the PST Coordinator with duties as assigned, and fulfills these duties and other responsibilities in the PST Coordinator's absence.

#### Primary Obligations of Peer Support Team Members

##### **A. Professional Supervision**

Peer Support Team members have a primary obligation to communicate their peer support activities to the PST Clinical Supervisor. Due to the varying nature of the issues involved in peer support, some PST member activity may be communicated at regularly scheduled PST meetings. In circumstances where this is not the case, PST member activity should be communicated to the Clinical Supervisor as soon as practical.

If a PST member assesses that information pertaining to their peer support activity is inappropriate for discussion in a regularly scheduled group PST meeting, they should arrange to share this information privately with the Clinical Supervisor.

##### **B. Confidentiality**

Issues discussed during peer support are confidential within the parameters specified by law, department policy, and clinical supervision. Safeguarding information received in a peer support interaction is a primary obligation of PST members. Subject to the limitations of law, information received in confidence shall not be revealed without the express consent of the peer support

recipient. Express consent to reveal information constitutes a waiver of confidentiality. In cases where express consent is granted, information will be provided only to those specifically authorized to receive the information.

The statutory privilege for PST member confidentiality is regulated by **CRS 13-90-107(m): Who may not testify without consent**. Under this provision, PST members are prohibited from testifying in civil court cases without consent. The protection for recipients of peer support applies to individual (one-on-one) peer support interactions only. The provision does not apply when:

*“(A) A law enforcement, firefighter, or emergency medical services peer support team member was a witness or a party to an incident which prompted the delivery of peer support services; (B) Information received by a peer support team member is indicative of actual or suspected child abuse, as described in section 18-6-401, C.R.S., or actual or suspected child neglect, as described in section 19-3-102, C.R.S.; (C) Due to alcohol or other substance intoxication or abuse, as described in sections 27-81-111 and 27-82-107, C.R.S., the person receiving peer support is a clear and immediate danger to the person’s self or others; (D) There is reasonable cause to believe that the person receiving peer support has a mental illness and, due to the mental illness, is an imminent threat to himself or herself or others or is gravely disabled as defined in section 27-65-102, C.R.S.; or (E) There is information indicative of any criminal conduct.”*

PST members are subject to all other disclosures required by law.

Peer Support Team members must advise all individuals with whom they interact in a peer support role of the limitations of PST member confidentiality. This includes the requirement that important information discussed in these interactions will be communicated to the Clinical Supervisor.

If information received in a peer support interaction must be revealed by reason of law, PST members shall reveal such information only after an effort to elicit the person’s voluntary disclosure has failed. In cases where it is appropriate, the PST member should inform the person of the obligatory actions necessary. Information revealed under such circumstances shall be provided only to the appropriate persons and/or public authorities.

In the unlikely event that a PST member receives information during a peer support interaction that there is a viable threat of harm or violence toward another person or persons, a “duty to warn” exists. This information is not confidential. The PST member must warn the threatened person(s), contact the PST Coordinator or Clinical Supervisor immediately, and take any other actions deemed appropriate for the circumstances.

An intentional violation of confidentiality by any PST member is a serious breach of trust and is cause for censure or removal from the Peer Support Team.

### **C. Peer Support Team Scheduled Meetings**

Attending scheduled PST meetings for the purpose of clinical group supervision and PST cohesiveness is a primary obligation of all PST members. The Peer Support Team will meet per the recommendation of the team's Clinical Supervisor to allow for clinical supervision, ongoing training, and team cohesion. The frequency of these meetings will be based on the team's needs and activity, and will be at a minimum once a quarter and no more than once a month. If a PST member is unable to attend a scheduled monthly meeting, they must:

1. notify the PST Coordinator or Assistant Coordinator in advance of the meeting when possible, or contact the Coordinator or Assistant Coordinator as soon as practical after the scheduled meeting, obtain a copy of any training materials presented at the meeting; and
2. schedule an individual supervision meeting or otherwise contact the Clinical Supervisor if they have engaged in any peer support interactions since the previous supervisory contact.

Excessive absences from PST meetings will be addressed by the PST Coordinator, Assistant Coordinator, and the Clinical Supervisor, and may result in the member's removal from the Peer Support Team.

### **D. Duty to Report**

Emergency medical service members and other PST members who are mandatory reporters are required to report cases of actual or suspected child abuse or neglect as regulated by C.R.S. 19-3-304, and actual or suspected crimes against at-risk persons, as described in C.R.S. 18-6.5-103.

### **E. Clarification of Peer Support Interactions**

Because Peer Support Team members function in multiple roles within their agency, PST members are responsible for clarifying the role in which they are functioning when interacting with co-workers. PST members must remain aware of potential conflicts of interest when providing peer support to individuals they directly or indirectly supervise.

### **F. Availability for Reach Out**

The Peer Support Team will provide a list of team members for Reach Outs. If PST support or intervention is requested, the PST Coordinator and/or Assistant Coordinator will be contacted to assess the circumstances and arrange for appropriate PST intervention.

If neither the PST Coordinator nor the Assistant Coordinator can be contacted within a reasonable amount of time, all PST members will be paged or called. The first team member contacted will be expected to act as Coordinator to assess the circumstances and arrange for appropriate PST intervention.

### **G. Compensation**

Peer Support Team members who provide peer support during off-duty hours will be compensated for their off-roster time.

## **H. Processing/Debriefing and Actual Process**

The Clinical Supervisor and Peer Support Team members schedule and facilitate incident debriefings when appropriate. All debriefings must be approved by the Clinical Supervisor or designee. Approval is required because research suggests that participants may be retraumatized or vicariously traumatized during debriefings.

Various debriefing protocols may be utilized depending upon the actual circumstances of an incident. Peer Support Team members recognize that the debriefing process is dynamic and remain flexible so they may facilitate debriefings in a manner that best meets the perceived needs of participants. The limits of licensed mental health professional confidentiality in group settings must be identified at the outset of the debriefing, which can be accomplished by reading the *Limits of Confidentiality Debriefing Statement for Licensed Clinicians*.

When appropriate, and upon approval by the Clinical Supervisor, PST members may facilitate debriefings without the presence of the Clinical Supervisor. In such cases, the *Limits of Confidentiality Debriefing Statement for Peer Support Team Members* **must** be read prior to the start of the debriefing.

Peer Support Team members may invite individuals who were not directly involved in the incident to attend a debriefing if they believe these individuals can positively contribute to or benefit from the debriefing process. All such invitations must be approved by the Clinical Supervisor, PST Coordinator, Assistant Coordinator or PST members.

Debriefing participants may be accompanied by personal support persons. Personal support persons may attend debriefings if their participation is not otherwise prohibited by your agency's operational guidelines.

## **I. Media**

Media representatives are prohibited from attending debriefings. Any information released to the media pertaining to the interactions of the Peer Support Team will be provided by the Clinical Supervisor, PST Coordinator, Assistant Coordinator or PST member in compliance with agency policy and relayed to the agency's Public Information Officer. Violation of this provision is a serious breach of trust and is cause for removal of the PST member from the Peer Support Team.

## **J. Attorneys**

Personal attorneys are prohibited from attending debriefings. This restriction is not designed to deprive any participant of legal representation but arises from the presumption that the presence of an attorney would inhibit the group's process. Debriefing participants are encouraged to communicate to their attorneys that debriefings facilitated by licensed mental health professionals are confidential within the limits prescribed by law.

## **K. Outside Agencies**

The Peer Support Team's primary concern is to assist your agency's personnel. The PST may be utilized to assist outside agencies and cooperate with other peer support teams as indicated by mutual aid policies.

#### **L. Peer Support Team Actions**

Peer Support Team administrative concerns shall be discussed at scheduled meetings. The PST will address and resolve any pertinent PST issues. Decisions or actions that must be made in exigent circumstances may be made, implemented, and/or otherwise carried out by the Clinical Supervisor, PST Coordinator, Assistant Coordinator, or acting Coordinator.

#### **M. Referral to Professional Counseling Services**

Peer Support Team members may advise individuals with whom they have had peer support interactions of options for professional counseling. Available options include the Clinical Supervisor, the Employee Assistance Program, private practitioners, self-help groups, and various helping agencies in the community. It may also be appropriate for PST members to refer an individual to specialized resources including, but not limited to, attorneys and financial advisors.

#### **N. Reach Out Program**

Peer Support Team members may initiate a Reach Out. In a Reach Out, a PST member initiates contact with a person who has been exposed to a traumatic incident, a stressful event, or another known or suspected stressor. For recipients, additional intervention following a Reach Out is voluntary. It may include continued peer support, debriefing, and/or referral.

#### **O. Leave of Absence**

Peer Support Team members may request a leave of absence from the PST for up to one year. A request for a leave of absence must be submitted in writing to the PST Coordinator. If the PST Coordinator wishes to request a leave of absence, the request must be submitted to the Clinical Supervisor. Any request for a leave of absence must specify the length of absence requested and the date of anticipated return to active status. During a leave of absence, the PST member may attend monthly or otherwise scheduled PST training.

#### **P. Resignation from the Peer Support Team**

Peer Support Team members may resign from the PST at any time by submitting a written resignation to the PST Coordinator. Any team member considering resignation must be certain that all ongoing peer support interactions are appropriately terminated, referred to other PST members, the Clinical Supervisor, or other professional counseling providers.

#### **Q. Removal from the Peer Support Team**

The Peer Support Team Coordinator, in consultation with the Clinical Supervisor, may request that the Peer Support Liaison remove from the Peer Support Team any member who was found to have acted in violation of law, agency policy or operational guidelines. Such a request may also be made in any other circumstance in which a PST member was found to have acted in a manner that undermines the credibility or fundamental ethical principles and standards of the Peer Support Team.

#### **R. Compliance with Peer Support Team Operational Guidelines**

Peer Support Team members are required to function in compliance with your agency's written Peer Support Team operational guidelines.



The confidentiality protections provided to Peer Support Team members apply only when PST members function within the following guidelines, per C.R.S. 13-90-107(m):

*“(III) The provisions of this paragraph (m) shall apply only to communications made during individual interactions conducted by a peer support team member: (A) Acting in the person’s official capacity as a law enforcement, firefighter, or emergency medical services peer support team member; and (B) functioning within the written peer support guidelines that are in effect for the person’s respective law enforcement agency, fire department or emergency medical services agency.”*

## Section IV

### APPENDIX

#### CLINICAL SUPERVISORS

Jason Roberts MA, LPCC, NCC  
Regional Peer Support Team Supervisor  
First Responder Trauma Counselors  
[jason@911overwatch.org](mailto:jason@911overwatch.org)  
(720) 435-6172

Jarah Grashorn MSW, LCSW  
Directing Clinical Supervisor  
First Responder Trauma Counselors  
[jarah@911overwatch.org](mailto:jarah@911overwatch.org)  
(970) 988-4387

Joanne Rupert MA, LPC, NBCC  
CEO, Senior Clinical Director  
First Responder Trauma Counselors  
[joanne@911overwatch.org](mailto:joanne@911overwatch.org)  
(970) 217-8555

#### ADMINISTRATION

Debra Unger MA  
Regional Administrator  
First Responder Trauma Counselors  
[admin@911overwatch.org](mailto:admin@911overwatch.org)  
(970) 222-4193

**U\_Visa\_Law\_Enforcement\_Resource\_Guide.pdf**



# U VISA LAW ENFORCEMENT RESOURCE GUIDE

For Federal, State, Local, Tribal and Territorial  
Law Enforcement, Prosecutors, Judges and  
other Government Agencies



**Homeland  
Security**



**U.S. Citizenship  
and Immigration  
Services**

---

## PROMOTING A VICTIM-CENTERED APPROACH

DHS strives to use a trauma-informed, victim-centered approach to combat serious crime.

This approach includes practices to minimize victimization and additional trauma, and equally values:

- The identification and stabilization of victims, including providing immigration relief, and
- The detection, investigation, and prosecution of perpetrators of serious crimes.

Noncitizens who have been victimized often:

- Distrust law enforcement, and fear arrest and deportation;
- Fear for themselves and family members;
- Worry about immediate needs (food, shelter, family);
- Have medical needs, including psychological support;
- Are confused about the U visa process; and
- May face language and cultural barriers.

When encountering a noncitizen victim, it is critical to develop rapport and establish trust by:

- Connecting the victim to a victim assistance specialist who can connect the victim to support services;
- Explaining your role, answering their questions, and addressing their fears and urgent needs;
- Being sensitive to cultural differences and language barriers and using a competent interpreter when needed;
- Conducting interviews in a neutral location, only after the victim's urgent needs have been met; and
- Being patient and giving the victim time to stabilize.

For more information and strategies for implementing a victim-centered approach, go to:

<https://www.dhs.gov/blue-campaign/victim-centered-approach>.

---

# QUICK REFERENCE GUIDE FOR CERTIFYING AGENCIES

## Why is the U Visa Important?

- Strengthens law enforcement's ability to detect, investigate, and prosecute crimes
- Offers protections to noncitizen victims of qualifying crimes in keeping with U.S. humanitarian interests

## What does a U visa provide?

- Lawful status for up to 4 years
- Employment authorization (Work permit)
- May provide lawful status to qualifying family members

## What are the requirements for a U visa?

- » The petitioner:
  - Was a victim of a qualifying criminal activity, that occurred in the U.S. or violated U.S. law;
  - Has specific, credible, and reliable information about the qualifying crime;
  - Was, is being, or is likely to be helpful to the certifying agency in the detection, investigation, prosecution, conviction, or sentencing of the qualifying crime;
  - Suffered substantial physical or mental abuse as a result of the qualifying crime; and
  - Is admissible to the United States.

## What are the benefits of completing the Form I-918B?

- Part of a victim-centered approach
- Creates trust within your community
- Encourages others to report serious crimes

## What is the certifying agency's role in the U visa process?

- Detects, investigates, and/or prosecutes qualifying crime(s), or convicts or sentences the perpetrator of the qualifying crime(s)
- Completes and signs Form I-918B
- Confirms victim is complying with reasonable requests for assistance

## What does "helpful to law enforcement or a certifying agency" mean?

- The victim has *been*, is *being*, or is *likely to be* helpful to law enforcement, prosecutors, judges, or other government officials in the investigation or prosecution of the qualifying criminal activity of which they were a victim.
- Includes detection, conviction, or sentencing of the qualifying criminal activity they were a victim of.
- A current investigation, the filing of charges, a prosecution, or a conviction are not required to sign the law enforcement certification.

## Who can complete the Form I-918B?

- Any federal, state, tribal, territorial, or local law enforcement agency, prosecutor, judge, or other authority that has responsibility to detect, investigate, or prosecute the qualifying criminal activity, or convict or sentence the perpetrator.
- Agencies with criminal investigative jurisdiction, such as child and adult protective services, the Equal Employment Opportunity Commission, and federal and state Departments of Labor.

## WHAT ARE THE GENERAL CRIME CATEGORIES THAT QUALIFY THE VICTIM FOR A U VISA?

- Abduction
- Abusive Sexual Contact
- Blackmail
- Domestic Violence
- Extortion
- False Imprisonment
- Felonious Assault
- Female Genital Mutilation
- Fraud in Foreign Labor Contracting
- Hostage
- Incest
- Involuntary Servitude
- Kidnapping
- Manslaughter
- Murder
- Obstruction of Justice
- Peonage
- Perjury
- Prostitution
- Rape
- Sexual Assault
- Sexual Exploitation
- Slave Trade Stalking
- Torture
- Trafficking
- Witness Tampering
- Unlawful Criminal Restraint

*Any similar activity in which the nature and elements of the criminal offenses are substantially similar to the list above. **Includes:** Attempt, conspiracy, or solicitation to commit these crimes.*

» Have Questions?

» Need help with the Supplement B?

**Call the U and T Visa Hotline for Certifying Agency Inquiries:**

**(240) 721-3333** *This line is for certifying agencies only*



**U.S. Citizenship  
and Immigration  
Services**

# TABLE OF CONTENTS

- 1 INTRODUCTION**
- 2 OVERVIEW**
  - Roles and Responsibilities
- 3 FORM I-918B CERTIFICATION BASICS**
- 4 ELIGIBILITY REQUIREMENTS**
  - Defining Qualifying Criminal Activities
  - Victim of a Qualifying Criminal Activity
  - Victim Must Have Suffered Substantial Physical or Mental Abuse
  - A Victim’s Responsibility to Assist
  - Victim Was “Helpful” In the Investigation or Prosecution
- 10 TOP SIX THINGS TO KNOW ABOUT FORM I-918B**
- 11 BEST PRACTICES FOR CERTIFYING AGENCIES AND OFFICIALS**
- 13 ANSWERS TO QUESTIONS FREQUENTLY ASKED BY CERTIFYING OFFICIALS**
- 17 MORE RESOURCES**
- 18 APPENDIX A: U VISA PROCESS**

*The information provided in this Guide is intended for general educational purposes only. It is not intended to provide legal advice. The information in this Guide may or may not apply to individual circumstances. Readers should review local policies and seek legal counsel regarding any specific applications of federal and state laws. This Guide supersedes all previous versions of the U and U/T Visa Law Enforcement Resource Guides. There is a separate [U Visa Law Enforcement Resource Guide](#).*

# INTRODUCTION

As part of the Victims of Trafficking and Violence Prevention Act of 2000, Congress created specific immigration benefits, including U nonimmigrant status (also known as the “U visa”) for noncitizen victims of certain crimes. In creating the U visa, Congress recognized that people without lawful immigration status can be vulnerable to victimization, and may be reluctant to help in the detection, investigation, or prosecution of criminal activity due to:

- » fear of removal from the United States,<sup>1</sup>
- » trauma suffered as a result of the crime they experienced, and
- » general mistrust of law enforcement.

U.S. Citizenship and Immigration Services (USCIS) is the federal agency within the Department of Homeland Security (DHS) that adjudicates immigration and citizenship benefits and has jurisdiction to determine who is eligible for a U visa.

The U visa was designed with **the dual purpose of protecting noncitizen victims of serious crimes and promoting cooperation between law enforcement and victims by:**

- Strengthening law enforcement’s ability to detect, investigate, and prosecute serious crimes, such as domestic violence, sexual assault, and human trafficking;
- Encouraging victims to report crimes committed against them and participate in the investigation and prosecution of those crimes, even if victims lack lawful immigration status;
- Bolstering relationships between law enforcement and noncitizens, which leads to safer communities as a whole; and
- Offering protections to victims of certain crimes by allowing them to temporarily remain and work in the U.S., generally for 4 years.

## Purpose of this Guide:

USCIS has developed this Guide as a resource for certifying agencies, including federal, state, local, tribal and territorial law enforcement agencies, prosecutors, judges, and other government officials who have important roles in identifying and assisting victims, and stakeholders. This Guide makes references to law enforcement agencies throughout when describing the roles of certifying officials in the U visa process. These references to law enforcement agencies include all potential certifying agencies.

This Guide provides information about the U visa, including:

- The U visa law enforcement certification;
- Best practices for certifying agencies and officials;
- Answers to frequently asked questions; and
- Contact information for DHS personnel on U visa issues.

1. See VTVPA, Pub. L. No. 106-386, 1502(a)(3), 114 Stat. 1464-1548 (2000)

## ROLES AND RESPONSIBILITIES

The victim, the certifying agency, and USCIS each have different roles and responsibilities related to U visas.

### VICTIM

- Provides information to the certifying agency to assist with the detection, investigation, or prosecution of qualifying crime(s), or the conviction, or sentencing of the perpetrator.
- Is available to be helpful in the detection, investigation and/or prosecution of a qualifying crime(s), when reasonably requested and there is an ongoing need.<sup>2</sup>
- Submits the Petition for U Visa (Form I-918) with the required Form I-918 Supplement B, U Visa Certification (Form I-918B), to USCIS.

### CERTIFYING AGENCY

- Detects, investigates, and/or prosecutes allegations of qualifying crimes, including the conviction, or sentencing of the perpetrator.
- Determines, within the certifying agency's discretion, whether to complete and sign Form I-918B, in accordance with the agency's procedures and designated signing authority.
- Confirms to USCIS that the victim is complying with reasonable requests for assistance.

### USCIS

- Determines eligibility for U visas.
- Communicates, as needed, with law enforcement to confirm information provided on Form I-918B, and any other evidence submitted with a U visa petition.
- Provides U nonimmigrant status to eligible victims.

2. See the discussion regarding helpfulness on page 8 of this Guide as well as within Federal Register DHS Docket No. USCIS-2006-0069 (<https://www.federalregister.gov/documents/2007/09/17/E7-17807/new-classification-for-victims-of-criminal-activity-eligibility-for-u-nonimmigrant-status>).



# FORM I-918B CERTIFICATION BASICS

- » For up-to-date USCIS U visa policies, forms, and instructions, see the [U Nonimmigrant Status](#)<sup>3</sup> page.
- » The [Information for Law Enforcement Agencies and Judges](#)<sup>4</sup> page is another helpful resource.

## PARTICIPATION BY CERTIFYING AGENCIES

Certifying agencies play a key role in the U visa program. They are often in the best position to provide information about the reported qualifying crime(s) and the victim’s helpfulness, as they are frequently the first to encounter victims. Form I-918B<sup>5</sup> is a required piece of evidence victims submit to USCIS to establish eligibility for U nonimmigrant status. This certification is completed and signed by law enforcement, or the certifying agency involved in the detection, investigation, or prosecution of the criminal activity, but is submitted by the victim with their petition for U nonimmigrant status. Such agencies may include state and local agencies that enforce relevant labor and employment laws (when such violations are also qualifying criminal activities). Completing Form I-918B does not automatically guarantee eligibility for a U visa. In determining a victim’s eligibility, USCIS will carefully examine all the evidence provided in a U visa petition, including Form I-918B and any attached records.

**Answer Questions Completely:** USCIS encourages you to answer all form questions as completely as possible. If there is missing information, the victim may ask that you complete Form I-918B a second time with more information due to a request from USCIS for additional information.

**Signing Authority:** The head of the certifying agency has the authority to sign certifications or to delegate authority to other agency officials in a supervisory role to sign certifications.<sup>6</sup> Federal, state, local, tribal, or territorial judges have direct authority to sign and may not delegate that authority. Judges may sign certifications based on a review of court records involving the victim. A judge may sign the certification based on having conducted the sentencing in a criminal case. A judge may also sign based on having detected a qualifying crime during a proceeding (criminal or civil) over which they presided.

**Timing:** USCIS must receive the U visa petition **within 6 months** of the date the certifying official signed Form I-918B. If USCIS receives the U visa petition from the petitioner or their attorney more than six months after the Form I-918B was signed and dated, the Form I-918B will have expired and will not be accepted. In these situations, the petitioner or their attorney will need to obtain a newly signed and dated Form I-918B from the certifying agency.

### Certifying Agencies

The following types of agencies can certify Form I-918B:

- Any federal, state, tribal, territorial, or local law enforcement office or agency, prosecutor, judge, or other authority that has the responsibility to detect, investigate, or prosecute the qualifying criminal activity, or convict or sentence the perpetrator.
- Agencies with criminal investigative jurisdiction, such as child and adult protective services, the Equal Employment Opportunity Commission, and federal and state Departments of Labor.

3. <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>

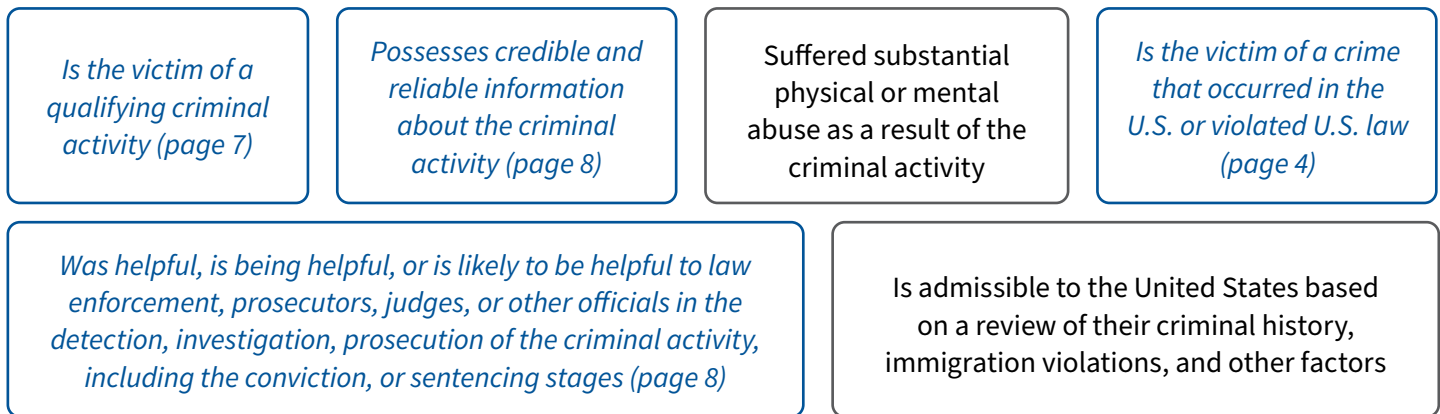
4. <https://www.uscis.gov/tools/resources/information-law-enforcement-agencies-and-judges>

5. The terms “Form I-918B”, “U Visa Certification”, “certification,” and “law enforcement certification” will be used interchangeably throughout this Guide and all refer to the same document.

6. See 8 CFR 214.14(c)(2)(i).

## ELIGIBILITY REQUIREMENTS

USCIS finds a victim eligible for a U visa if the person:<sup>7</sup>



This guide will discuss the eligibility requirements *italicized and highlighted in blue* more thoroughly, as the law enforcement declaration focuses on these areas.

### Defining Qualifying Criminal Activities

Congress established the qualifying criminal activities<sup>8</sup> listed below for the U visa. These are general categories, and not specific crimes or citations to a criminal code. The one exception is “Fraud in Foreign Labor Contracting,”<sup>9</sup> which is a specifically cited federal offense. The criminal activity must have occurred in the U.S., its territories, or possessions, or have violated U.S. law.<sup>10</sup> A victim may also qualify based on an attempt, conspiracy, or solicitation to commit any of the below qualifying criminal activities.

- » Abduction
- » Abusive Sexual Contact
- » Blackmail
- » Domestic Violence
- » Extortion
- » False Imprisonment
- » Felonious Assault
- » Female Genital Mutilation
- » Fraud in Foreign Labor Contracting
- » Hostage
- » Incest
- » Involuntary Servitude
- » Kidnapping
- » Manslaughter
- » Murder
- » Obstruction of Justice
- » Peonage
- » Perjury
- » Prostitution
- » Rape
- » Sexual Assault
- » Sexual Exploitation
- » Slave Trade
- » Stalking
- » Torture
- » Trafficking
- » Witness Tampering
- » Unlawful Criminal Restraint

Various federal, state, and local statutes may contain specific crimes that fall into these more general categories. For example, child abuse and elder abuse could be considered forms of domestic violence if the perpetrator/victim relationship and the abuse experienced by the child, incompetent or incapacitated adult, or senior meets the statutory elements of domestic violence under relevant statutes.

In the case of witness tampering, obstruction of justice, or perjury, a person may be considered a victim of these crimes if they can reasonably demonstrate that the perpetrator principally committed the offense to avoid or frustrate efforts to investigate, arrest, prosecute, or otherwise bring the perpetrator to justice, or to further their abuse, exploitation of, or control over the person through manipulation of the legal system.<sup>11</sup>

7. See Immigration and Nationality Act (INA) 101(a)(15)(U)(iii), 8 U.S. Code (U.S.C.) 1101(a)(15)(U)(iii).

8. See INA 101(a)(15)(U)(iii), 8 U.S.C. 1101(a)(15)(U)(iii)

9. See 18 U.S.C. 1351.

10. See 8 CFR 214.14(a)(11).

11. See 8 CFR 214.14(a)(14)(ii).

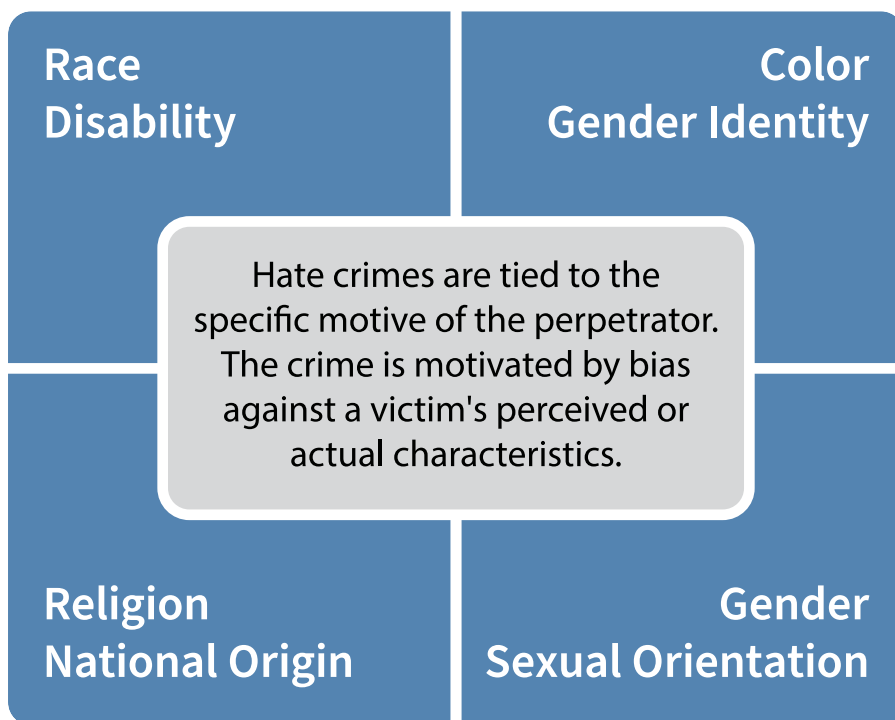
## Similar Criminal Activities May Qualify

There are a wide variety of state criminal statutes in which criminal activity may be named differently than criminal activity found on the statutory list of qualifying criminal activities for the U visa, but the nature and elements of those activities are comparable. As such, a victim may also qualify for a U Visa if the crime detected, investigated, or prosecuted by a certifying agency involves activity where the nature and elements of the crime are substantially similar to a qualifying crime listed on page 4.

To determine whether the crime qualifies, USCIS considers information and other documentation provided by a certifying agency, such as police reports, charging documents, etc. (if available) regarding the criminal activity that occurred and the statutory violation that it detected, investigated, or prosecuted. USCIS determines whether the crime is substantially similar to a qualifying criminal activity based on the totality of the evidence.

For example, a victim of a hate crime may be eligible for a U visa if the nature and elements of the crime are substantially similar to the categories of crime listed on page 4. Certifications may be based on violations of federal or state hate crime laws.<sup>12</sup>

Additionally, aggravated robbery and robbery, which are not specifically listed as qualifying criminal activities, could nevertheless be considered substantially similar to the qualifying criminal activity of felonious assault, depending on state robbery statutes and evidence of the crime that law enforcement detected, investigated, or prosecuted. Where the state aggravated robbery statute includes assault with a deadly weapon, assault with a threat to cause serious bodily injury, or otherwise includes what could be considered a felonious assault under applicable state law, and law enforcement records of the offense show that such an assault actually occurred, USCIS may determine that aggravated robbery is substantially similar to the qualifying criminal activity of felonious assault.<sup>13</sup>



12. For more information, visit <https://www.justice.gov/hatecrimes/learn-about-hate-crimes>.

13. If the applicable state felony assault statute requires a distinct aggravating factor not included within the aggravated robbery statute of the same state (for example, assault against a specific age or class of people) and no such factor is present, then the crime would generally not be considered substantially similar to felonious assault.

## DOCUMENTING CRIMES INVESTIGATED AND/OR PROSECUTED<sup>14</sup>

Provide the dates on which the criminal activity occurred.

2.a. Date (mm/dd/yyyy)

2.b. Date (mm/dd/yyyy)

2.c. Date (mm/dd/yyyy)

2.d. Date (mm/dd/yyyy)

3. List the statutory citations for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the petitioner named in Part I. Attach copies of all relevant reports and findings.

Jurisdictions use different terms for criminal activity. Each jurisdiction's crime definitions may also include slightly different elements. As such, it is important that you list accurate and precise citations for any crimes you detected, investigated, or prosecuted. For family court cases, list the criminal code section(s) that apply to the facts found by the court in the case, reflecting the qualifying criminal activity detected. The initiation of a criminal case is not required to establish eligibility for a U visa.

USCIS will examine which qualifying crime(s) you have indicated were detected, investigated, or prosecuted on Form I-918B (more than one qualifying crime may apply) and analyze whether the nature and elements of the crime(s) listed in the statutory citations section are substantially similar.

### PEOPLE CULPABLE FOR THE QUALIFYING CRIME(S) ARE NOT ELIGIBLE

A person is not eligible for a U visa if they are culpable for the qualifying crime(s) being investigated or prosecuted.<sup>15</sup> If you believe a person requesting a certification is or may be culpable, you, as the certifying official, may still complete a certification for a victim, and note your concerns about culpability on the form for USCIS to consider. USCIS will determine the person's eligibility for a U visa.

**Note:** Victims of domestic violence may be accused of committing domestic violence themselves by their abusers as part of the abuser's attempts to assert power and control over the victim. When evidence suggests these allegations were fabricated by the victim's abuser, they do not preclude you, the certifying official, from completing a certification for the victim, or preclude the victim from qualifying for U nonimmigrant status.

14. The Form I-918B screenshots depicted in this Guide are from Version 04/30/2021. **Note:** USCIS forms are periodically revised. Check the USCIS website ([www.uscis.gov](http://www.uscis.gov)) to ensure that you are certifying the current version of the form.

15. See 8 CFR 214.14(a)(14)(iii).

## VICTIM OF A QUALIFYING CRIMINAL ACTIVITY

Various people may request certification as a victim, including direct victims and indirect victims.

### DIRECT VICTIMS

The person against whom the crime was perpetrated and who has suffered direct and proximate harm as a result of the commission of qualifying criminal activity. Bystanders who suffer an unusually direct injury as a result of a qualifying crime may also qualify.

### INDIRECT VICTIMS

A person may be eligible as an indirect victim if the following requirements are met:

- » The person must have a qualifying family relationship to the direct victim:
  - If the direct victim is age 21 or older at the time the qualifying crime was committed, their spouse and unmarried children under age 21 may qualify.
  - If the direct victim is under age 21 at the time the qualifying crime was committed, their spouse, unmarried children under age 21, parents, and unmarried siblings under age 18 may qualify.<sup>16</sup>
- » The direct victim is unable to assist law enforcement because they are:
  - *Deceased* due to murder or manslaughter; or
  - *Incompetent or incapacitated*, including due to injury, trauma, or age.<sup>17</sup>
- » The indirect victim must meet all other eligibility requirements for U nonimmigrant status.

---

**Note:** Certifying officials may sign Form I-918B for a noncitizen family member as the indirect victim regardless of whether the direct victim is a U.S. citizen or a noncitizen (such as a noncitizen parent of a U.S. citizen child who is the direct victim).

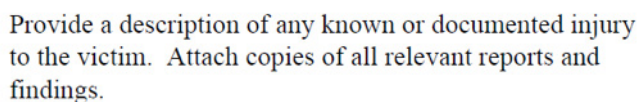
---

## VICTIM MUST HAVE SUFFERED SUBSTANTIAL PHYSICAL OR MENTAL ABUSE

As the certifying official, you should provide information about any known or observed physical or mental harm or abuse sustained by the victim. Indicate whether the victim received any medical care to treat their injuries.

USCIS encourages you to attach supplemental documentation related to any injuries sustained (for example, police reports).

USCIS is responsible for determining whether a person meets this eligibility requirement. USCIS will consider all supporting evidence the certifying agency provides when determining whether a person is eligible for U nonimmigrant status and may request additional information before adjudicating the petition.



Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

16. USCIS considers the age of the direct victim at the time the qualifying crime(s) occurred.

17. For example, USCIS may consider a 13-year-old U.S. citizen direct victim to be incompetent or incapacitated due to age, and therefore the parent may assist on the victim's behalf and may be eligible for a U visa as an indirect victim, if the parent meets all other requirements.

## **VICTIM MUST POSSESS CREDIBLE AND RELIABLE INFORMATION**

A victim must possess credible and reliable information, including specific facts about the qualifying criminal activity(ies) or events leading up to the victimization. However, when a victim is under 16 years of age on the date the qualifying criminal activity occurred, or a victim is incapacitated or incompetent, a parent, guardian, or next friend<sup>18</sup> may provide information on their behalf.

## **A VICTIM'S RESPONSIBILITY TO ASSIST**

A victim seeking a U visa must provide ongoing assistance with the investigation or prosecution related to the qualifying crime(s) when reasonably requested, including after reporting a crime and after the certifying agency signs Form I-918B. This responsibility continues even after the U nonimmigrant status is granted to the victim. A victim applying for lawful permanent residence based on a U visa will have to show that they did not unreasonably refuse to comply with requests for assistance.

## **VICTIM WAS "HELPFUL" IN THE INVESTIGATION OR PROSECUTION**

Your agency can certify a Form I-918B based on past helpfulness, present helpfulness, or the likelihood of a victim's future helpfulness. By signing the form, you are certifying that the victim has been, is being, or is likely to be helpful to law enforcement, prosecutors, judges, or other government officials in the detection, investigation, or prosecution of the qualifying criminal activity of which they were a victim. Federal U visa regulations do not set a specific statute of limitations for signing the Form I-918B. The key is the victim's helpfulness, not the timing of the helpfulness.

A parent, guardian, or next friend may also provide the required assistance if the victim is under 16 years of age or incapacitated or incompetent and therefore unable to be helpful in the investigation.

There is no requirement that you sign the certification at a specific stage of the investigation or prosecution (for example, active/open or closed) or that the investigation or prosecution result in a specific outcome (for example, the perpetrator was charged, arrested, or convicted). There is no requirement that an investigation or prosecution be initiated or completed after the victim reports the crime and makes themselves available to reasonable requests for assistance. The initiation or progress of an investigation or prosecution is outside of the victim's control.

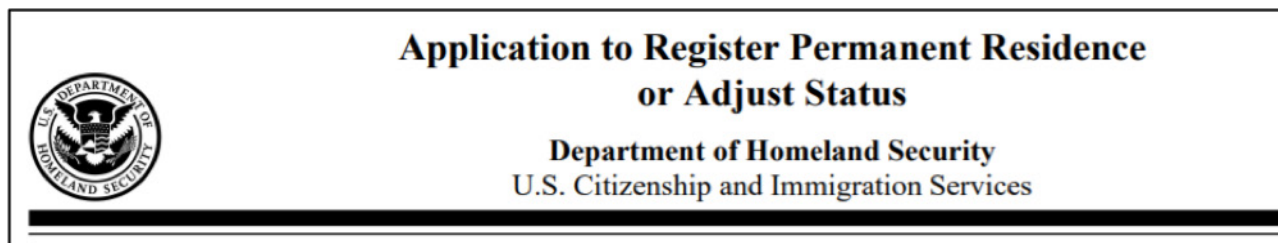
In determining whether the victim is, has been, or will be helpful, USCIS considers the facts of each case, including:

- The level of assistance that law enforcement requests of the victim;
- The victim's responsiveness to requests from law enforcement for assistance; and
- The victim's individual circumstances (such as age/maturity, trauma, etc.).

18. A "next friend" is defined at 8 CFR 214.14(a)(7) as a person who appears in a lawsuit to act for the benefit of a victim who is under the age of 16, or is incapacitated or incompetent, who has suffered substantial physical or mental abuse as a result of being a victim of a qualifying criminal activity. The next friend is not a party to a legal proceeding and is not appointed as a guardian. A next friend does not qualify for a U visa or any immigration benefit, but may provide helpful information about the criminal activity(ies).

## FUTURE CERTIFICATION REQUESTS FROM THE VICTIM

If your agency signed a U visa certification, the victim may request your support in the future when adjusting their status by filing an application to become a lawful permanent resident (also known as a “Green Card” application).



To be eligible for lawful permanent residence, the victim must demonstrate that they did not unreasonably refuse to comply with requests for assistance in the investigation or prosecution since receiving a U visa. While a new Form I-918B or similar documentation from your agency is not required, it can help the victim meet their evidentiary burden. There is no federal requirement that a case must have progressed to a certain stage (for example, prosecution or conviction) prior to re-certification. Support for a victim’s adjustment of status application may be provided even if the case never resulted in a criminal prosecution. Providing this second certification will help the victim apply for adjustment of status—a crucial step in a noncitizen’s path to citizenship.

To certify the victim’s helpfulness at this stage, certifying officials have three options:

- Complete a new Form I-918B;
- Provide a signed letter of support (preferably on official agency letterhead), including the certifier’s badge/ identification number, if applicable; or
- Re-sign and newly date a copy of the previously certified Form I-918B.



# TOP SIX

## THINGS TO KNOW ABOUT FORM I-918B



### Serves as Required Evidence for Victims

Victims must file Form I-918B with Form I-918. Signing strengthens your certifying agency's ability to detect, investigate, and prosecute serious crimes. Your certifying agency should exercise this discretion on a case-by-case basis consistent with U.S. and state laws and regulations, as well as the internal policies of your certifying agency. However, under federal law, there is no obligation to complete and sign Form I-918B.

1

2

### Signing Means Attesting to the Facts

By signing the certification, you are stating:

- The person is a victim of a qualifying criminal activity;
- Whether the person has been, is being, or is likely to be helpful in the detection, investigation, or prosecution of the qualifying criminal activity (or is exempt), and has complied with all reasonable requests for assistance;
- The information listed on the form is accurate to the best of your knowledge; and
- You have direct knowledge of the information listed or have reviewed relevant records.

**Note:** Form I-918B must include the certifying official's **original signature**.

3

### Who Completes the Form Matters

The certifying agency – not the victim, nor their attorney or representative – should complete Form I-918B. Additionally, only sign Form I-918B if:

- You are the head of your agency, or in a supervisory role, and your agency has designated you a “certifying official”; or
- You are a federal, state, local, tribal, or territorial judge.

4

### Investigation and Prosecution is Not Required

Whether a crime is investigated or prosecuted depends on many factors outside of the victim's control. If your agency has identified a person as a victim of a qualifying crime, you can choose to complete and sign the Form I-918B. There is no requirement that an investigation or prosecution be initiated or completed after the victim reports the crime and makes themselves available to reasonable requests for assistance.

5

### Signing Does Not Grant Immigration Status

Your agency is not responsible for determining whether a person is eligible for an immigration status; this is the responsibility of USCIS.

USCIS will review the entire file, including the Form I-918B you signed and any other evidence you provided. USCIS also evaluates the victim's criminal history, but it does not automatically render a victim ineligible.

6

### A Certification Has a 6-Month Validity Period

A victim must submit their U visa petition within 6 months of the date the Form I-918B was signed. Once received and accepted by USCIS, the signed law enforcement certification does not expire.





### ESTABLISH AND PERIODICALLY UPDATE LOCAL PROCEDURES AND/OR POLICIES

Certifying agencies are not required to have an internal policy or procedure before they can sign a U visa certification. However, USCIS encourages you to develop a policy and train relevant personnel in your agency on that policy to promote consistency and transparency and improve the quality of certifications. Some examples of topics to cover in a certifying agency's internal policy could include:

- Expectations regarding attaching relevant police reports and other documentation regarding the victimization and the victim to Form I-918B;
- Procedures regarding the agency's verification of the qualifying criminal activity, victimization, and the victim's helpfulness in the detection, investigation, prosecution, conviction or sentencing related to the qualifying criminal activity;
- Procedures to safeguard against fraud, such as centralizing final review of certifications, especially in agencies where there are multiple certifying officials, to promote consistency before they are returned to the victim;
- Procedures for handling future requests for a new or re-signed Form I-918B;
- Establishing general expectations around anticipated response timeframes; and
- Processes for increasing transparency of the agency's certification policies (if any) to the public.

### KEEP RECORDS OF SIGNED FORMS

Throughout the adjudicative process, USCIS may reach out to the certifying official or certifying agency to verify information on a signed Form I-918B. To increase the ease of responding and to provide your own internal data analytics, your agency may find it useful to create and maintain a searchable database or other mechanism to track certification requests and create a historical record of certifications. Some agencies find it useful to include a specific identifier on each page of the form that corresponds to information in the database. For example, a certifying agency could use a meaningful combination of numbers and letters to easily track the signed forms.

**Note:** Any database should comply with applicable state and federal privacy and confidentiality requirements. DHS, Department of State, and Department of Justice databases should ensure compliance with privacy and confidentiality protections provided by 8 U.S.C. § 1367 and 8 CFR 214.14(e)(2).

### USCIS VERIFIES PROPER SIGNING AUTHORITY - UPDATE USCIS WHEN SIGNING AUTHORITY CHANGES

For U visas, you can assist with this effort by updating USCIS when your certifying agency adds or removes a certifying official by emailing a copy of a signed letter from the head of your agency delegating certifying authority to [LawEnforcement\\_UTVAWA.VSC@USCIS.dhs.gov](mailto:LawEnforcement_UTVAWA.VSC@USCIS.dhs.gov).

### PROVIDE SPECIFIC DETAILS

USCIS carefully considers the information you provide on Form I-918B. Be as specific and detailed as possible when answering the form questions.

**Note:** Completing the Form I-918B does not automatically confer eligibility for a U visa. USCIS will assess eligibility by examining all the evidence provided by the victim in their complete U visa petition, including the information you provide on the form as well as supplemental evidence provided by the victim.

## **ATTACH ADDITIONAL RELEVANT DOCUMENTS – AND NOTE ON FORM I-918B**

If available, provide additional relevant documents (for example, a copy of the police report or court order, judicial findings, additional statements, photos, etc.) along with the signed form. If you provide additional documents, please note on the form itself what is being provided in case the documents and the form are accidentally separated in transit to USCIS.

## **VERIFY ALL INFORMATION ON THE FORM PRIOR TO SIGNING**

Your agency should fully complete the certification form. Prior to signing Form I-918B, ensure that all information is complete and accurate.

## **PROVIDE AN ORIGINAL INK SIGNATURE**

You must provide an original signature on Form I-918B.

## **RETURN THE FORM TO THE VICTIM**

You should return the signed Form I-918B to the victim; certifying officials should not send the signed form separately to USCIS. The victim is required to submit the original, photocopy, fax, or scan of the signed certification to USCIS when filing their completed U visa petition.

USCIS suggests the following best practices for certifying officials:

First, make two copies of the original completed and signed Form I-918 B and any supporting documents. Keep one copy for your records. Give the other copy to the victim.

Second, if possible, prepare the original completed and signed Form I-918 B for submission to USCIS by the victim:

1. Place the Form I-918 B and any supporting documentation into an envelope;
2. Seal the envelope;
3. On the front, write in capital letters: “DO NOT OPEN. FOR USCIS USE ONLY;”
4. On the back, write your initials across the seal where the flap meets the envelope;
5. Seal the entire flap with clear tape. Make sure the tape covers your initials as well as the flap; and
6. Give the sealed envelope to the petitioner for submission with their Form I-918.

USCIS’ fraud detection units investigate cases where there is suspicion of fraud and work with other Federal, State, and local law enforcement agencies where fraud is suspected. If USCIS suspects fraud in a U visa petition or Form I-918B, USCIS may reach out to the certifying agency and request further information. Furthermore, USCIS may contact certifying agencies to confirm the accuracy and source of the information submitted to USCIS on Form I-918B.

# ANSWERS

## TO QUESTIONS FREQUENTLY ASKED BY CERTIFYING OFFICIALS



### **WHO DECIDES WHETHER A VICTIM SHOULD APPLY FOR A U VISA?**

A victim makes this decision. Neither USCIS nor the certifying agency determines whether a victim should apply for a U visa.

### **HOW MAY SIGNING A U VISA CERTIFICATION BENEFIT MY AGENCY?**

Signing may strengthen your agency's ability to detect, investigate, and prosecute serious crimes and may encourage victims to report crimes committed against them and to participate in the investigation and prosecution of those crimes. These actions bolster relationships between law enforcement and the communities they protect and make communities safer as a whole.

### **HOW DOES USCIS DETERMINE WHETHER SOMEONE IS ELIGIBLE FOR A U VISA?**

Based on a review of the complete petition, USCIS examines the totality of the evidence and circumstances of each individual case. USCIS considers many factors when determining eligibility (see page 4 for eligibility requirements), including the signed Form I-918B, and conducting a full background check, which includes an FBI fingerprint check, a Name/Date of Birth search in federal databases, and immigration status checks.

### **CAN I CERTIFY FORM I-918B IF A PROSECUTION HAS NOT OCCURRED?**

Yes. The decision to complete Form I-918B is within your agency's discretion. However, as a certifying official, you may sign a Form I-918B regardless of the status or stage of the investigation or prosecution. Charges do not have to be filed, nor does an investigation or prosecution need to be open or completed at the time a certification is signed. For example, a victim may establish eligibility for a U visa if the certifying agency detected the qualifying crime based on the information provided by the victim.

### **CAN I COMPLETE A CERTIFICATION IF THE CRIMINAL ACTIVITY OCCURRED OUTSIDE THE JURISDICTION MY LEA OPERATES IN?**

Yes. In certain circumstances, LEAs may have the authority to detect, investigate, or prosecute qualifying criminal activity occurring outside of their jurisdiction. Victims may also choose to report the criminal activity outside of the jurisdiction where it occurred for a variety of reasons. While the criminal activity does not need to have occurred within the jurisdiction of the LEA, the certifying agency completing Form I-918B should provide information about how the certifying official detected or investigated the criminal activity. LEAs may also provide any available information about why the victim sought a certification outside of the jurisdiction where the criminal activity occurred. This can include information provided by the victim about lingering trauma, relocation to escape a perpetrator, fear, lack of experience with local law enforcement, or referral from other LEAs.

### **CAN I CERTIFY A FORM FOR A VICTIM WHO IS NO LONGER IN THE U.S.?**

For U visa eligibility, the qualifying criminal activity must have occurred in the U.S., its territories, or possessions, or have violated U.S. law. However, victims do not need to be present in the U.S. in order to be eligible for a U visa and may apply when outside of the country.

## **CAN I APPLY FOR CONTINUED PRESENCE FOR THE VICTIM IF THEY ALSO HAVE A PENDING U VISA PETITION?**

Yes. Filing for Continued Presence (CP) utilizes the victim-centered approach and allows for the support and stabilization of the victim while their I-918B is being processed by USCIS. CP also helps build rapport and establish trust between you and the victim. See the CCHT Continued Presence Resource Guide for law enforcement agencies and civil attorneys: [www.ice.gov/doclib/human-trafficking/ccht/continuedPresenceToolkit.pdf](http://www.ice.gov/doclib/human-trafficking/ccht/continuedPresenceToolkit.pdf).

## **WHY IS A VICTIM REQUESTING ANOTHER CERTIFICATION WHEN MY AGENCY PREVIOUSLY PROVIDED ONE?**

Completing another certification is always at the discretion of the certifying agency. However, there are a few circumstances that may warrant a new certification. Victims applying for a U visa must submit Form I-918B within six months after it is signed by a certifying official. If the Form I-918B expired before the victim was able to file a petition or application with USCIS, they would require a new form. The certifying agency has the option of printing the previous version of the Form I-918B, signing and dating it with the new date, or completing a new version of Form I-918B. This is an instance where it may be helpful to retain copies of Form I-918B that your agency has completed for your records. When completing a new form, please ensure you have [the current version](#) of the form and sign it with a new date. Victims may also request another Form I-918B if the original form was incomplete or when significant additional information regarding the detection, investigation, or prosecution, the victimization, and/or the victim's helpfulness becomes available.

Additionally, if a victim applies for lawful permanent residence (also known as a Green Card), they must demonstrate they did not unreasonably refuse to comply with requests for assistance since receiving a U visa. As evidence of this, the victim may request a newly signed Form I-918B, or other signed document from your agency. There is no federal requirement that a case must have progressed to a certain stage (for example, prosecution or conviction) prior to re-certification.

## **CAN I SAY “NO” TO REQUESTS FOR CERTIFICATION?**

While there are no federal requirements to certify, please refer to your state's laws regarding certifications. The decision whether to complete Form I-918B is at the discretion of the certifying agency. However, if the victim's U visa petition does not include a completed Form I-918B, the victim will be ineligible for U nonimmigrant status.

## **CAN AGENCIES WORKING WITH DHS UNDER THE 287(G) PROGRAM CERTIFY?**

Law enforcement agencies may sign Form I-918B regardless of whether they have a Memorandum of Understanding with DHS under the 287(g) program.

## **WHEN CERTIFYING FOR AN INDIRECT U VISA VICTIM, WHOSE NAME SHOULD I LIST ON THE FORM – THE DIRECT VICTIM OR THE INDIRECT VICTIM (FAMILY MEMBER)?**

Always list the name of the person for whom you are certifying in Part 1 (“Victim Information”) of Form I-918B. When certifying Form I-918B for an indirect victim, include that person's name and other details in Part 1 of the form. Do not put the direct victim's name in Part 1 when certifying for an indirect victim. Record the direct victim's name elsewhere in the document. ([See form instructions.](#))

## **HOW DO I TERMINATE, WITHDRAW, OR REVOKE A CERTIFICATION?**

Certifying agencies play an important role in supporting the integrity of the U visa program by providing information to USCIS, including (but not limited to):

- Notifying USCIS when a victim refuses or fails to provide assistance when reasonably requested;
- Informing USCIS of any known criminal activity; and
- Alerting USCIS of any suspected fraud.

To terminate, withdraw, or revoke a certification, the certifying official should contact USCIS by emailing [LawEnforcement\\_UTVAWA.VSC@uscis.dhs.gov](mailto:LawEnforcement_UTVAWA.VSC@uscis.dhs.gov). This request should include:

- The certifying agency's name and contact information;
- Victim's name and date of birth;
- Victim's alien registration number (A-number), if known;
- Name of person who signed certification and the date it was signed;
- The reason the agency is withdrawing/disavowing the certification;
- Signature and title of official withdrawing/disavowing; and
- A copy of original certification attached, if available.

Additionally, if USCIS suspects fraud in a U visa petition, USCIS may reach out to the certifying agency and request further information. USCIS may also contact certifying agencies to confirm the accuracy and source of the information submitted to USCIS on Form I-918B.

USCIS' fraud detection units investigate cases where there is suspicion of fraud and work with other federal, state, and local law enforcement agencies when fraud or abuse of the program is discovered.

### **CAN I RUN CHECKS SUCH AS NATIONAL CRIME INFORMATION CENTER (NCIC) ON THOSE ASKING FOR A CERTIFICATION?**

USCIS does not require certifying agencies to run background or criminal history checks on people asking for a certification. However, prior to signing Form I-918B, certifying agencies may choose to run background and criminal history checks on people asking for a certification, consistent with their legal authority under federal, state, and local law. The fact that a victim has a criminal history does not automatically preclude approval of a U visa petition.

### **HOW DOES USCIS CONSIDER CRIMINAL HISTORY WHEN DETERMINING ELIGIBILITY FOR A U VISA?**

Prior to approving or denying a U visa petition, USCIS evaluates each petition on a case-by-case basis. USCIS reviews all available information concerning arrests, immigration violations, criminal activities, and security issues before making a final decision. USCIS runs background and security checks for principal petitioners and all qualifying family members. This includes fingerprint checks, Name/Date of Birth search in federal databases, and immigration status checks. USCIS takes into account whether there is a nexus between a victim's criminal behavior and their victimization. USCIS also carefully considers any evidence of rehabilitation that the victim provides with their U visa petition. USCIS considers the facts of each case separately when determining whether a person is eligible for U nonimmigrant status.

If a certifying official believes USCIS should know something particular about a victim's criminal history, this information can be included on the certification or with an attached report or statement.

The fact that a victim has a criminal history does not automatically preclude approval of the U visa petition. However, in most cases, a person will not be able to meet the statutory requirements for approval of a U visa petition if they have a serious or violent criminal record. USCIS also generally will not approve a petition if the victim was complicit or culpable in the qualifying criminal activity of which they claim to be a victim.

### **MAY I TYPE MY RESPONSE TO FORM I-918B?**

You may either type or write your response to Form I-918B, except for the signature, **which must be original and signed by hand**. Please ensure answers are legible.

## **WHICH OFFICIALS MEET THE DEFINITION OF A JUDGE FOR U VISA CERTIFICATION PURPOSES?**

Any official with delegated authority from a federal, state, local, tribal or territorial court to preside over or decide cases including but not limited to: administrative law judges, commissioners, magistrates, aldermen, judicial referees, surrogates, masters, and chancellors.

## **WHAT TRAINING OPPORTUNITIES ARE AVAILABLE FOR CERTIFYING OFFICIALS?**

USCIS provides webinar trainings for law enforcement officials. Contact [T.U.VAWATraining@uscis.dhs.gov](mailto:T.U.VAWATraining@uscis.dhs.gov) to find out information on the next webinar for law enforcement officials. Live, on-site trainings may also be available upon request.

## **HOW DOES USCIS DETERMINE IF THE "SUBSTANTIAL PHYSICAL OR MENTAL ABUSE" REQUIREMENT HAS BEEN MET?**

USCIS will make the determination as to whether the victim has met the “substantial physical or mental abuse” standard on a case-by-case basis during its adjudication of the U visa petition. Certifying agencies and officials may provide any information they deem relevant regarding injuries or abuse on the Form I-918B. If the certifying official has documentary evidence of injuries to the victim, the severity of the perpetrator’s conduct, or the emotional impact on the victim’s mental health as affected by the criminal activity, it is helpful to attach any relevant evidence of these facts, such as, photographs, police reports, findings, or court orders. While USCIS will consider any evidence of substantial physical or mental abuse provided by the certifying agency, the victim has the burden of establishing that they meet the substantial physical or mental abuse requirement. The determination of what evidence is credible and the weight to be given to that evidence is within the sole discretion of USCIS.

Some factors that USCIS uses to make this determination are:

- The nature of the injury inflicted;
- The severity of the perpetrator’s conduct;
- The severity of the harm suffered;
- The duration of the infliction of the harm; and
- The extent to which there is permanent or serious harm to the appearance, health, or physical or mental soundness of the victim.

# MORE RESOURCES

## FOR CERTIFYING AGENCIES AND OFFICIALS



### ICE Homeland Security Investigations (HSI)

This investigative branch of DHS participates in over 120 human trafficking task forces across the country.

[www.ice.gov/contact/hsi/](http://www.ice.gov/contact/hsi/)

866-872-4973 or [victimassistance.ice@ice.dhs.gov](mailto:victimassistance.ice@ice.dhs.gov)

For human trafficking investigations with a transnational nexus, contact your local HSI office or the HSI tip line at 866-347-2423 (866-DHS-2-ICE).

### DHS Center for Countering Human Trafficking (CCHT)

The CCHT is the first unified, intercomponent coordination center for countering human trafficking and the importation of goods produced with forced labor. The CCHT also processes and authorizes Continued Presence applications from federal law enforcement agents for victims of severe forms of human trafficking.

See the CCHT Continued Presence Resource Guide for law enforcement agencies and civil attorneys: [www.ice.gov/doclib/human-trafficking/ccht/continuedPresenceToolkit.pdf](http://www.ice.gov/doclib/human-trafficking/ccht/continuedPresenceToolkit.pdf)

For direct assistance regarding Continued Presence, please email: [ContinuedPresence@ccht.dhs.gov](mailto:ContinuedPresence@ccht.dhs.gov). For other CCHT inquiries, contact: [info@ccht.dhs.gov](mailto:info@ccht.dhs.gov)

### Office for Civil Rights and Civil Liberties (CRCL):

Contact CRCL to:

- Refer individuals who would like to file a complaint concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion by DHS employees and officials.
- Report a violation of T visa, U visa, or VAWA confidentiality protections by a federal employee. See 8 U.S.C. 1367(a)(2).

Toll Free: 866-644-8360

[crcl@dhs.gov](mailto:crcl@dhs.gov) or [VAWA@hq.dhs.gov](mailto:VAWA@hq.dhs.gov)

### Office for State and Local Law Enforcement (OSLLE):

(202) 282-9545 or [OSLLE@hq.dhs.gov](mailto:OSLLE@hq.dhs.gov)

OSLLE serves as the liaison between DHS and non-federal law enforcement agencies across the country. OSLLE leads the coordination of DHS- wide policies related to state, local, tribal, and territorial law enforcement's role in preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism, and other man- made disasters within the United States.

### Request Technical Assistance via the T and U Visa Hotline for Certifying Agency Inquiries:

240-721-3333

*This line is for certifying agencies only.*

### Request Training:

[T\\_U\\_VAWATraining@uscis.dhs.gov](mailto:T_U_VAWATraining@uscis.dhs.gov)

### DHS FEDERAL LAW ENFORCEMENT TRAINING CENTER

<https://www.fletc.gov/training-program/human-trafficking-awareness-training>

### Ask a Question about a Specific Case, Withdraw/Disavow a Signed Form, or Report Concerns about Fraud or Misuse of U Visas:

[LawEnforcement\\_UTVAWA.VSC@USCIS.dhs.gov](mailto:LawEnforcement_UTVAWA.VSC@USCIS.dhs.gov)

*This e-mail is for certifying agencies personnel only.*

### Immigration and Customs Enforcement (ICE) Resources:

#### ICE TOOL KIT FOR PROSECUTORS

<https://www.ice.gov/doclib/about/offices/osltc/pdf/tool-kit-for-prosecutors.pdf>

#### ICE LAW ENFORCEMENT SUPPORT CENTER

802-872-6050

[www.ice.gov/lesc](http://www.ice.gov/lesc)

#### LOCAL ICE OFFICES

Enforcement and Removal Operations

[www.ice.gov/contact/ero/](http://www.ice.gov/contact/ero/)

#### OFFICE OF THE PRINCIPAL LEGAL ADVISOR

[www.ice.gov/contact/opla/](http://www.ice.gov/contact/opla/)

### For Additional Anti-Trafficking Resources, go to the DHS Blue Campaign page:

<https://www.dhs.gov/blue-campaign>



# APPENDIX A

## U VISA PROCESS

This is the general process for a victim to seek a U visa, from the victim's initial encounter with the certifying agency to USCIS' final eligibility determination. A victim must show that they have not refused to comply with reasonable requests for assistance during all stages of the petition process.

The time between initial filing, review for bona fide determination/waiting list placement, and the final adjudication of a case (approval or denial) can vary significantly due to several factors, including USCIS staffing levels and resource availability, U visa availability, and number and complexity of petitions and applications.

By law, USCIS cannot provide U nonimmigrant status to more than **10,000** principal victims per year. This statutory limit does not apply to derivative family members. This cap has been reached every year since 2010.

Information about victims filing U visa petitions is protected by specific privacy and confidentiality laws.<sup>19</sup>

<b>Cooperation</b> <b>STEP 1</b>	<b>Filing</b> <b>STEP 2</b>	<b>BFD/Waiting List</b> <b>STEP 3</b>	<b>Approval</b> <b>STEP 4</b>	<b>Green Card</b> <b>STEP 5</b>
Victim assists the certifying agency in the detection, investigation, and/or prosecution of qualifying crime.	Victim applies for U visa with USCIS, including a signed Form I-918 B, dated within 6 months of when the victim files their U visa petition.	USCIS reviews the petition and determines if principal petitioner may receive employment authorization (EAD) and deferred action (DA) based on a bona fide determination (BFD). <sup>20</sup>	Once a visa is available, USCIS reviews each petition in receipt date order to verify eligibility.	After at least 3 years after a grant of U nonimmigrant status, if victim meets certain requirements, victim applies to become a lawful permanent resident.
Victim requests a certification and the certifying agency decides whether to sign Form I-918 B.		If the victim cannot receive a BFD-based EAD and DA, USCIS issues a notice and requests more evidence to evaluate the petition for potential placement on the waiting list.	If determined eligible, USCIS approves the victim's petition for U nonimmigrant status.	If determined eligible, USCIS approves victim's application for lawful permanent resident status.
		If placed on the waiting list, the victim also receives employment authorization and deferred action.		

19. See 8 U.S.C. 1367.

20. See <https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5> for more information on the Bona Fide Determination Process.



## **Legal Instruction on U Visa 070623.pdf**

## RE: U Visa Request

Evin King

Thu 7/6/2023 15:07

To: Marcus McAskin <marcus@mcm-legal.com>; Helen Migchelbrink <hmigchelbrink@townofmead.org>; Brent Newbanks <bnewbanks@townofmead.org>

Cc: Brian Smith <BSmith@townofmead.org>

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Be especially careful of Word, Excel and Fax attachments.

Hi Chief:

The 90-day timeline comes from CRS 24-4.1-402(3).

Under CRS 24-4.1-403(1), upon request a certifying official (*e.g.*, Police Chief) of a certifying agency (*e.g.*, Mead Police Department) **shall** execute and sign the certification form when both of these things are true: (1) the petitioner was a victim of a qualifying criminal activity and (2) has this person been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the qualifying criminal activity of which the person is a victim.

### 1. Is this a qualifying criminal activity?

A “qualifying criminal activity” is defined by 8 CFR 214.14(a)(9):

(9) Qualifying crime or qualifying criminal activity includes one or more of the following or any similar activities in violation of Federal, State or local criminal law of the United States: Rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; **murder; felonious assault**; witness tampering; obstruction of justice; perjury; or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes. The term “any similar activity” refers to criminal offenses in which the nature and elements of the offenses are substantially similar to the statutorily enumerated list of criminal activities.

Attempt, conspiracy, or solicitation of any of the above also counts as a “qualifying criminal activity”

I see in the incident report, this is being investigated as an attempted murder (though the petition labels it a felonious assault). Both attempted murder and felonious assault are qualifying criminal activities. Therefore, the petitioner is a victim of a qualifying criminal activity.

### 2. Has this petitioner been helpful/is being helpful/would likely be helpful in the investigation or prosecution?

As you state in your email, you will verify that this petitioner was cooperative. This element is more subjective, but so long as the case officer/sergeant verifies that the petitioner was cooperative/helpful, I think the petitioner has also satisfied this element.

If you confirm that the petitioner was cooperative and is/was/would likely be helpful in further investigation/prosecution, then you must sign the certification under CRS 24-4.1-403(1) and do so within 90 days of receiving the request. The state law makes clear that Mead PD is not considered a sponsor or a decision maker

in granting the U-visa, it just merely certifies that the person has met the above two requirements. In other words, all your signature means is that he was a victim of a qualifying crime and was helpful, nothing else.

Thanks, and let me know if you need anything else on this!

Evin B. King  
Michow Cox & McAskin LLP  
6530 S. Yosemite St., Suite 200  
Greenwood Village, CO 80111  
Main: 303-459-2725  
Direct: 303-459-4614

CONFIDENTIALITY NOTICE: This message and any accompanying documents are intended only for the use of the individual or entity to which they are addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you have received this email in error, please notify us immediately by telephone (303-459-2725) and do not distribute or copy this email to anyone.

---

**From:** Marcus McAskin <marcus@mcm-legal.com>  
**Sent:** Thursday, July 6, 2023 2:42 PM  
**To:** Helen Migchelbrink <hmigchelbrink@townofmead.org>; Brent Newbanks <bnewbanks@townofmead.org>  
**Cc:** Brian Smith <BSmith@townofmead.org>; Evin King <evin@mcm-legal.com>  
**Subject:** RE: U Visa Request

Chief: Thanks for forwarding this information. I've asked Evin to look into this in a bit more detail, in order to ensure that Mead PD handles the certification request correctly and responds appropriately within the applicable timeframe.

In the meantime, I've attached a Resource Guide published by U.S. Citizenship and Immigration Services (USCIS) which goes into some level of detail regarding the roles of certifying officials in the U-visa process.

At the end of the day, Mead PD is not making a call on immigration status – that's USCIS's job.

Regards,

Marcus A. McAskin  
**Michow Cox & McAskin LLP**  
6530 S. Yosemite St., Suite 200  
Greenwood Village, CO 80111  
[marcus@mcm-legal.com](mailto:marcus@mcm-legal.com)  
direct: 303-459-4621  
main: 303-459-2725  
cell: 303-517-5293



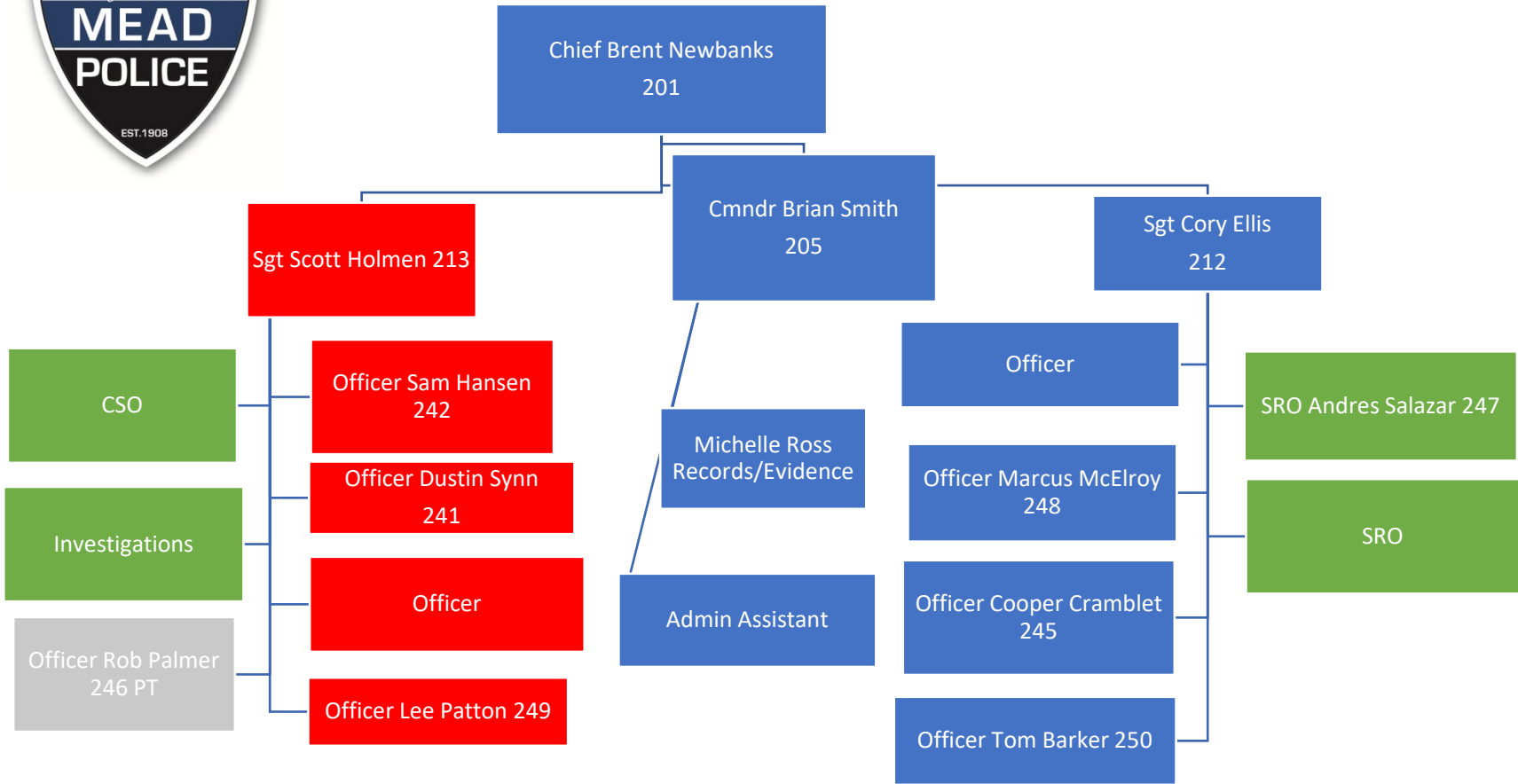
Please consider the environment before printing this email.

CONFIDENTIALITY NOTICE: This message and any accompanying documents are intended only for the use of the individual or entity to which they are addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message and the accompanying documents is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this

**Oct 2022.pdf**



# Mead Police Department



Officers Out Sick or Injured  
Jonae Coleman 238

New Hires / In Training:  
Michaela Rollins 251  
Sterling Lima 252

## Cash Receipting TOM.pdf

## Cash Receipting For PD – Processing Payments

### Go to Caselle

- ↳ Choose Cash Receipting
- ↳ Click on Payments
- ↳ Click on Enter Payments
- ↳ Choose today's date
- ↳ Make sure your Workspace says "PD"
- ↳ Choose your Category by clicking on the down arrow to the right of Utility (1)

### For Pet Licenses

- ↳ Choose 3: Licenses
- ↳ Type in Customer Name in Customer:
- ↳ Hit Enter
- ↳ In Distribution – go to the Drop Down Arrow
- ↳ Choose 302: Pet License
- ↳ In Description – it will have Pet License auto-filled
- ↳ In Amount – put the correct amount customer paid
- ↳ Hit Enter
- ↳ In Type: click on the down arrow and choose Check or Cash TBK Bank
- ↳ Payor should auto fill, but you can change if needed
- ↳ In Check Number: either put the check number used or type in the word CASH
- ↳ Enter the amount paid in Amount:
- ↳ Hit enter and choose yes or no if you want a receipt or not (if customer is there, it's a good idea to give that kind of receipt so you don't have to write one out and you can print one for Karmen as well that way).

### For Police Reports (Lexis Nexis, Metropolitan Reporting Bureau, etc.)

- ↳ Choose 14: Police Reports
- ↳ Type in Customer Name in Customer:
- ↳ Hit Enter
- ↳ In Distribution – it will be auto-filled
- ↳ In Description – it will be auto-filled
- ↳ In Amount – put the correct amount customer paid
- ↳ Hit Enter
- ↳ In Type: click on the down arrow and choose Check
- ↳ Payor should auto fill, but you can change if needed
- ↳ In Check Number: put the check number used
- ↳ Enter the amount paid in Amount:
- ↳ Hit enter and choose Yes or No if you want a receipt or not (usually No).


## For Evidence Cash

- ↳ Choose 14: Misc Income-Police (15)
  - ↳ Type in Customer Name in Customer:
  - ↳ Hit Enter
  - ↳ In Distribution – Choose 1502: Evidence and Found Cash
  - ↳ In Description – it will be auto-filled
  - ↳ In Amount – put the correct amount customer paid
  - ↳ Hit Enter
  - ↳ In Type: click on the down arrow and choose Check or Cash
  - ↳ Payor should auto fill, but you can change if needed
  - ↳ In Check Number: put the check number used. If Cash leave blank.
  - ↳ Enter the amount paid in Amount:
  - ↳ Hit enter and choose Yes or No if you want a receipt or not.
- 

At the end of the day you will reconcile your day.

Run a tape of all monies you brought in for day. Add up checks, subtotal, then add cash, then total. I will need this tape turned in with your cash, checks and deposit slip for evidence cash. Please write your name on tape along with date transactions took place.

In Caselle Cash Receipting navigate to Related Reports -

- ↳ Choose Payment Register
- ↳ On this screen fill in the from and to dates with today's date.
- ↳ Uncheck the checkmark at the top of User area.
- ↳ Check the checkmark next to your name.
- ↳ At the top of page click on piece of paper w magnifying glass   
(this is print preview)
- ↳ Review and balance report with your tape. If all balances you can close the report.
- ↳ Now choose Receipt Register and follow the same steps above.
- ↳ Once you have checked your work with both reports turn in checks, cash and tape to Karmen. Should be turned in to me first thing the next day.



**Weld County DA SB 21-174 Peace  
Officer Credibility Disclosure Policy.pdf**

MICHAEL J. ROURKE  
*District Attorney*



ROBERT W. MILLER  
*Assistant District Attorney*

Office of the District Attorney  
Nineteenth Judicial District

915 10<sup>TH</sup> Street  
P.O. Box 1167  
Greeley, CO 80632  
Phone: (970) 356-4010  
Fax: (970) 352-8023  
[www.weldda.com](http://www.weldda.com)

---

## PEACE OFFICER CREDIBILITY DISCLOSURE NOTIFICATIONS POLICY

### I. PURPOSE:

As required by state law, specifically Senate Bill 21-174, codified in Colorado Revised Statutes 16-2.5-501 *et seq.*, this policy establishes standards which require law enforcement agencies to disclose specific information to the District Attorney's Office that may impact the credibility of a peace officer in a criminal prosecution, establishes procedures for the District Attorney's Office to timely disclose such information to the defense under the Colorado Rules of Criminal Procedure and increases transparency to allow members of the public access to information concerning peace officers who are subject to a credibility disclosure notification.

### II. DEFINITIONS:

As used in this policy, the below terms shall have the following meaning:

- A. "**Credibility Disclosure Notification**" means the notification described in C.R.S. 16-2.5-502(2)(c) and described in Section (III)(A) and (III)(B) of this policy.
- B. "**Law Enforcement Agency**" means a state or local agency that employs peace officers.
- C. "**Official Criminal Justice Record**" means any handwritten or electronically produced report or documentation that a law enforcement agency requires a peace officer to complete as part of the peace officer's official duties, for the purpose of serving as the agency's official documentation of an incident, call for service, response to an alleged or suspected crime, a use of force, or during a custodial arrest or the direct supervision of a person who is in custody. Official criminal justice records also include any other reports or documents that an agency requires a peace officer to complete as part of the peace officer's official duties where the peace officer knows, or should know the information included may be relevant to an ongoing or future criminal or administrative investigation.
- D. "**Untruthfulness**" or "**dishonesty**" means conduct that involves a knowing misrepresentation, including but not limited to intentionally untruthful statements, knowing omissions of material information, and knowingly providing or withholding information with an intent to deceive or mislead except as lawfully utilized as part of an investigatory procedure.
- E. "**Sustained finding**" means a final determination by a law enforcement agency, following a law enforcement agency's administrative procedures for investigating and reviewing alleged misconduct by a peace officer on the merits.

### **III. LAW ENFORCEMENT AGENCY'S OBLIGATION TO PROVIDE OFFICER CREDIBILITY DISCLOSURE NOTIFICATION**

Notwithstanding any other procedures or existing legal requirements regarding the disclosure of exculpatory evidence in a criminal proceeding, beginning January 1, 2022, every law enforcement agency shall:

- A. Promptly notify the District Attorney's Office in the law enforcement agency's jurisdiction, in writing, of any sustained finding made on or after January 1, 2022, where a peace officer:
  1. Knowingly made an untruthful statement concerning a material fact,
  2. Demonstrated a pattern of bias based on race, religion, ethnicity, gender, sexual orientation, age, disability, national origin, or any other protected class,
  3. Tampered with or fabricated evidence,
  4. Been convicted of any crime involving dishonesty or has been charged with any felony or any crime involving dishonesty, or
  5. Violated any policy of the law enforcement agency regarding dishonesty.
  
- B. In addition to the credibility disclosure notification required under Section (III)(A), a law enforcement agency shall also notify the District Attorney's Office in the law enforcement agency's jurisdiction as soon as practicable when a peace officer is under a criminal or administrative investigation that if sustained, would require disclosure under Section (III)(A), and where it also meets **both** of the following circumstances:
  1. The peace officer is a potential witness in a pending criminal prosecution in which a criminal defendant has been formally charged; **and**
  2. The criminal or administrative investigation of the peace officer involves an allegation related to the peace officer's involvement in that defendant's pending criminal case.
  
- C. For disclosures made pursuant to Section (III)(B), the law enforcement agency shall promptly notify the District Attorney's Office once the law enforcement agency has completed the agency's administrative process for investigating and evaluating the allegations on the merits.
  1. If the law enforcement agency determines through its administrative process that the criminal or administrative allegations are not sustained based on the merits, the law enforcement agency should promptly notify the District Attorney's Office of the outcome and the agency or involved peace officer may request that the District Attorney's Office remove the credibility disclosure notification from its records as

set forth in Section (V)(C), below. However, nothing in this section shall require a District Attorney's Office to remove any credibility disclosure notification that was made to a defendant pursuant to Rule 16 in a pending criminal proceeding where the requirements of Section (III)(B) applied at the time of the disclosure.

- D. Prior to making any credibility disclosure notification required under Sections (III)(A) or (III)(B), a law enforcement agency must give the involved peace officer at least seven (7) calendar days' notice of the agency's intent to send a credibility disclosure notification to the District Attorney's Office.
  1. If seven (7) days' notice is not practicable due to an impending trial date, the agency shall provide as much notice to the involved peace officer as is practicable under the circumstances.

#### **IV. CREDIBILITY DISCLOSURE NOTIFICATION PROCEDURES**

- A. A law enforcement agency shall include the following information in the credibility disclosure notification to be provided **in writing** to the District Attorney's Office:
  1. The peace officer's name,
  2. The name of the law enforcement agency that employs or employed the peace officer at the time of the sustained findings or at the time of the criminal or administrative investigation,
  3. The following statement: "This notification is to inform you that there is information in the law enforcement agency's possession regarding [name of peace officer] that may affect the peace officer's credibility in court," and
  4. The applicable statutory provision identifying the basis for the credibility disclosure notification, including whether the notification is based on a sustained finding pursuant to Section (III)(A) or whether the notification relates to an open criminal or administrative investigation pursuant to Section (III)(B). In the case of notifications required under Section (III)(B), the law enforcement agency shall also include the name of the defendant and the agency case number from which the criminal or administrative investigation arose.
- B. The law enforcement agency shall send the required credibility disclosure notification in writing, either electronically or by mail, to the contacts designated by the District Attorney's Office located in the law enforcement agency's jurisdiction. (Discussed below).




## V. DISTRICT ATTORNEY OBLIGATIONS

- A. On or before January 1, 2022, the District Attorney's Office shall:
1. Designate the contacts to whom law enforcement agencies should send the required credibility disclosure notifications,
  2. Establish a process to timely notify defense counsel or a defendant of credibility disclosure notification records pursuant to Rule 16 of the Colorado Rules of Criminal Procedure,
  3. Maintain a current record of all credibility disclosure notifications, distinguishing between sustained findings disclosed pursuant to Section (III)(A) and open investigations disclosed pursuant to Section (III)(B),
  4. Comply with the procedures set forth in Section (V)(B) for entering credibility disclosure notifications,
  5. Remove any credibility disclosure notifications records as set forth in Section (V)(C),
  6. Post on the District Attorney's Office website the procedures for how a member of public can access the database created by the P.O.S.T. Board pursuant to section 24-31-303 (1)(r). Senate Bill 21-174 requires that this posting shall occur on or before February 1, 2022.
- B. For any credibility disclosure notification made to the District Attorney's Office pursuant to Section (III)(A) (i.e. involving a sustained allegation), or Section (III)(B) and the District Attorney's Office is subsequently notified by the law enforcement agency that the completed criminal or administrative concluded the allegations against the peace officer were sustained, the District Attorney's Office denote in its current record the involved officer has a credibility disclosure notification.
- C. The District Attorney's Office shall remove credibility disclosure notification records from its records and notification procedures under the following circumstances:
1. When a law enforcement agency made a credibility disclosure notification about an open criminal or administrative investigation pursuant to Section (III)(B), and subsequently notifies the District Attorney's Office that the agency concluded through its administrative process that the criminal or administrative allegations are **not** sustained based on the merits, and the law enforcement agency or peace officer makes a written request that the District Attorney's Office remove the credibility disclosure notification from the its records.
  2. When the District Attorney makes an independent determination, based on a review of the underlying records (if access to the underlying records is granted by the agency, officer, or by court order) that removal is appropriate or lawful.

3. When the District Attorney's Office receives a court order directing the District Attorney's Office to remove the credibility notification records.
- D. Pursuant to C.R.S. §16-2.5-502(V), the undersigned District Attorney hereby designates the Assistant District Attorney and Office Administrator as contacts for notification as required above and shall be notified by law enforcement regarding obligations under parts III and IV of this section. When this information is received, the officer's name will be cross-referenced in the District Attorney's database. Defense counsel or defendant if *pro se*, shall be notified in writing via electronic or regular mail as soon as practicable regarding the credibility notification from law enforcement. Defense counsel or the defendant shall be notified of the credibility notification as well as how to obtain the credibility records. The District Attorney's Office will maintain records separately as to findings pursuant to (III)(A) and (III)(B). If the notice is received pursuant to (III)(A) or a sustained finding under (III)(B) it shall be denoted in the records. If required pursuant to subsection (V)(C), the officer's name shall be removed from any credibility record as soon as practicable.
- E. The District Attorney's Office shall review the policies and procedures adopted and implemented under this Section at least every four (4) years to ensure compliance with controlling federal and state case law interpreting *Brady v. Maryland*, 373 U.S. 83 (1963); *Giglio v. United States*, 405 U.S. 150 (1972); *Kyles v. Whitely*, 514 U.S. 419 (1995), and its progeny, as well as the Colorado Rules of Criminal Procedure.

Dated: December 28, 2021

  
\_\_\_\_\_  
Michael J. Rourke  
District Attorney

**2019 IA release and redaction guidance.pdf**

This training bulletin summarizes new legislation passed during this recent legislative session pertaining to public disclosure of a completed internal investigation file.

**House Bill 19-1119** adds subsections (4) and (5) to C.R.S. § 24-72-303. These added subsections expand who may view an internal investigation file.

If an internal affairs investigation:

1. Is completed;
2. Examines the in-uniform or on-duty conduct of a peace officer; AND
3. Is related to a specific identifiable incident of alleged misconduct involving a member of the public; THEN

The entire investigation file, including the witness interviews, video and audio recordings, transcripts, documentary evidence, investigative notes, and final departmental decision is open for public inspection upon request.

Prior to release, the following information **shall** be redacted from the internal investigation file:

1. Any personal identifying information (social security number; personal identifying number; a password; a pass code; a driver's license or ID number; passport number; biometric data; employer, student or military ID number; or a financial transaction device);
2. Any identifying or contact information related to confidential informants, witnesses or victims;
3. The home address, personal phone number and personal email address of a peace officer;
4. Any information prohibited by public release by state or federal law;
5. Any medical or mental health information;
6. Any identifying information related to a juvenile; AND
7. Any nonfinal disciplinary recommendations.

The following information **may** be redacted from the internal investigation file:

1. Any compelled statements made by a peace officer who is the subject of a criminal investigation or a filed criminal case directly related to the conduct underlying the internal investigation;
2. Any video or photograph that raises substantial privacy concerns for criminal defendants, victims, witnesses, or informants;
3. The identity of officers who volunteered information related to the internal investigation but who are not a subject of the internal investigation; AND
4. Specific information that would reveal confidential intelligence information, confidential security procedures of a law enforcement agency or that, if disclosed, would compromise the safety of a peace officer, witness, or informant.



If a request is denied because a criminal case is pending, the internal investigation file must be open for inspection after the criminal case is dismissed or upon sentencing for a conviction.

If a request is denied, the person who has been denied access may file an application in Jefferson County District Court for an order directing the custodian to show cause why the withheld information should not be made available to the applicant.

The legislation states that any compelled statement by a peace officer, or evidence derived from the compelled statement, may not be used against the officer in a criminal prosecution.

This legislation was signed by the Governor on April 12, 2019 and is currently in effect.

Prepared by: Jennifer S. Roth

# Mead Police Department Policy Manual

## Policy Manual

## INDEX / TOPICS

### A

#### ACKNOWLEDGEMENTS

Departmental Directives. . . . .	21
Policy manual. . . . .	17
Policy revisions. . . . .	17

#### ADMINISTRATIVE HEARINGS. . . . . 399

#### ADMINISTRATIVE INVESTIGATIONS

Criminal parallel. . . . .	596
OIS. . . . .	78
PREA. . . . .	550
Recorded media files. . . . .	331
Vehicle damage. . . . .	481

#### ADMINISTRATIVE LEAVE. . . . . 596

Outside employment. . . . .	625
-----------------------------	-----

#### ADULT ABUSE. . . . . 132

Homeless persons. . . . .	347
Investigations. . . . .	407

#### AIRCRAFT

Accidents. . . . .	304
Ambulance. . . . .	368
Flying while armed. . . . .	90
Pursuits. . . . .	98
Temporary flight restrictions. . . . .	178

#### ALCOHOL. . . . . 579

#### ALCOHOL

Vehicle use. . . . .	479
----------------------	-----

#### ALCOHOL USE. . . . . 579

#### AMMUNITION. . . . . 83

#### ANIMALS

Euthanize. . . . .	89
Injured. . . . .	89
Service. . . . .	212

#### ANTI-RETALIATION. . . . . 574

#### APPOINTMENTS

Audio/video coordinator. . . . .	325
Chief executive officer. . . . .	13
Community relations coordinator. . . . .	235
Exposure control officer. . . . .	584
Forfeiture reviewer. . . . .	417
FTO program supervisor. . . . .	308
LEP coordinator. . . . .	200
Line-of-duty death liaisons and coordinators	656
Operations director. . . . .	453, 458
Petty cash fund manager. . . . .	482
PREA coordinator. . . . .	546

Press Information Officer. . . . .	177
UAS Coordinator. . . . .	449

#### ARRESTS

Authority. . . . .	11
Citations. . . . .	291
Consular notifications. . . . .	532
Control devices. . . . .	59
Diplomatic immunity. . . . .	293
Disabled persons. . . . .	214
Domestic violence. . . . .	116
First amendment assemblies. . . . .	361
Handcuffs and restraints. . . . .	55, 56
Homeless persons. . . . .	348
Limited English proficiency (LEP). . . . .	204
Mass. . . . .	359
Mental health. . . . .	289, 290
Seat belts. . . . .	600
Towed vehicles. . . . .	388

#### ASSET FORFEITURE. . . . . 415

#### AUDIO/VIDEO RECORDING

Body-worn cameras. . . . .	325
Custodial interrogation. . . . .	406
Holding cells. . . . .	536
OIS. . . . .	79

#### AUDITS

Asset forfeiture. . . . .	417
Criminal intelligence system. . . . .	317
Informant files. . . . .	423
Informant funds. . . . .	425
Information technology. . . . .	170
Personnel complaints. . . . .	591
Petty cash. . . . .	482
PREA. . . . .	546, 552
Public safety video surveillance. . . . .	222

#### AUTHORITY. . . . . 11

Abuse of. . . . .	347
Ethics. . . . .	168
Policy Manual. . . . .	15
Use of Force. . . . .	52

#### AUTOMATED EXTERNAL DEFIBRILLATORS

(AED). . . . .	369
AVL. . . . .	478

### B

#### BACKGROUNDS. . . . . 562

#### BADGE. . . . . 643

#### BADGES, PATCHES AND IDENTIFICATION

Administrative leave. . . . .	596
Prohibited use. . . . .	623
Uniforms. . . . .	635

#### BARRICADE INCIDENTS. . . . . 278

# Mead Police Department

## Policy Manual

### Mead Police Department Policy Manual

---

BICYCLES			
Uniforms. . . . .	635		
BIOLOGICAL SAMPLES. . . . .	217		
BIOLOGICAL SAMPLES			
Hazards. . . . .	305		
PREA. . . . .	550		
BLOOD TESTS. . . . .	395		
BODY ARMOR. . . . .	602		
BOMBS. . . . .	283		
Aircraft accidents. . . . .	305		
Portable audio/video recorders. . . . .	328		
BRIEFING			
Operations. . . . .	461		
<b>C</b>			
CANINES			
Pursuits. . . . .	342		
Uniforms. . . . .	635		
Vehicle pursuits. . . . .	99		
CASH			
Audit. . . . .	425		
Custody. . . . .	536		
Informants. . . . .	424		
Searches. . . . .	541		
CHAPLAINS			
Line-of-duty deaths. . . . .	663		
CHIEF EXECUTIVE OFFICER. . . . .	13		
CHILD ABUSE			
Definitions. . . . .	140		
CHILD ABUSE. . . . .	140		
CHILDREN			
Child abuse. . . . .	140		
Firearms. . . . .	87		
Language assistance. . . . .	204, 212		
Pursuits. . . . .	102		
Safety. . . . .	534		
Transportation. . . . .	600		
CITATIONS. . . . .	291		
Accountability. . . . .	400		
Diplomatic immunity. . . . .	293		
Evaluation criteria. . . . .	380		
Juvenile. . . . .	401		
Parking. . . . .	401		
Traffic. . . . .	381, 400		
CIVIL			
Liability response. . . . .	79		
Subpoenas. . . . .	182		
CIVIL COMMITMENTS. . . . .	288		
CIVIL COMMITMENTS OR EMERGENCY ADMISSIONS			
Homeless persons. . . . .	348		
CIVIL DISPUTES. . . . .	364		
CIVILIAN AND NONSWORN			
Attire. . . . .	636		
COMMAND STAFF			
Claims review. . . . .	468		
Occupational disease and work-related injury. . . . .	629		
Petty cash audit. . . . .	482		
Policy review. . . . .	17		
PREA reviews. . . . .	552		
Use of force review. . . . .	51		
COMMENDATIONS AND AWARDS. . . . .	610		
COMMUNICABLE DISEASES			
Custody. . . . .	529		
COMMUNICATIONS CENTER			
Foot pursuits. . . . .	345		
Mandatory sharing. . . . .	185		
Vehicle pursuits. . . . .	100		
COMMUNICATIONS FOR PERSONS WITH DISABILITIES. . . . .	208		
COMMUNITY ADVISORY COMMITTEE. . . . .	238		
COMPUTERS. . . . .	170		
Digital evidence. . . . .	408		
Protected information. . . . .	516		
CONDUCT			
OIS. . . . .	73		
Personnel complaints. . . . .	590		
CONFIDENTIALITY			
Adult abuse reports. . . . .	136		
Communicable disease information. . . . .	587		
Crisis intervention incidents. . . . .	355		
Custodial telephone calls. . . . .	534		
Informants. . . . .	421		
Personnel complaints. . . . .	592		
Protected information. . . . .	515		
Radio broadcasts. . . . .	323		
Surreptitious recording. . . . .	328		
Technology use. . . . .	172		
CONTACTS AND TEMPORARY DETENTIONS			
Warrant service. . . . .	455		
CONTROL DEVICES. . . . .	59		
Custody. . . . .	535		
Decontamination. . . . .	585		
Training. . . . .	299		
CORRESPONDENCE. . . . .	31		
COURT ORDERS			
Asset seizure. . . . .	416		
Child abuse. . . . .	143		
Civil disputes. . . . .	364		
Domestic violence. . . . .	115		
Foreign. . . . .	117		
Juvenile informants. . . . .	421		
Service of court documents. . . . .	371		

# Mead Police Department

## Policy Manual

### Mead Police Department Policy Manual

---

Source testing. . . . .	587
Subpoenas. . . . .	181
Surreptitious recording. . . . .	328
CRIME ANALYSIS. . . . .	488
CRIME SCENE AND DISASTER INTEGRITY. . . . .	266
CRIMINAL ACTIVITY REPORTING. . . . .	173
CRIMINAL INTELLIGENCE SYSTEMS. . . . .	317
CRIMINAL ORGANIZATIONS. . . . .	317
CRISIS INTERVENTION INCIDENTS. . . . .	352
CRISIS RESPONSE UNIT Operations. . . . .	268, 462
CUSTODIAL INTERROGATIONS Limited English proficiency. . . . .	205
CUSTODIAL SEARCHES. . . . .	540
<b>D</b>	
DAMAGE BY PERSONNEL. . . . .	175
DEATH Custody – adults. . . . .	537
Investigations. . . . .	193
Mourning bands. . . . .	636
Native American Graves (NAGPRA). . . . .	228
DEBRIEFING Crisis intervention incidents. . . . .	354
Operations planning and deconfliction. . . . .	463
DECONFLICTION. . . . .	460
DEFECTIVE VEHICLES. . . . .	475
DEFINITIONS Terms used in policy manual. . . . .	15
DEPARTMENT/OFFICE PROPERTY. . . . .	467
Loss Or Damage. . . . .	468
DEPARTMENTAL DIRECTIVES. . . . .	21
DEPENDENT ADULTS. . . . .	132
PREA. . . . .	549
Safety. . . . .	534
DIPLOMATIC IMMUNITY. . . . .	294
DISABLED Communicating with the. . . . .	208
DISCIPLINE. . . . .	168
Personnel complaints. . . . .	597
DISCLAIMER. . . . .	15
DISCRIMINATION Limited English proficiency. . . . .	200
Personnel complaints. . . . .	592
DISPUTED CLAIMS. . . . .	499
DOMESTIC VIOLENCE. . . . .	115
DRIVING MDT/MDC. . . . .	322
Personal communication devices. . . . .	474
Pursuit tactics. . . . .	98
DRUG USE. . . . .	579

DUI ENFORCEMENT. . . . .	394
--------------------------	-----

## E

ELECTRONIC CIGARETTES. . . . .	589
ELECTRONIC MAIL. . . . .	29
Personal communication devices. . . . .	471
Personnel complaints. . . . .	591
Privacy expectation. . . . .	170
EMERGENCY MANAGEMENT PLAN MANUALS. . . . .	22
EMERGENCY OPERATIONS PLAN. . . . .	22
EMPLOYEE CONVICTIONS. . . . .	577
ESCAPES. . . . .	557
ETHICS. . . . .	168
EVALUATION. . . . .	565
EVIDENCE Bombs. . . . .	287
Custodial searches. . . . .	540
Digital. . . . .	408
Personnel complaints. . . . .	591, 594
PREA. . . . .	546
Public Safety Video Surveillance. . . . .	221
Seizing recordings. . . . .	334
EXPLOSIONS. . . . .	286
EXPOSURE CONTROL HAZMAT. . . . .	275
Officer. . . . .	584
Reporting HAZMAT exposure. . . . .	276
EYEWITNESS IDENTIFICATION. . . . .	426

## F

FIELD SOBRIETY TESTS. . . . .	394
FIELD TRAINING. . . . .	308
FIREARMS Civil commitments. . . . .	290
Concealed handgun permit. . . . .	33
Custody. . . . .	535
Destruction of animals. . . . .	521
Off-duty law enforcement actions. . . . .	230
Pursuits. . . . .	102
Vehicle maintenance. . . . .	480
Vehicle use. . . . .	480
FIRST AMENDMENT ASSEMBLIES. . . . .	357
FLYING WHILE ARMED. . . . .	90
FOREIGN Court orders. . . . .	117
Currency. . . . .	541
Nationals. . . . .	532
FOREIGN DIPLOMATIC AND CONSULAR REPRESENTATIVES. . . . .	293
FORMS	

# Mead Police Department

## Policy Manual

### Mead Police Department Policy Manual

---

Outside employment. . . . .	623	Aircraft accidents. . . . .	305
Service application request. . . . .	371	Authority. . . . .	11
<b>G</b>		Consular notification. . . . .	532
GANGS. . . . .	319	Foreign court orders. . . . .	117
PREA. . . . .	552	Identity theft. . . . .	196
GRIEVANCE PROCEDURE. . . . .	572	Off-duty law enforcement actions. . . . .	231
GRIEVANCES		Pursuits. . . . .	100
Outside employment. . . . .	623	Registered offenders. . . . .	187
Supervisor authority. . . . .	15	<b>K</b>	
GROOMING STANDARDS. . . . .	630	KEYS	
<b>H</b>		Searches. . . . .	121
HANDCUFFING AND RESTRAINTS. . . . .	54	<b>L</b>	
Custody. . . . .	536	LAW ENFORCEMENT AUTHORITY. . . . .	11
Persons with disabilities. . . . .	209	LIMITED ENGLISH PROFICIENCY. . . . .	200
HATE CRIMES. . . . .	164	PREA. . . . .	546
HAZARDOUS MATERIAL (HAZMAT)		LINE-OF-DUTY DEATHS. . . . .	653
RESPONSE. . . . .	275	<b>M</b>	
Aircraft accidents. . . . .	305	MAJOR INCIDENT NOTIFICATION. . . . .	191
Precautions. . . . .	585	MDT/MDC	
HIGH-VISIBILITY VESTS. . . . .	381	Use. . . . .	478
HOMELESS PERSONS. . . . .	347	Vehicles. . . . .	478
HOSTAGE AND BARRICADE INCIDENTS		MEAL PERIODS AND BREAKS. . . . .	617
Notifications. . . . .	191	MEDIA	
<b>I</b>		Aircraft accidents. . . . .	306
IDENTITY THEFT. . . . .	196	First amendment assemblies. . . . .	362
IMMUNIZATIONS. . . . .	586	Line-of-duty deaths. . . . .	662
IMPAIRED DRIVING. . . . .	394	Major incidents. . . . .	191
INFORMANTS. . . . .	421	OIS. . . . .	79
INFORMATION TECHNOLOGY USE. . . . .	170	Operations plans. . . . .	463
INITIATE A PURSUIT. . . . .	94	Warrant service. . . . .	457
INSPECTIONS		MEDIA REQUEST. . . . .	177
Control devices. . . . .	59	MEDICAL	
Exposure control. . . . .	584	Adult involuntary detention. . . . .	135
Firearms. . . . .	81	Aircraft accidents. . . . .	304
Holding cells. . . . .	536	Barricade situation. . . . .	279
Personal communication devices. . . . .	472	Examinations - PREA. . . . .	551
Personnel. . . . .	633	HAZMAT exposure. . . . .	276
Police vehicles. . . . .	477	Homeless persons. . . . .	347
Rangemaster. . . . .	90	Jail notification. . . . .	55
Technology use. . . . .	172	Leave act (FMLA). . . . .	582
INTERNAL AFFAIRS		Opiate antagonist. . . . .	369
Personnel records. . . . .	606	Personnel-body cavity searches. . . . .	543
INVESTIGATION AND PROSECUTION. . . . .	405	Personnel records. . . . .	606
<b>J</b>		Releases. . . . .	368
JURISDICTION		Treatment for communicable disease	
OIS. . . . .	72	exposure. . . . .	586
JURISDICTION		Treatment for occupational disease and work-	
		related injury. . . . .	628

# Mead Police Department

## Policy Manual

### Mead Police Department Policy Manual

---

MINIMUM STAFFING. . . . .	32	Crime scene and disaster integrity. . . . .	266, 266
MOBILE AUDIO/VIDEO (MAV)		Crisis intervention incidents. . . . .	353
OIS. . . . .	79	Custodial searches. . . . .	540
MOBILE DIGITAL TERMINAL USE. . . . .	322	Domestic violence. . . . .	115
MODIFIED-DUTY ASSIGNMENTS. . . . .	645	Firearm Confiscation. . . . .	73
MUTUAL AID		Foot pursuits. . . . .	342
First amendment assemblies. . . . .	360	Handcuffing and restraints. . . . .	54
Interstate peace officer powers. . . . .	12	Informants. . . . .	422
Warrant service. . . . .	456	Portable audio/video recorders. . . . .	327
<b>N</b>		Search and seizure. . . . .	121
NATIVE AMERICAN GRAVES (NAGPRA)	228	Seat belts. . . . .	600
NONSWORN		Vehicle pursuits. . . . .	93
Crisis intervention incidents. . . . .	355	Vehicle towing. . . . .	390
Investigation and prosecution. . . . .	406	Warrant service. . . . .	453
Vehicles. . . . .	479	OPERATIONS PLANNING AND	
NOTIFICATION		DECONFLICTION. . . . .	458
Consular. . . . .	532	OUTSIDE AGENCY ASSISTANCE. . . . .	184
NOTIFICATIONS		OVERTIME	
Aircraft accidents. . . . .	305	Court. . . . .	183
Animal bites. . . . .	520	Outside. . . . .	623
Cash. . . . .	483	OVERTIME PAYMENT. . . . .	621
Custody suicide attempt, death or serious		<b>P</b>	
injury. . . . .	537	PARKING	
Death. . . . .	194	Citations. . . . .	401
Exposure control. . . . .	584	PATROL FUNCTION. . . . .	259
Impaired driving. . . . .	396	PERSONAL APPEARANCE. . . . .	630
Jail. . . . .	55	PERSONAL COMMUNICATION DEVICES	471
Line-of-duty deaths. . . . .	654	PERSONAL PROPERTY. . . . .	467
OIS. . . . .	74	Loss or damage. . . . .	468
OSHA. . . . .	195	PERSONAL PROTECTIVE EQUIPMENT. . . . .	484
PREA. . . . .	549	PERSONNEL COMPLAINTS	
Prisoner transport issues. . . . .	558	Disabled persons. . . . .	214
Restraints. . . . .	55	Limited English proficiency. . . . .	206
Vehicle towing. . . . .	387	Portable audio/video review. . . . .	331
NUMERICAL FILING. . . . .	505	Protected information. . . . .	516
<b>O</b>		PERSONNEL ORDERS. . . . .	31
OATH OF OFFICE. . . . .	14	PERSONNEL RECORDS. . . . .	605
OCCUPATIONAL DISEASES AND WORK-		PHOTOGRAPHS	
RELATED INJURY AND DEATH		Aircraft accidents. . . . .	306
REPORTING. . . . .	628	First amendment assemblies. . . . .	358
OC SPRAY		PIO. . . . .	177
Decontamination. . . . .	55	POLICY MANUAL. . . . .	15
OFF-DUTY LAW ENFORCEMENT		PORTABLE AUDIO/VIDEO RECORDERS. . . . .	325
ACTIONS. . . . .	230	PREA. . . . .	545
OFFICER-INVOLVED SHOOTING (OIS). . . . .	72	PREGNANCY	
Notifications. . . . .	191	Custody. . . . .	529, 536
OFFICER SAFETY		Temporary modified-duty assignments. . . . .	647
Asset forfeiture. . . . .	415	PRESS INFORMATION OFFICER. . . . .	177
Civil commitments. . . . .	289	PRIVACY EXPECTATIONS	
		Administrative searches. . . . .	595
		Audio/video recordings. . . . .	325

# Mead Police Department

## Policy Manual

### Mead Police Department Policy Manual

---

MDT/MDC. . . . .	322
Personal communication devices. . . . .	471
Technology use. . . . .	170
Unmanned aerial systems. . . . .	449
Vehicles. . . . .	477
PRIVATE PERSONS ARRESTS. . . . .	198
PROMOTIONAL PROCESS. . . . .	569
PROPERTY PROCEDURES. . . . .	492
Controlled Substances. . . . .	493
Disputed Claims. . . . .	499
Packaging Of Property. . . . .	495
Property Handling. . . . .	493
Property Release. . . . .	497
PROPERTY PROCEDURES	
Property booking. . . . .	493
PROTECTED INFORMATION. . . . .	515
PUBLIC RECORDING OF LAW	
ENFORCEMENT ACTIVITY. . . . .	333
PUBLIC RECORD REQUESTS. . . . .	508
PUBLIC SAFETY VIDEO SURVEILLANCE	
VIDEO RECORDING	
Audio/Video. . . . .	219
PURSUITS	
Foot. . . . .	342
Vehicle. . . . .	93

## R

RANGEMASTER	
Firearms. . . . .	81
Inspections. . . . .	81, 82
RAPID RESPONSE AND DEPLOYMENT. . . . .	297
RECORDS BUREAU	
Administrative hearings. . . . .	399
Impaired driving. . . . .	399
Service of court documents. . . . .	371
RECORDS MAINTENANCE AND RELEASE	508
RECORDS RELEASE	
Adult abuse. . . . .	136
Audio/video recordings. . . . .	330
Eyewitness identification policy. . . . .	436
Public safety video surveillance. . . . .	222
Subpoenas and discovery requests. . . . .	511
RECORDS REQUESTS	
Personnel records. . . . .	607
RECORDS RETENTION	
Email. . . . .	30
Operations plans. . . . .	461
RECRUITMENT AND SELECTION. . . . .	560
REGISTERED OFFENDER INFORMATION	187
RELIGION	
Accommodations in custody. . . . .	535

NAGPRA. . . . .	228
REPORT CORRECTIONS. . . . .	175
REPORTING CONVICTIONS. . . . .	577
Family Violence. . . . .	577, 577
REPORT PREPARATION. . . . .	173
RESPONSE TO CALLS. . . . .	106
RESTRICTED INFORMATION. . . . .	179
RETALIATION	
PREA. . . . .	551
RETALIATION PROHIBITED. . . . .	574
REVIEWS	
Asset forfeiture seizures. . . . .	417
Bias-based policing - annual. . . . .	264
Crisis intervention incidents. . . . .	355
Departmental directives. . . . .	21
Emergency operations plan. . . . .	23
Exposure control plan. . . . .	584
Information technology. . . . .	172
LEP coordinator. . . . .	200
Policy manual. . . . .	17
Portable audio/video recordings. . . . .	331
Post pursuit. . . . .	99, 100
PREA data - annual. . . . .	552
PREA incidents - 30 days post-incident. . . . .	552
Prisoner transport systems. . . . .	555
Pursuit policy. . . . .	105
Registrant compliance - annual. . . . .	188
Staffing plan (PREA) - annual. . . . .	546
Temporary information files - annual. . . . .	319
UAS. . . . .	449
Use of force review board. . . . .	51

## S

SAFETY	
Canines. . . . .	478
Emergency assistance. . . . .	107
Emergency responses. . . . .	106
Firearms. . . . .	87
Hazardous material response. . . . .	275
Media. . . . .	177
Personal communication devices. . . . .	471
Release of protected information. . . . .	516
Unlawful or conflicting orders. . . . .	167
SAFETY	
Temporary flight restrictions. . . . .	178
SAFETY EQUIPMENT	
First amendment assemblies. . . . .	359
Hazardous material response. . . . .	276
High-visibility vests. . . . .	381
Seat belts. . . . .	600
Unauthorized. . . . .	638

# Mead Police Department

## Policy Manual

### Mead Police Department Policy Manual

---

SEARCHES. . . . .	120	Custodial searches. . . . .	544
Administrative. . . . .	595	Custody. . . . .	539
Body cavity. . . . .	543	Emergency operations plan. . . . .	23
Crime scene. . . . .	267	Fair and objective policing. . . . .	264
Custodial. . . . .	540	Firearms. . . . .	88
Dead bodies. . . . .	194	First amendment assemblies. . . . .	363
Police vehicle inspections. . . . .	477	Hate or prejudice crimes. . . . .	166
Strip. . . . .	541	Limited English proficiency. . . . .	206
SEARCH WARRANT		Operations planning and deconfliction. . . . .	463
Seized recording devices or media. . . . .	335	Personal communication devices. . . . .	474
SEARCH WARRANTS. . . . .	453	Personal protective equipment. . . . .	485
SEAT BELTS. . . . .	600	Personnel records. . . . .	606
SECURITY		Persons with disabilities. . . . .	215
Personnel records. . . . .	607	PREA. . . . .	553
SEXUAL ASSAULT		Prisoner transports. . . . .	558
PREA. . . . .	551	Protected information. . . . .	518
SEXUAL HARASSMENT		Public safety video surveillance. . . . .	222
PREA. . . . .	548	Rapid response and deployment. . . . .	299
SICK LEAVE. . . . .	582	Social Media. . . . .	234
SMOKING AND TOBACCO USE. . . . .	589	UAS. . . . .	450
SOCIAL MEDIA. . . . .	232	Warrant service. . . . .	457
Backgrounds. . . . .	562	TRANSFER PROCESS. . . . .	569
Media relations. . . . .	362		
STANDARDS OF CONDUCT. . . . .	167	<b>U</b>	
SUBPOENAS. . . . .	181	UNIFORMS	
Records release and discovery requests. . . . .	511	Courtroom attire. . . . .	182
Service of court documents. . . . .	371	UNIFORMS AND CIVILIAN ATTIRE	
SUBPOENAS AND COURT APPEARANCES	181	Vehicle use. . . . .	481
SUPERVISION DEPLOYMENTS. . . . .	32	UNLAWFUL ASSEMBLY. . . . .	360
SUPERVISION STAFFING LEVELS. . . . .	32	UNMANNED AERIAL SYSTEM. . . . .	449
SUSPICIOUS ACTIVITY REPORTING. . . . .	350	URINE TESTS. . . . .	395
		USE OF FORCE	
<b>T</b>		Review boards. . . . .	51
TECHNOLOGY USE. . . . .	170	USE OF SOCIAL MEDIA. . . . .	232
TEMPORARY CUSTODY			
Adults. . . . .	529	<b>V</b>	
TEMPORARY MODIFIED-DUTY		VEHICLE MAINTENANCE. . . . .	475
ASSIGNMENTS		VEHICLES	
Outside employment. . . . .	625	Pursuits. . . . .	93
TERMINATE A PURSUIT. . . . .	95	Towing. . . . .	387
TOLL ROADS. . . . .	481	VEHICLE USE. . . . .	477
TRAFFIC		VIDEO RECORDINGS	
Citations. . . . .	381, 400	First amendment assemblies. . . . .	358
TRAINING			
Adult abuse. . . . .	136	<b>W</b>	
AED. . . . .	369	WARNINGS	
Communicable disease. . . . .	587	Shots. . . . .	89
Community relations. . . . .	239	Traffic. . . . .	381
Control devices. . . . .	60	WARRANT SERVICE. . . . .	453
Criminal organizations. . . . .	320	WASHING OF VEHICLES. . . . .	476
Crisis intervention incidents. . . . .	356	WATCH COMMANDERS. . . . .	321