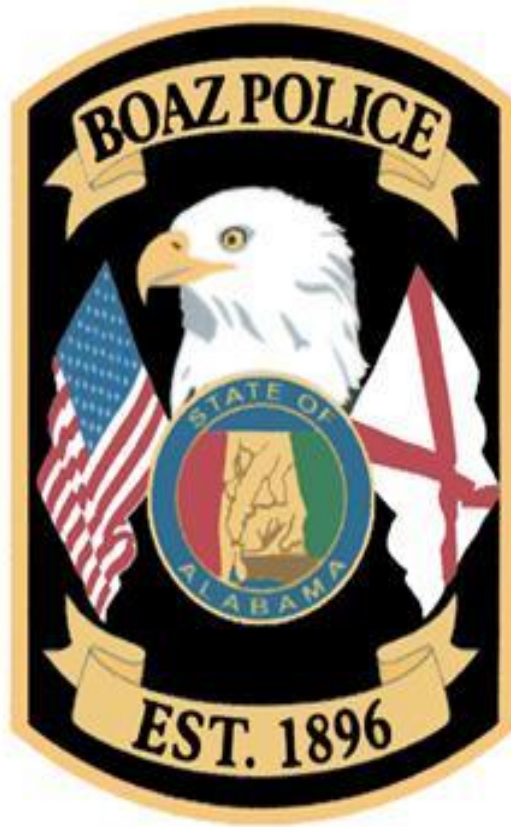


# **Boaz Police Department Standard Operating Procedures**

**(S. O. P.)**



Updated as of June, 2023; Adopted by Boaz City Council on \_\_\_\_\_

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## **Definitions**

The following are specifically defined terms. Words within this document are given their generally understood meaning or the meaning conferred upon them by the filed, unless specified otherwise.

### **Organizational units:**

**Headquarters:** The police building that house the staff offices of the various divisions and functions that are responsible for policing the City of Boaz. As of the date of last adoption of this SOP, Headquarters is located at \_\_\_\_\_.

**Organized unit:** Members of a force regularly grouped together under one head for the purpose of accomplishing a specified police purpose.

**Shift:** The period of day during which the personnel of a particular unit is on duty. The precise hours of work for each shift are established by departmental order.

**Detail section:** Members of the department grouped together for the accomplishment of a specified purpose. When not engaged in a continuing operation the detail is called a special detail.

**Post:** A fixed position or location to which an officer is assigned for duty, general or specific.

**Beat, zone, or sector:** An area, the boundaries of which are definitely established, assigned for patrol purposes, during the tour of duty of the members assigned.

**Squad:** Functional unit of a detail

### **Command terms:**

**Order:** An instruction, either written or oral, given by a ranking officer to a subordinate.

**General order:** A permanent written order issued by the Chief of Police affecting or of concern to the entire police department.

**Special operating procedure:** Written orders issued by the Chief of Police relating to some specific circumstances of situation.

**Chief's directive:** Orders which are not necessarily permanent and may be subject to change by the Chief of Police.

**Bulletins:** Publications to disseminate information or instructions which do not warrant a formal order.

**Chain of command:** The unbroken line of authority from the Chief of Police down through a single subordinate at each level of command, to the level of execution. All orders of execution and reports on such execution of orders shall move downward and upward through the chain of command with mutual consideration by all officers concerned. This chain of command shall be preserved in order to maintain principles of good administration.

**Through official channels:** The transfer of information through “levels of rank” in the chain of command, upward and downward, as the case may be.

**Personnel classifications:**

**Members of the department:** Any person under the direction, supervision, and control of the Boaz police department.

**Employee:** Member of the Boaz Police Department

**Police Officer:** a sworn member of the Boaz Police Department who has passed all entrance requirements of the police department for the position of patrolman.  
Members, officers, and policemen: These terms when used in the Manual of Rules and Regulations, or Rules of Procedure, shall be synonymous, one and the same.

**Superior Officer:** Members who have authority to administer supervisory responsibilities, whether temporary or permanent, over officers of lower rank or grade.

**Ranking Officer:** Members of the same grade will rank according to the date of their appointment to that grade unless otherwise ordered by the Chief of Police. A ranking officer shall exercise the authority in the best interests of the Boaz Police Department. He/she shall not unnecessarily countermand any order, or needlessly interfere with the specific duties of members ranking below him/her.

**Responsibility of Rank:** When two or more members are on duty working together, the member of the highest rank is in command and will be held responsible. If the members are of equal rank or grade, the member having the greatest seniority in rank shall, unless ordered differently by the Chief of Police or Assistant Chief of Police.

**Work in Harmony:** All members should strive to work in harmony and in the spirit of cooperation, rather than by authority.

**Commanding Officer:** A superior officer designated by the Chief of Police to supervise and command a particular organizational unit of the Boaz Police Department. In the absence of the Unit Commanding Officer, the next ranking officer present, by chain of command, will assume command to act in his capacity unless otherwise designated by the Chief of Police or Unit Commanding Officer.

**Seniority:** Seniority shall be determined first by rank, second by continuous service in rank.

**Acting:** Serving temporarily in a position to which the member is assigned by competent authority, usually a position of higher rank. All the authority, responsibilities, and duties of the higher rank fall upon the acting member.

**Personnel administration terms:**

**On Duty:** That period of the hours of the day when a member is actively engaged in the performance of his assigned duties.

**Off Duty:** That period of the hours of the day when a member is not actively engaged in the performance of his assigned duties; days off, annual leave, etc. An off duty member may be called to duty at any time if the situation or department requires.

**Special Duty:** Police duty assignment which requires that the member be relieved from the performance of his regular duties and, by assignment, perform such special duties as may be required by competent authority in keeping with the Manual of Rules and Regulations.

**Tour of Duty:** The shift during which the individual member is actually on official police duty.

**Days Off:** Every member of the Boaz Police Department shall be excused from duty on designated day(s) each week. The time or day of week shall be determined by the Commanding Officer, Chief of Police or Assistant Chief of Police to best meet the needs of the department and to ensure its efficient operation.

**Miscellaneous terms:**

**Manual of Rules and Regulations:** A manual of written instructions and directions prepared under the direction of, and issued by the Chief of Police with the approval of the Mayor and/or Council, to define the police purpose, organizational structure, specific duties, conduct of its units, and qualification or requirements of its members and employees.

**Procedure manual:** The manual prepared under the direction of the Chief of Police to outline in detail the Standard Operating Procedure (S.O.P.), General Orders and Chief's Directives of the Department.

**Procedures:** The official approved method of dealing with any given situation; something, or several things that must be done to accomplish a task, presented by general special order, or by the procedural manual of the Boaz Police Department.

**Notebook:** A book in which all members are required to record notes and pertinent information of all official police action. The required notebook is subject to inspection at any and all times by a superior officer.

**Report:** A written communication, unless otherwise specified, relating to police matters.

**Immediately:** Is to be construed to mean as soon as possible and practicable under the circumstances.

**Juvenile:** Anyone under the age of eighteen years.

**Shall and may:** Shall is mandatory, may is permissive.

**Pronouns:** Whenever used in these Rules and Regulations, may refer to either male or female “member” or employee, as the case may be. Pronouns under this section and throughout this document are intended to be gender neutral, to the extent not already specified herein.

**City Limits:** The area within the corporate limits of the City of Boaz, Alabama.

**Table of organizations:** A table or chart, establishing the span of control and delineating the chain of command with the structure of the police department.

### **General Information**

**Purpose of manual:** This manual promulgates department rules and duties to assist in their application in a uniform and orderly manner. This manual is a living document. It should be updated periodically and is in a constant state of change or betterment. No set policies, procedures or regulations can cover all circumstances which might arise. This manual shall serve as a guide post which, when used with common sense, sound judgment, and reasonable discretion, will aid in fulfilling the department’s obligations to the citizens of Boaz.

**Manual maintenance:** All members who are issued manuals are responsible for their maintenance and will make appropriate changes or inserts as they arise.

**Department directive section:** All members shall remain cognizant that the department directive section of this manual contains additional policy, procedure and clarification to many items stated herein.

**Function of the police department:** Officers shall preserve the peace, protect life and property, prevent crime, apprehend criminals, recover lost and stolen property, and enforce all federal, state and local laws and ordinances within the department’s jurisdiction in a fair and impartial manner..

**Crime and accident prevention:** By virtue of an officer's alertness concerning crime and traffic accident causative factors, he/she has a unique opportunity to observe such factors. Each officer should be alert to, and communicate to responsible persons, such conditions and recommend corrective actions. Information of this nature should be reported to the Chief of Police, who shall properly dispose of the same.

**Service to the public:** Officers shall constantly demonstrate absolute impartial service to all members of the public; readily exercise courtesy; and readily offer individual sacrifice in protecting and preserving life.

## **PART I**

### **Professional Conduct and Responsibilities**

**Unbecoming conduct:** Members shall conduct their professional and private lives in such a manner, both on and off duty, as to avoid bringing himself, another member, or the department into disrepute. Unbecoming conduct is that type of conduct which could reasonably be expected to destroy public respect for the officers and/or confidence in the Boaz Police Department. This includes incidences of moral turpitude.

**Loyalty to the department:** Officers and/or employees of the Boaz Police Department should publicly support and refrain from criticizing the department, its policies, and other officers. An officer should not criticize other officers by speech, writing, or expression in any other manner. When such speech, writing or other expression is defamatory, obscene, unlawful, or tends to undermine the operation of the department by impairing its efficiency, interferes with the maintenance of discipline, or is made with reckless disregard for its truth or falsity, an officer may face disciplinary action.

Rumors and criticism will not be tolerated at any time. Any violation of this policy may result in disciplinary action.

Tape recording devices should only be used in police related investigations, and in no way should they be used in any other situations. Any violation will result in disciplinary action.

**Cooperation:** Cooperation between members of the department is essential for effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high degree of cooperation within the department. All officers are required to engage in appropriate police action toward aiding a fellow peace officer exposed to danger or in a situation where danger might be impending.

#### **Publicity:**

1. Media: No member shall directly or indirectly seek publicity for himself or the department to the press, radio, television, or other news media with regard to police



matters or activity; nor shall he furnish information to same for the purpose of gaining personal recognition as a police officer.

2. Information will be released by the Chief of Police or the Assistant Chief of Police only, unless a member is instructed to do so by the same. Under no circumstances will a matter of police business be discussed with the media or anyone else without the prior approval of the Chief or Assistant Chief of Police. When instructed by the Chief or Assistant Chief, members shall cooperate with representatives of the press and news media, giving the proper information relating to incidents that come to police attention except:

- a. When the incident has been classified as confidential or “no publicity” by a superior officer.
- b. When in the opinion of the member or his or her superior officer, public knowledge of the information will jeopardize the police objective.
- c. Statements covering plans, policies or affairs of the administration of the Boaz Police Department, or a superior officer duly authorized the Chief of Police.

3. From Informants: Members shall not divulge to anyone, except to other members Of the Boaz Police Department to whom it may be necessary, the name of any person giving confidential information. Such information presented to this Department in connection with any crime must be carefully guarded as the source and shall not be divulged or given publicly.

4. To Citizens: A member shall give all proper information to persons requesting same, carefully, courteously, and accurately, avoiding all unnecessary conversation, controversy and he shall give his name in a respectful manner to any person who requests it.

5. Reporting: Members of the department are encouraged to offer suggestions and information through normal channels for improvement of police service.

#### **Communication and correspondence:**

1. Restrictions: Members shall not:
  - a. Use departmental letterhead for private use.
  - b. Send correspondence out of department without approval of a superior officer.

**Department address:** Members shall not use the department as a mailing address for private purpose. The department address shall not be used on any motor vehicle registration, driver’s license or any other license or permit.

**Badge of office:** It is the specific intent of this section to limit the use of member’s badge of office to matters within the scope of his employment.

1. Display of badge: All members of the Boaz Police Department shall wear the official badge while on duty and in uniform. No other device or badge, unless specifically authorized by the department, shall be worn.
  - a. Members shall at all times carry their badge and/or official identification card,

except when this is not feasible due to a specific duty assignment or off-duty situation.

- b. Whenever a member of the Boaz Police Department takes any police action he shall promptly and respectfully identify himself unless identity is obvious. The member shall also furnish his name and rank in a respectful manner to any citizen who may reasonably request the same.
2. Unauthorized Use: A member shall not, at any time, use his badge, position or identification card for personal or financial gain. A member shall not permit any other person or member to use his badge or identification card.
3. Lost or Damaged Badge: The badge shall not be altered or transferred except by order of the Chief of Police. When a member's badge is lost or damaged, it shall immediately be verbally reported and subsequently in writing to his/her commanding officer.

#### **Associations:**

1. Personal associations: A member shall avoid associations or dealings with reputed criminals except in the performance of duty.
2. Subversive: A member shall not be a member of any organization which has a stated or implied purpose of or mission to engage in or support the overthrow of or interference with the established, lawful government by force or other illegal means.
3. Member urged to join: Members are encouraged to become members of recognized civic, fraternal, social, police organizations and societies, and to work through such organizations for the betterment of intra-department and community relations.

#### **Politics:**

1. Membership: As an individual, each member retains the rights and obligations of citizenship provided in the constitution and laws of the State of Alabama and of the United States; however, no member shall:
  - a. Be an officer in, hold service in, run for or hold political office during his employment, except as provided by Alabama Law.
  - b. Require political service from a subordinate.
  - c. Otherwise use the authority of his position or city property to support, oppose or affect the results of any candidate, party, or issue in a partisan election.
  - d. Solicit assessments, contributions or services for any political party from any person, except as provided by Alabama law.
2. Right of Member: A member may hold membership in and support a political party, vote as he chooses, express privately an opinion on all political subjects and candidates, maintain neutrality and/or attend political meetings as any other citizen can.

#### **Alcoholic beverages/drugs**

1. Alcohol

- a. Members shall not at any time be intoxicated or have the smell of alcohol on their breath or person while on duty or performing police-related off-duty work. They shall not at any time, on or off duty, be intoxicated in public view.
  - b. Members shall not consume intoxicants while off duty to the extent that evidence of such consumption is apparent when reporting for duty, or to the extent that ability to perform duty is impaired.
2. Drugs
  - a. Members shall not use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of members by a physician or other licensed, prescribing medical professional.

**Any member in violation of this section shall be subject to discipline up to and including immediate termination.**

#### **Gifts, gratuities, etc.**

1. Soliciting: Members shall not use their official position to solicit special privileges for themselves or others such as free admission to places of amusement, discounts on purchases, or other favors. An officer may use his badge to obtain admission to any public gathering in the furtherance of his official duty.
2. Accepting
  - a. Members shall not accept either directly or indirectly any gift, gratuity, loan, fee or any other thing of value arising from or offered because of police employment or any activity connected with said employment.
  - b. Members shall not accept any gift, gratuity, loan, fee or other thing of value, the acceptance of which might tend to influence directly or indirectly the actions of said member or any other member in any matter of police business, or which might tend to cast an adverse reflection on the department or any member thereof.
  - c. No member of the department shall receive any gift or gratuity from other members junior in rank without the express permission of the Chief of Police.
  - d. Members are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their department employment except as may be specifically authorized by the Chief of Police.

**Rewards:** Members shall not accept any reward in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency except lawful salary.

**Disposition: Gifts, gratuities, gifts, rewards**

1. Any unauthorized gift, gratuity, loan, fee, reward or other thing falling into any of these categories coming into the possession of any member shall immediately be forwarded to the Chief of Police with a written report explaining the circumstances connected therewith. Proper disposition of such shall rest with the Chief of Police.

**Debts: Incurring and payment**

1. Incurring: No member shall borrow money or otherwise become indebted to any other member except as permitted by written directive on this subject.
2. Payment: Members shall pay all just debts and legal liabilities incurred by them.

## **PART II**

### **General duty requirements**

#### **General information**

1. Residence: All members of the Department are encouraged to reside within the Boaz Police jurisdiction; however, it is not required. Members shall not reside so far outside the jurisdiction that it impairs his or her ability to respond in case of an emergency situation.
2. Department Telephones: Departmental telephone equipment is to be used for the transmission of police-related business—i.e., only when absolutely necessary. Private messages on local exchange will be held to a minimum. When answering a departmental telephone, a member will respond promptly, giving the name of his unit or office and his rank or title and last name.
3. Personal telephones: Members are required to have telephones in the place where they reside. Changes in address or telephone numbers shall be reported in writing to the commanding officer within 24 hours of the change and shall be forwarded to the personnel roster in the record clerk's office.
4. Vacation Address: Members shall report their address and itinerary before any vacation or leave of absence to their superior who shall forward the same to the Chief of Police.
5. Study Daily Bulletins (Hot Sheet): Members shall familiarize themselves each day with all notices, emails, orders, descriptions of missing and wanted persons, stolen and lost automobiles or other property and other pertinent information.
6. Familiarity with Area: Officers shall know the names and general locations of streets, hospitals, buildings, agencies, business establishments and associations in the City. They shall know the State and United States highways that pass through

the city and the names and distances of the principal towns on them in reasonable proximity to Boaz.

7. Maintenance of Quarters: Members shall maintain quarters, lockers and desks used by them in a neat, clean and orderly fashion. Those working at desks shall clear them at the end of their tour of duty, and thereby protect the security of all materials which they have been working.
8. Conduct at Headquarters: Members shall not indulge in horseplay or in loud and boisterous conversation in public view or hearing. Rather, they shall direct and coordinate their efforts to establish and maintain the highest level of professionalism, efficiency, morale and achievement. They shall conduct themselves in such a manner as to maintain harmony, promote morale and encourage efficiency.

**Performance of Duty:** Officers shall at all times be attentive to their duties and by their alertness and observation, demonstrate their interest in their work. A member shall conscientiously strive to enforce the laws within their jurisdiction, render service to all citizens within the city and shall be held responsible for the proper performance of all duties assigned to his and for strict adherence to the rules, regulations, manuals and directives promulgated by the department.

**General responsibilities:** Within the City, officers shall at all times (whether on or off duty) take appropriate action to: Protect life and property; preserve the peace; prevent crime; detect and arrest violators of the law; enforce all federal, state and local laws and ordinances coming within departmental jurisdiction; and perform such other duties as may be required by competent authority. (ref: arrests pg. 22-24)

**Conduct toward superior and subordinate officers and associates:** Members shall treat superior officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and particularly in the presence of other members or public, officers should be referred to by rank and surname.

#### **Laws/regulations/orders**

1. Knowledge of: Every member is required to acquire and maintain a working knowledge of all laws and ordinances in force in the city, and the rules and policies of the department and divisions thereof. In the event of improper action or breach of discipline, it will be assumed that the member was familiar with the law, rule or policy in question.
2. Obedience to laws and regulations: Members shall observe and obey all laws and ordinances, all rules, regulations and orders of the department.
3. Reporting violations of laws, ordinances, rules or orders: Members knowing of other members' violation laws, ordinances or rules of the department, or disobeying orders, shall report the same in writing to the Chief of Police through official channels.

4. Enforcement of Laws and Ordinances: The failure on the part of any member to take action regarding violation of statutes, laws, ordinances and regulations coming to their attention, or about which they have knowledge, shall be made the subject of disciplinary action. All members are equally responsible for the enforcement of all laws and ordinances within their jurisdiction and department regulations.
5. Lawful orders, obedience to: A member shall promptly obey and execute all orders of a superior officer; including orders relayed from a superior officer by another member.
6. Authority of Acting Superior Officer: An officer temporarily filling the position of a superior, in an acting capacity, shall have like authority and responsibilities of the superior, but shall not interfere with or modify orders previously issued by the superior, except in extreme emergency, and/or when such action is fully justified under the circumstances.
7. Dispatcher, obedience to: Members shall, regardless of rank, obey instructions given by the dispatcher unless they are fully prepared to justify contrary actions.
8. Insubordination: Insubordination is unacceptable and will not be allowed. Failure of any member or employee to obey an order given by a superior officer is considered insubordination.
9. Unlawful Orders: No commanding or supervisory officer shall knowingly issue any order which is in violation of any law or ordinance or department rule.
10. Obedience to Unlawful Orders: Obedience to an unlawful order is never a defense for an unlawful action; therefore, no member is required to obey any order which he/she knows to be contrary to federal or state law or local ordinance. Responsibility for refusal to obey rests with the member. He/she shall be strictly required to justify his actions.
11. Obedience to Unjust or Improper Orders: Members who are given legal orders which they feel to be unjust or contrary to rules and regulations must first obey the order to the best of their ability and then may proceed to appeal as provided herein.
12. Conflicting Orders: Upon receipt of an order conflicting with any previous order or instruction, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the department.
13. Reports and Appeals-Unlawful, Unjust, Improper Orders: A member receiving an unlawful, unjust or improper order shall, at first opportunity, report in writing to the Chief of Police through official channels. This report shall contain the facts of the incident and the actions taken. Appeals for relief from such orders may be made at the same time. Extra departmental action regarding such an appeal shall be conducted through the office of the Chief of Police and the Commissioner of Public Safety. The report will be evaluated and further action shall be taken, if appropriate.

### **Information Receipt and Dissemination**

1. (Hot Sheet): Information contained thereon shall have the force and effect of departmental official orders and reflect department business. Members shall familiarize themselves thoroughly and shall be held responsible for the contents of the hot sheet.
2. Reporting of Information:
  - a. Members shall promptly submit such reports as required by the performance of their duties or by competent authority.
  - b. A member shall report to his superior officer all information that comes to his attention concerning organized crime, racketeering, vice conditions or violation of any laws which the member does not act upon, but which should be referred for subsequent actions.
  - c. No member shall knowingly or recklessly falsify any official written or verbal report or enter or cause to be entered any inaccurate, false or improper information on records of the department, or intentionally withhold relevant or helpful material matter from such report.
  - d. No departmental record shall be destroyed or permanently removed from its file except on the order of the Chief of Police and in compliance with applicable law.
3. Dissemination of Information: A member shall not disseminate any confidential information of the department or its members or the public without proper authority. If a member is unsure whether information is confidential he/she must first ask his superior prior to disclosing such information.
  - a. Such information is defined as that which a person could reasonably foresee that the disclosure thereof could: endanger a member or any other person; impede a just disposition of a case; aide a person to escape arrest; delay the apprehension of a criminal; permit the removal of stolen property or evidence by a suspect; compromise or negate the judicial process; violate a statute of the United States or this State or City pertaining to the release of designated confidential information; make known the contents of an internal or criminal investigation record or report to an unauthorized person; or any other action which would subvert the purpose or goals of the Department.
  - b. Specifically, information contained in police records, other information ordinarily accessible only to members and employees, and names of informants, complainants, witnesses and other persons known to the police are considered confidential.
  - c. A member may be assigned to a position or function whereby he will come in contact with information pertaining to the internal administration of the department, development of procedures and programs, or publicly sensitive matters. Such information shall be regarded as confidential, and a member shall exercise prudent consideration prior to divulging the substance or contents of the same to any unauthorized person. Such information should be imparted by a superior officer duly authorized to do

so by the Chief of Police. With regard to these matters, members should err on the side of confidentiality.

- d. A member may remove or copy official records or reports from the department only in accordance with existing regulations and procedures and on proper authority. A member may divulge, make known, or exhibit the contents of an official file or record only to duly authorized police officers or agencies; as provided by law and on approval of the Chief of Police; under subpoena duces tecum served on the Department. The member must make his or her superior officer or shift supervisor aware of his or her intent to disclose this information prior to disclosure.
  - e. No information shall be released pertaining to juveniles except to the parent or legal guardian. Inquirers shall instead be referred to the Juvenile Probation Officer.
4. News Media: This policy is intended to be in addition to the provisions relating to release of information to news media which has been articulated elsewhere herein.
- a. Information will be released to the media by the Chief of Police or Assistant Chief only, unless a member is instructed to do so by the same.
  - b. When instructed by the Chief of Police or the Assistant Chief of Police, members shall cooperate with representatives of the press and news media giving the proper information relating to incidents that come to police attention in compliance with the dissemination of information policy.
  - c. Administrative news concerning the department, procedure, policies, etc., is released only by the Chief of Police or his designee.
  - d. The investigating officer at a scene of a police incident is authorized to release basic, accurate information only as the type of incident that has occurred or that a suspect has not been arrested. The inquirer will then be referred to the Assistant Chief of Police or Chief of Police for any further information or disclosure.
  - e. In a continuing investigation, media inquiries shall be referred to the Chief of Police or Assistant Chief for response.
  - f. Dispatch desk personnel may not release information which is contained on "public record" police reports without permission from the Chief of Police or the Assistant Chief.
  - g. No information shall be released by any member when, in that member's opinion, public knowledge of the information will jeopardize the police objective. In such cases, the media shall be referred to the Chief of Police or the Assistant Chief.
  - h. Members shall display all courtesies possible and practical when engaging with news media personnel.
  - i. Releasing Photographs: Representatives of the news media may be provided with photographs if the release will not jeopardize an on-going investigation and if the release has been cleared with the Chief of Police. Still or motion pictures of deceased persons **shall not** be released under any circumstances; photographing is permitted when a body is covered



with a shroud, but only when doing so preserves the dignity of the deceased.

### **Reporting for duty**

1. Unless otherwise directed, members shall report to work at least twenty minutes prior to their assigned work shift, properly uniformed and equipped, and mentally and physically ready to assume their duties. They shall give careful attention to orders and instructions. Every member reporting for duty shall acquaint himself/herself with the events that have taken place since the end of his/her last tour of duty.
2. Absence from Duty: Expected absence from duty must be communicated to the proper authority in advance as explained in the employee handbook and this document. A member who fails to follow this procedure will be considered to be absent without permission and subject to discipline.

### **Request for time off**

1. Only one officer or employee on each shift shall be allowed to take time off during any period at the same time. The scheduling and approval of off duty time is the responsibility of the shift supervisor. The request for off duty time relating to military leave will be given top priority to insure compliance with State and Federal Military Regulations. Any request pursuant to the Family Medical Leave Act (FMLA) will also be given priority to insure compliance with federal regulations. Exceptions to this policy must be approved by the Chief of Police or Assistant Chief.

### **On duty time**

1. Restricted to police tasks: A member shall restrict his police duties during working hours to his assigned duty area unless otherwise detailed. A member shall not perform any police duty for the purpose of private gain, or make any purchase, conduct personal business, or devote any of his time to any activity other than that which relates to police work, while in uniform or on duty.
2. Relief: All members are to remain at their assignment and on duty until properly relieved by another member or until dismissed by competent authority. A member who becomes ill while on duty and finds it necessary to leave an assigned post or duty shall report this fact to his immediate supervisor before leaving the assignment or post.
3. Meal period: All members of the department shall be permitted to suspend patrol, as workload allows, subject to immediate call at all times, for the purpose of having one (45) forty-five-minute meal period during their tour of duty. Two (20) twenty-minute breaks per shift are allowed to be handled the same way. When applicable on a 4 man shift, only 2 officers should take their 45 minute meal period at the same time leaving 2 officers to handle calls.

## Uniform and equipment

1. **Personal Appearance:** A member, while on duty, shall maintain a neat, well-groomed, shaven appearance in accordance with existing regulations. Uniforms shall be worn in accordance with existing regulations.
2. **Manner of Dress:**
  - a. **Neatness of Uniforms:** Members shall maintain their uniforms, civilian attire, and equipment in serviceable condition. Clothing shall be clean, pressed and shall not be noticeably patched, torn or worn down. Leather, metal equipment, and shoes shall be highly polished. The shoes or boots approved for wear will be black leather, patent leather or low quarter oxford shoes and must be smoothed toed. Socks must be black—white socks are not permissible.
  - b. **Special Assignment Dress:** Commanding officers may prescribe other clothing as required by the nature of the duty to which a particular member is assigned. Investigators will wear dress slacks, dress shirts with a collar (either button up or pull over) and dress shoes; unless permission is granted by the Chief of Police or Assistant Chief for other clothing attire.
3. **Hair:** At all times while on duty, unless expressly authorized by competent authority, all members shall be well-groomed and clean in their person. Female members' hair must be clean, neat, combed. Male members' hair must not be longer than the top of the shirt collar at the back of the neck when standing.
4. **Beards/Mustaches-** A groomed and maintained mustache, goatee or beard is authorized. Beards must be worn with a mustache. Goatees must be worn with a mustache. Facial hair must not be longer than one half (1/2") inch in length. No portion of the beard may be exceptionally longer than the rest. The facial hair should be grown in a natural shape or form. The neck and cheeks shall be clean shaven at all times. Members shall not be allowed to leave patches of hair below the bottom lip without accompanying full beards. Sideburns can only be grown in accompaniment with a beard. Razor shaping and/or pencil thin beards and /or mustaches are not allowed. The rank of Captain or higher may require an officer, jailor or dispatcher to shave any facial hair, except as currently permitted in the S.O.P. for non-compliance upon the first instance or occurrence. Thin or spotty beards as determined or described by an officer of Captain rank or higher will not be allowed. Any employee that has been directed to shave due to non-compliance will be required to remain clean shaven for a period not to exceed one hundred and twenty (120) calendar days. This policy is not intended as a "scapegoat" to not shave. Mustaches shall be neatly trimmed and shall not extend beyond or below the corners of the mouth if grown without a beard. No handlebar or other extraneous, extravagant, or overly artistic style mustaches will be allowed.
5. **Exceptions-** Exceptions to these rules may be allowed for officers who are working in an undercover type activity in an official capacity for the Department.

## **Uniform regulations**

1. Class A Uniform: All employees will be required to maintain a Class A uniform. The Class A uniform is made of 100% Polyester. Each officer will be required to maintain a long and short sleeve Class A uniform. For ranking officers, the Class A Pants will have a ½ inch gold stripe down each side. For patrol officers, the Class A pants will have a ½ inch black stripe down each side. The uniform will be worn with a polished metal badge and metal name plate. The Chief of Police or the Assistant Chief of Police will determine when the Class A uniform will be worn. Dispatchers and Jailers are not required to have a class A uniform.
2. Class B Uniform: The authorized, daily use uniform for officers will be the Class B uniform. This uniform will be chosen by a uniform committee selected by the Chief of Police. The badge will be embroidered over the left breast pocket. The name plate will be embroidered over the right breast pocket with the last name only for patrol officers. Officers with rank will have their rank abbreviated, Capt. for Captain and Sgt. for Sergeant and then their last name embroidered on the same line or below. Captains will have sewn in Captains bars stitched on the collar. Sergeants will have Sergeants stripes sewn onto the sleeves. Patches will also be sewn on in the same manner as the Class A uniform. The Class B uniform shall be pressed, not wrinkled and not show signs of wear. It will also be periodically dry cleaned to maintain its shape. The approved Dispatcher/Jailer Uniform shall be one that has been approved by the uniform committee and may have certain deviations from the patrol officer uniform as described herein. The shirt will have a badge embroidered on it with either Corrections or Communications in the rocker on the left side and their last name will be embroidered on the right side. **Exceptions to this will be approved by the Chief of Police and the Assistant Chief of Police.**
  - a. Headgear: The approved headgear for the Department shall be a black or navy-blue type baseball cap with gold, grey, or silver embroidered "Boaz Police" on the front of them or a solid black baseball cap. Officers may wear toboggans during the winter months with the same color scheme and embroidery as the ball caps.

## **Reflective traffic vest**

1. Every officer shall be required to maintain a "DOT" approved reflective vest. The reflective vests are provided for the safety of each officer. All police officers working accidents or directing traffic for any purpose shall wear the reflective vest regardless of weather conditions or lighting conditions. Any other department employee assisting with a traffic accident or directing traffic for any purpose shall also be required to wear a reflective vest.

## **Property-departmental and city**

1. Use of: Members shall use department equipment/property only for its intended purpose and are prohibited from using such property in the conduct of their own personal or private affairs either on or off duty. City property

may not be removed from the premises without prior approval from the Chief of Police.

2. Care of: Members shall maintain department property and equipment assigned to them in good condition, and shall immediately report any loss or damage. In the event that city property is found bearing evidence of damage which has not been reported, it shall be considered prima facie evidence that the last person using the property/equipment was responsible.
3. Conservation: Strict economy shall be observed in the use of fuel and lights; city property shall be neither wasted nor destroyed.
4. Surrender of Equipment: Members are required to surrender in good condition all department property in their possession upon separation from service.
5. Purchasing Supplies: No member shall purchase or order anything in the name of the department except as specifically designated by the Chief of Police or Assistant Chief of Police.
6. Notices: Members shall not mark, alter or deface any posted notice of the department.

#### **Accident involving department vehicles**

1. Every employee involved in an accident while operating a city-owned vehicle shall:
  - a. Remain at the scene, notify the dispatcher of the accident and if able, render aide to others involved.
  - b. Immediately notify dispatch to call an ambulance if necessary.
  - c. If able to safely do so, mark and remove all involved vehicles and debris from the roadway.
  - d. Notify the shift supervisor who will go to the scene and notify the Assistant Chief or Chief of Police.
  - e. If the accident is minor, with little or no damage, the shift supervisor will notify the Assistant Chief or Chief of Police who will then make the determination regarding further or additional steps. No matter how minor the incident, the officer involved will still be required to submit to a drug screen.
  - f. The shift supervisor, Chief of Police, or Assistant Chief of Police will notify the City of Boaz Personnel Director and advise them of the accident.
  - g. If the employee has any kind of minor injury, contact the triage hotline provided.
2. Investigation of reports:
  - a. In the event a member is involved in an accident with another person or vehicle on the roadway which involves another person or citizen, the shift supervisor shall notify the Alabama State Troopers office. The Alabama State Troopers shall conduct any necessary investigation into these incidents.
  - b. If the accident involves the officer only with no other involved citizens or citizen owned property damage, with no injuries and relatively minor

damage to the officer's vehicle, the shift supervisor can make the determination to complete an incident/offense report, notify the Assistant Chief or Chief of Police and the City of Boaz Personnel Director. This policy shall also apply when the incident occurs on private property, not on the roadway.

- c. Photographs or videos shall be taken of all vehicle accidents involving any city employee and attached to a completed report.
- d. An employee involved accident report will be completed on all vehicle accidents and forwarded to the Chief of Police.
- e. Guidelines of employee drug testing will be followed as set forth in the City of Boaz Employee Handbook.

Adjustment or settlement of claims: Whenever any employee of the department has any accident and sustains any loss or injury which results in the City incurring any expense for his treatment, or which prevents him from continuing his regular police duties, the member shall not make any adjustment or settlement of any claims or make any statement concerning said accident, but shall notify the Chief of Police who shall refer the matter to the City of Boaz Personnel Director. Further, the Member should make note of any calls from persons claiming to represent insurance companies or individuals with regard to adjustment or settlement of claims and retain the same throughout the pendency of the matter.

#### **Evidence/found property**

- a. Members shall not, under any circumstance, manufacture or destroy, or remove from the scene, or convert to his own use, **any** evidence or other material found in connection with an investigation, or otherwise, of a crime. All such evidence or material or found property shall be properly collected, identified, preserved and turned in to the designated receiving officer or properly labeled, logged, and placed into an evidence locker prior to the end of the officer's tour of duty.

#### **Investigations**

- a. Reporting an Incident
  - 1. Any member observing or receiving a report of any crime, accident or other police incident, shall immediately report the incident to the dispatcher so that the offense may be logged at that time.
- b. Request for Assistance
  - 1. When the public applies for assistance or advice and/or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner. It shall then be properly and judiciously acted upon consistent with existing rules, regulations and policies.
- c. Response to Calls
  - 1. Officers shall remain available to the dispatcher at all

- times except when the dispatcher is notified of an “out-of-service” status. Officers shall, at all times, respond promptly and safely to all radio calls directed to them or direct calls or requests from citizens for aid.
2. Officers of the department shall respond without delay to all calls for police assistance from citizens or other other members. Emergency calls take precedence; however, all calls shall be answered as soon as possible.
  3. If an officer or dispatcher fails to answer his/her radio after three or more attempts by the dispatcher or an officer, the shift supervisor will require them to complete a written statement of the reason they did not respond to radio traffic.
- d. Prompt Action
1. Officers shall act promptly, professionally, and decisively at the scene of any incident requiring police attention.
- e. Interference with Private Business
1. Officers shall accomplish their purposes while being cognizant of all citizens’ rights and shall not unnecessarily interfere in the private and legitimate business of any person.
- f. Action on calls outside the City
1. Officers are allowed to answer emergency calls, other calls for assistance from other agencies and mutual aid calls outside the Boaz City Limits. **Should the response result in the need for an arrest to be made by the Boaz Police Department, the arresting officer shall immediately take the arrestee to the county jail in the jurisdiction in which the offense occurred. The arresting officer should then follow up with the jurisdiction where the offense occurred regarding appropriate documentation and any necessary paperwork.**
- g. Command of scene
1. At the scene of any crime, accident or other police incident, the ranking officer present shall assume command and direction of police personnel in such a manner as to assure the most orderly and efficient accomplishment of the police task. When two or more officers of the same rank are present, one shall assume charge. If there is a dispute regarding which officer shall assume charge, the officer with the most seniority with the department shall assume charge. When no superior officer is present, the officer arriving at the scene first will be in charge. At the scene of homicides and other major crimes, any member who is investigating the crime shall be in complete charge without regard to the rank of officer’s present.

- h. General responsibilities of officers at crime scenes
  - 1. The first officer to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:
    - A. Summoning medical assistance and rendering first aid as required to prevent further injury or loss of life;
    - B. Arresting violator(s);
    - C. Securing the scene (protect the area and prevent the destruction, mutilation, concealment or contamination of evidence); and
    - D. Obtaining the names, addresses, and phone numbers of all parties involved and all witnesses with complete details relating to the incident.
- i. Responsibilities of assigned officers at crime scene
  - 1. The officers assigned to perform the preliminary investigation of a crime or other incident are responsible for the duties in section (h) above as necessary, and the completion of the preliminary investigation as directed. This shall include, but not limited to, securing statements and other information which will aid in the successful completion of the investigation, and locating, collecting and preserving physical evidence relevant to the investigation.
- j. Relief of Officer Conducting Preliminary Investigation
  - 1. The officer assigned to the preliminary investigation will remain at the scene until relieved or directed to do so by a superior.
- k. Reports
  - 1. All members shall prepare required reports as prescribed by department procedure. No member shall knowingly or recklessly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on records of the department.

## **Arrests**

- 1. Arrest-general
  - a. Risk involved: Officers shall distinguish between foolhardiness and courage in making arrests and shall summons assistance when an unaided arrest seems unwise.
  - b. Trivial violations: Officers may issue warnings rather than effecting arrests in trivial offenses when such would suffice.
- 2. Fixing traffic tickets: No member of this department shall alter,

change, “fix”, or attempt to “fix” any traffic ticket except in cases where a traffic ticket has been unlawfully issued or issued in error. The officer issuing a traffic ticket has the option of forwarding a completed officer recommendation to the court for approval on any ticket they have issued.

3. Off-duty arrests: Members of the department are responsible at all times for the enforcement of laws within the city limits. **There is a dividing line between the situation that an off duty officer acting in his/her capacity as a law enforcement officer can handle and the situation that he/she must handle.** An off-duty member shall make an arrest if a felony is committed in his or her presence, if life or property is threatened or if the situation is of an emergency nature that cannot wait for the arrival of on-duty members.
4. Making arrest: In making arrests, officers shall strictly observe the **“laws of arrest”** and the following provisions:
  - a. Informing arrestee: at the time of an arrest, the person arrested has a right to know the true reason for such arrest and the officer’s authority.
  - b. Restraint: officers should use only the level of restraint which is necessary in order to ensure safe custody and the safety of the officer.
  - c. Search of arrestee: regarding the arrest, transportation, and detention of prisoners, the officer shall take precautions to prevent an escape, injury to himself or another or damage to property. When making an arrest, he/she shall search the prisoner carefully and shall immediately take possession of all weapons and evidence. The arresting officer is responsible for the possessions of the arrested person under his control at the time of arrest, except for vehicles or other property collected as evidence. This responsibility transfers to the transportation officer when they accept custody of the arrested person and ultimately to jail personnel.
  - d. Allowing privileges: an officer making an arrest shall not accompany the arrestee to his home or room or elsewhere, except with the consent of a superior officer.
  - e. Booking: every person arrested for any cause shall be brought to the police department promptly for booking. The arresting officer is responsible for the arrested person until he/she is turned over to jail personnel. Jail personnel and the shift supervisor shall be notified of all injuries, apparent illness or other conditions which may indicate the need for special care such as hospitalization or emergency room care.
  - f. Dismissal of charges: officers shall not unilaterally act to dismiss the charges against an accused. If he or she has sufficient reason or



knowledge to believe charges should be dismissed, he or she should alert his or her supervisory or superior officer and complete an Officer Recommendation Form which is to be turned into the City Prosecutor or directly to the Boaz City Court.

g. Inventory of vehicle prior to towing: officers shall inventory the accused's vehicle and document any valuables inside. Officers shall document any damages to the vehicle prior to it being towed.

5. Apprehension of persons wanted by other jurisdictions

a. When the department apprehends a person "wanted" pursuant to an arrest warrant, BOLO, or other appropriate method of publication or request, by another law enforcement agency and not by this department, the person will be booked and information routed to the appropriate agency.

b. Any person wanted by this agency and another jurisdiction shall be booked in at the Boaz Police Department and the arresting officer, jail personnel, or dispatch shall:

1. Notify the interested jurisdiction and confirm that the warrant is valid and that the agency wishes to place a hold on the subject.

2. The booking officer shall make note on the booking sheet of the agency that has a hold on the arrestee.

6. Searches of apprehended persons: Women and juvenile girls who are in custody of the department should not be searched by male police officers unless immediate search under one of the following conditions appears to be necessary and no women employees are available. Men and juvenile boys who are in custody of the department should not be searched by female officers unless immediate search under one of the following conditions appears to be necessary and no male employees are available. (Under these conditions, other department employees as witnesses are strongly preferred if possible or practicable)

a. When there is a good reason to believe that the person has in their possession a weapon, poison, drugs or other means of causing death or injury to the arresting officer, to themselves, or another.

b. When there is good reason to believe that stolen property or evidence is hidden about the person and there is imminent danger that it may be thrown away or destroyed.

c. Such search by a member shall be reported in writing to the commanding officer.

7. Transportation of inmates: Male prisoners should not be transported in the same vehicle with female prisoners unless arrested at the same time or for offenses constituting the same act.

8. Arrest of juveniles:

a. Definition: A juvenile is an individual under the age of 18; or under 19 and who committed the act of delinquency with which he is charged before reaching the age of 18 years; "delinquent

child” means a child who has committed a delinquent act and is in need of care or rehabilitation.

- b. Taking into Custody: a juvenile may be taken into custody:
    - 1. Pursuant to an order of the court
    - 2. Upon reasonable grounds to believe that the child has run away from a detention, residential, shelter or other care facility
    - 3. Upon reasonable grounds to believe that the child is suffering from illness of injury or is in immediate danger from the child’s immediate removal from such surroundings are necessary for the protection of the health and safety of such child.
    - 4. Upon reasonable grounds to believe that the child has run away from his parents, guardian, or other custodian
    - 5. Upon reasonable grounds to believe that the child has no parent, guardian, custodian or another suitable person willing and able to provide supervision and care for such child.
    - 6. Upon reasonable cause for an arrest.
  - c. Whenever detention of the juvenile is necessary, they will be detained following procedures and/or pursuant to the instruction of the Juvenile Probation Officer and out of sight of other inmates and the public. Arresting officers acting pursuant to the instructions of the Juvenile Probation Officer when detaining or arresting a juvenile should make a record of their actions and the advisement made by the Juvenile Probation Officer.
  - d. Transportation: a juvenile should not be transported in a vehicle which is occupied at the same time by adult prisoners except in emergencies or when arrested in the company of an older person for involvement in the same offense.
9. Release-referral-delivery of juvenile:
- a. An officer taking a juvenile into custody shall, with all possible expediency:
    - 1. Notify Juvenile Probation Officer for referral on juvenile
    - 2. Upon approval by juvenile probation release to parents, guardian, or custodian.
    - 3. If juvenile is to be placed into detention, follow procedures set forth by juvenile probation.
10. Safeguards against false arrest:
- a. An officer will use every source of information to insure the correct identification of a person that is arrested or confined. The practice of “investigative holds” or “safekeeping” is not authorized.

**Obtaining confessions**

- a. Officers and any other member of the department shall not use physical violence; intentional, cruel, or inhumane treatment or conditions; threaten; or hold out inducements to a suspect for the purpose of obtaining a confession. Officers obtaining a confession must be able to show it was voluntary and that the subject was first read their Miranda rights if the confession was obtained while the suspect was in custody or during a lengthy detainment.
- b. A statement by a suspect should be written or recorded if possible.

**Assisting criminals**

- a. Members shall not communicate in any manner, either directly or indirectly, any information which might assist persons guilty of criminal acts to escape arrest or punishment, or which may enable them to dispose of evidence or any property that may have been illegally obtained.

**Attorneys/bailors**

- a. Recommending: Members shall not suggest or recommend a specific attorney or bail bond broker to any person involved in any police matter.
  - 1. This does not apply when a relative of the officer seeks such advice.
- b. Under no circumstance may a member receive, solicit, or accept a fee, gratuity, or reward offered by an attorney or bail bondsmen in exchange for recommendation of the same to persons involved in a police matter.
- c. Arrestees shall be allowed facilities for notifying or contacting an attorney at their own expense, if possible. The member may assist in this matter when a prisoner asks for a specific attorney or bondsman, only to the extent of facilitating this request.
- d. Members shall not disclose arrest or other information to an attorney before trial which might impede a just disposition of a case without permission from the city attorney or a subpoena for records sent to the Clerk.
- e. Members not to present or obtain bond of prisoner: A member may become surety or post bond, or furnish bail for him/herself and members of his/her immediate family; however, he/she shall not become surety or go on the bond of, or furnish bail for any other person arrested for a crime, particularly those whose arrest he or she is or has been involved in.

**Wrecker service**

- a. The Boaz Police Department will maintain a wrecker rotation system or list for all approved wrecker companies favoritism will not be shown to any wrecker service. Those listed shall be called or contacted in an equal and fair manner.

### **Radio use and procedure**

- a. Members should adhere to the following when using department radio channels or feeds:
  1. Organize thoughts before transmitting and listen to determine if the channel is clear of other traffic.
  2. Identify your call number when transmitting and wait for the dispatcher to acknowledge your traffic.
  3. Keep all transmissions brief and to the point.
  4. The dispatcher will at all times have knowledge of the status of officers on duty.
  5. Status Check: When an officer has been dispatched to a call or is on a traffic stop, dispatch will check the officer's status. The first time will be within 1 minute and the next time in intervals every 3 to 5 minutes. The officer will respond "code 5" or "10-4".
  6. If an officer fails to respond to a status check, dispatch will make a second attempt. If still no response is made, dispatch will send a backup unit and dispatch will attempt to make contact using "push to talk" or "phone" capabilities.
  7. Officers failing to answer a status check will write a statement as to why they were unable to be contacted and forward to their immediate supervisor. (ref: Investigations c:3)

### **Handcuffs**

- a. The use of handcuffs provides protection to the arrested person to prevent injury to the arrested person or to nearby citizens; they also protect the officer. Members will use handcuffs on all prisoners except where precluded by prudent judgment. Members should be able to justify the use or failure to use handcuffs in incidents resulting in escape, injury or damage to property.

### **Prisoners**

- a. Custody of: Officers charged with the custody of prisoners shall observe all laws and departmental orders regarding this activity. Prisoners shall be kept securely, treated firmly and humanely, and shall not be subject to any unnecessary restraint. This department will not tolerate any physical abuse or the violation of any prisoner's civil rights. Members will not fraternize with, engage the services of, accept services from, or do favors for any person in custody of the Department.
- b. Transporting: When transporting a prisoner, the safety of the officer, other members, the prisoner, and citizens are the responsibility of the transporting officer. The transporting officer shall remain responsible for security of the prisoner until properly relieved.

1. Prisoners will be closely watched during transport to ensure nothing is given to or taken away from the prisoner.
2. Females should not be transported with other males unless involved in the same offense or when other transportation is not available.
3. Juveniles shall not be transported with adult prisoner except when involved in the same offense. (ref: Arrests 7 and 8d)
4. Unless ordered by a court or a juvenile probation officer, a child lawfully taken into custody as an allegedly dependent or delinquent child or a child in need of supervision, shall immediately be released upon the ascertainment of the necessary facts, to the care, custody and control of such child's parents, guardian, custodian or other suitable person able and willing to provide supervision and care for such child except in situations where:
  - a. The child has no parent, guardian, custodian or other suitable Person able and willing to care for the child;
  - b. The release of the child would present a clear and substantial Threat of serious nature to the person or property of others Where the child is alleged to be delinquent;
  - c. The release of the child would present a serious threat of Substantial harm to such child; or
  - d. The child has a history of failing to appear for hearings before the court and/or has been denied bail or bond by a Judge.
5. Any prisoner transported to a hospital in a private ambulance shall be accompanied/escorted and guarded by an officer and the officer will remain with the prisoner until relieved or the prisoner is discharged or the nature of the transport is serious enough to release the prisoner on bond.
- c. Prisoner property and responsibility: Officers who have arrested or detained a person will be responsible for safeguarding the person and his property until such person is turned over to detention personnel.
  1. All property will be turned over to detention officers.
  2. Weapons, contraband and other evidentiary items shall be removed from the prisoner prior to his being turned over to the jail and placed in a secure area with a clearly documented chain of evidence.
  3. No money, jewelry or other valuables allowed in the jail, except for a wedding band.
- d. Purchase of prisoner property: No member shall purchase any personal property from a prisoner nor sell any personal property to a prisoner; nor shall any member perform any service for a prisoner for a fee or gift nor enter into any kind of transaction of a personal nature of any kind.

#### **Judicial appearance and related matters**

- a. Court appearances: Attendance in a court of law or quasi-judicial hearing as required by subpoena is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney handling

- the case. When appearing in court, either the official uniform or suit or dress coat, slacks, dress shirt and tie shall be worn—no blue jeans.
- b. Members shall be respectful toward the court in general, the magistrate and attorneys.
  - c. Members shall testify, including cross examination with strict and truthful accuracy.
  - d. Testifying for defense: Any member subpoenaed to testify for the defense in any trial or hearing or against the city or department in any hearing or trial shall notify his supervisor upon receipt of the subpoena. He shall also notify the city attorney upon receipt of subpoena.

#### **Civil action/Court appearance/related matters**

- a. Service: Members shall not serve civil process nor render assistance in civil cases except as required by law.
- b. Testifying: A member shall not testify in any civil case in which the police may have an interest without prior approval of the Chief of Police unless the member has been legally summoned to do so. If summoned or subpoenaed, the member must notify the Chief of Police and provide the summons to the same.
- c. Involvement in civil matters: A member shall not involve himself in the civil actions or disputes of other persons while acting in his official capacity. A member may, however, prevent or abate a breach of the peace or crime in such cases.
- d. Civil depositions and affidavits: Members shall confer with their commanding officer before giving a deposition or affidavit in a civil case.
- e. Compensation for damage sustained on duty: Members shall not seek in any way, nor accept from any person, money or other compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the Chief of Police in writing.
- f. Compensation for damages off-duty: Members who have received salary from the department for injury sustained off duty or illness shall notify the Chief of Police in writing of any intent to seek, sue, solicit, or accept compensation as damages for such illness or injury. This notice shall be filed before any action is taken. It shall include the fact of the claim and the name of the respondent.

#### **Sick and injured persons**

- a. Calling Ambulance: Officers dispatched on ambulance calls or investigations shall immediately ascertain whether the ambulance is needed and shall so notify the dispatcher.
- b. Transporting in police car: Officers should avoid transporting sick and injured persons in their police car unless authorized by the officer in charge or when delay in doing such would result in further illness or

injury.

#### **Death and injury notifications**

- a. Any time a member is injured on duty, the member's supervisor or next ranking officer will notify the Chief of Police, and then the City of Boaz Personnel Director.
- b. In the event of the death of a member of this department, the Chief of Police shall be notified immediately and he or she will then make proper notifications and determine next steps.
- c. Notification of the family of a seriously injured or dying member while on duty shall be conducted by the available senior member.

#### **E-911 Call procedure**

- a. Receiving calls from 911 that are hang-up calls:
  1. Dispatch officer to the address where the 911 call originated.
  2. Dispatcher will attempt to make contact with the caller to obtain additional information and status of the call.
  3. When officers arrive at scene, they are to check the status of the call and notify dispatch if fire or medical personnel are needed.
  4. If officers are unable to make contact with caller, they are to notify the shift supervisor on what further steps to follow. Special circumstances, known medical problems, domestic incidents in the past among other things are to be taken into consideration.

#### **Fires**

- a. Scene
  1. At a fire, members of the fire department are in charge of the scene. The duty of the police department is to maintain fire lanes and direct traffic as needed. Officers shall remain outside the scene unless under emergency conditions and under direction of the fire department.
  2. When a fire is discovered within the jail or within the police department, and the fire does not appear to be easily extinguished using department equipment, the dispatcher will immediately notify 911 to have the fire department dispatched.
  3. If a fire appears to be threatening to the police department, all inmates will be removed from the jail area following jail procedures.

#### **Disciplinary matters**

- a. Members subject to:
  1. Any member violating his oath and trust by committing an offense punishable under the laws and statutes of the United States, the State of Alabama, local ordinances or who violates

any provision of the rules and regulations or procedures of the department, or who is guilty of conduct unbecoming an officer or member, or who is incompetent to perform his duties is subject to disciplinary action as detailed in the employee handbook.

b. Authority Personnel

1. Supervisory personnel

- a. Any supervisory personnel may issue oral reprimands or recommend other disciplinary actions.

2. Sergeant or higher

- a. Any sergeant or higher may take the following disciplinary action:
  - a. Oral reprimand
  - b. Written reprimand (subject to approval by the Assistant Chief or Chief of Police and subsequent to the accused being furnished a copy and given an opportunity for written rebuttal)
  - c. Emergency suspension in the absence of and with immediate notification as soon as possible with the Assistant Chief or Chief of Police.
  - d. Written recommendation for other penalties.

3. Chief of Police

- a. The Chief of Police may impose or initiate any level of disciplinary action up to and including discharge.

c. Emergency suspension

1. Any sergeant or higher command or any acting command officer has the authority to impose emergency suspension until the next business day against a member when it appears that such action is in the best interest of the department.

a. Follow up Action

1. A member receiving an emergency suspension shall be required to report to the Chief of Police the morning of the next business day unless otherwise directed. A commanding officer imposing or recommending the suspension shall also report to the Chief of Police at the same time.

d. Investigations relating to complaints

1. While any infraction may be the cause for formal investigation, the following complaints/allegations against Department members shall be investigated with priority or deference:
  - a. All charges of substance by citizens against departmental personnel.
  - b. All referrals from the Office of the Mayor, City Council member or Chief of Police.



- c. Allegations against departmental personnel involving the commission of a criminal offense, gross misconduct or negligence of duty.
- e. Departmental investigations-testifying
  - 1. Members are required to answer questions by or render material or statement to a competent authority in a departmental personnel investigation when so directed. When the member is directly involved in the subject of investigation, he or she is afforded all appropriate rights and due process.
- f. Reports of disciplinary action taken or recommended
  - 1. Whenever disciplinary action is taken or recommended (except for oral reprimand), a written report must be submitted to or created immediately by the Chief of Police and contain the following information:
    - a. The full name and rank of the person being disciplined or recommended for disciplinary action
    - b. The date, time, and location of the misconduct
    - c. The section number of this manual violated or common description of the infraction if not covered in a section of this manual
    - d. A complete statement of the facts of the misconduct
    - e. The punishment imposed or recommended
    - f. If any member is arrested for violations or crimes committed, the arrest procedure is the same as described by this manual. The Chief of Police and the Assistant Chief of Police shall be notified immediately.
- g. Informing member who has committed infraction
  - 1. When the investigation of any infraction has been completed, a statement of the charge, including the recommended disciplinary action will be given to the offending officer. The statement must include the rule or regulation the member is alleged to have violated. This may be done using the City of Boaz Personal Conduct and Work Rule Violation Write-up Form. The accused has the right to respond in writing.

### **Citizen complaints against members**

- 1. Complaints
  - a. This is referring to complaints of substance and would not include complaints relative to differences of opinion between members and citizens unless there is an allegation of violation of law or of department rules or orders on the part of the member.

2. Receiving complaints
  - a. The commanding officer on duty will receive and accept any complaint of alleged misconduct against any member of the Department. This includes oral and written complaints.
  - b. When this is not possible, the officer receiving the complaint shall reduce it to writing and forward it to the shift commander on duty. A copy of this complaint will not be given to the complainant in cases such as this.
  - c. The shift commander on duty shall assure himself that the complaint report consists of the following information: full name, age, phone number and address of complainant or victim and witnesses, date, time and location of the incident, date and time complaint was made, name and/or badge number of the officer(s) accused and a concise statement of fact.
3. Complaints against ranking officers
  - a. Such complaints may be routed directly to the Assistant Chief of Police or the interim Chief of Police in his absence.
4. Investigations
  - a. Supervisory and command personnel shall themselves initiate investigations when the subject complained of or observed an infraction within the scope of their authority. Time is of the essence in these matters.
5. Assistant Chief or Chief of Police in his absence
  - a. Upon receipt of the complaint, the Assistant Chief of Police will cause an investigation to be made by the commanding officer of the member or by officers specially assigned for that purpose depending on the seriousness and type of offense alleged.
  - b. Investigative Procedures
    1. The officers assigned to investigate will conduct a thorough and impartial investigation into all facets of the complaint, obtaining detailed statements from the complainant, witness(es) and the accused and any other evidence, facts or circumstances material to the issue, including criminal records or other factors which may affect the credibility of witnesses.
    2. Investigating officers will show the complaint to the member accused and obtain a statement from them. In cases involving a criminal offense, the accused member must be informed of his Miranda rights.
    3. Investigating officers will submit a complete report of all statements, facts, conditions,

circumstances and evidence acquired in the course of their investigation to the Chief of Police via the officer in charge of the investigation.

6. Findings

- a. One of the findings listed below must be included in the report of investigation of an alleged act of misconduct:
  - 1. Unfounded-The investigation indicates that the act or acts did not occur or failed to involve police personnel.
  - 2. Exonerated-Acts did occur, but were justified, lawful and proper.
  - 3. Not Sustained-Investigation failed to discover sufficient evidence to clearly prove or disprove the allegations made in the complaint.
  - 4. Sustained-The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.

7. Alternative actions open to the Chief of Police

- a. Upon receipt of all reports of the investigation of the Complaint, the Chief of Police may take any of the following actions:
  - 1. If an investigation reveals that the complaint is unfounded, then the matter may be closed.
  - 2. Complaints that are justified and may be characterized as minor, such as discourtesy or comparable acts, may be settled informally by the Chief of Police or his designee.
  - 3. If the complaint is of a more serious nature, the Chief of Police shall prepare appropriate documentation for presentation to impose discipline outside the authority of the Chief of Police in compliance with legal requirements.
  - 4. The Chief of Police shall notify the accused of their decision.

## **Grievances**

1. Procedures

- A. Members shall not destructively criticize the department or its policies, progress, action, or officers, or perform any acts or make any written or oral statements which tend to bring them into disrepute or which tend to interfere with the reasonable supervision or proper

- discipline of the Department.
- B. Members having a grievance against any policy, procedure, or other member shall take the matter up through official channels.
- 2. Suggestions for Improvements
  - A. Members may forward suggestions for the improvement of the service, in writing, through official channels, to the Chief of Police.

## **Promotion Policy**

1. Purpose: The purpose of this policy is to establish a firm promotion policy which will ensure objectivity and fairness toward all personnel.
2. Definition: Promotion is defined as classification to the next higher rank within the police department. The rank structure in ascending order is:
  1. Police Officer
  2. Sergeant
  3. Captain
  4. Assistant or Interim Chief
  5. Chief of Police

All Promotions will follow guidelines set forth in the City of Boaz Employee Handbook and job descriptions established by the City.

3. Policy: The following policy is instituted to establish guidelines governing promotions within the police department.
  - a. All non-civilian employees of the Boaz Police Department shall be eligible for promotion to the next highest rank, except for the position of Assistant Chief of Police, upon establishment of the need for such higher ranked individual within the police department.
  - b. A promotion board, consisting of the Chief of Police, Assistant Chief of Police, Patrol Captain, Chairman of the City Council Police Committee and the Personnel Director, shall be convened to evaluate the candidates for promotion. In the event one of the above is unable to attend, a Captain, selected by the Chief of Police, will attend in their place.
  - c. The Promotion Board for the Assistant Chief of Police shall consist of the Chief of Police, City Personnel Director, Chairman of the City Council Police Committee and one or more city council members.
  - d. All candidates shall appear before the promotion board and undergo an oral examination.
  - e. If any employee eligible for promotion shall choose not to undergo an oral interview, the individual shall be deemed to have waived any right he or she may have for consideration for the promotion of an available rank. Said waiver shall not be considered a waiver of future promotions.
  - f. Criteria to be considered by the promotion board are as follows:

- a. Length of service
- b. Formal education and professional training
- c. Work performance based on employee evaluations
- d. Appraisal or evaluation by current supervisor
- e. Personal characteristics-attitude, disposition, sensitivity, tact and diplomacy
- f. Other pertinent factors
- g. Each board member shall evaluate the candidates individually and rank candidates on a scale of one to five with five being the best. The Personnel Director shall tally all evaluations and report his calculations to the board. Thereupon, the board shall make its recommendation for promotion to the Chief of Police for final approval.
- h. All deliberations and activities of the promotion board shall be confidential and consistent with professional standards, to afford each candidate respect for privacy.
- i. Nothing in this policy shall be interpreted to give any employee of the Boaz Police Department the right to be promoted based on the criteria listed herein, nor shall this policy be interpreted to restrain the right of the City of Boaz to bring disciplinary action, including demotion, against any employee of the Boaz Police Department.
- j. The Chief of Police shall reserve the right to request additional members of the Boaz Police Department to be present during promotions as he sees fit.

4. Revocation: This policy shall supersede the place of any and all promotion policies of the Boaz Police Department.

5. Applicability: This policy shall apply only to uniformed police department personnel with arrest power and shall not apply to civilian employees or personnel, including but not limited to clerical employees, secretaries, dispatchers and jailers.

### **Accident review board policy**

#### **1. Purpose:**

- a. The Boaz Police Department wants to provide the safest work environment possible for its employees. The Boaz Police Department provides training for employees to help them realize the dangers involved in operating police vehicles. The police department also realizes that officers may become involved in motor vehicle accidents. The Boaz Police Department has established an Accident Review Board to review each vehicle accident members are involved in to make corrective, training and disciplinary recommendations to the Chief of Police.

#### **2. Policy:**

- a. In the event a member is involved in an automobile

accident, the Accident Review Board will review and make recommendations to the Chief of Police, including disciplinary action.

3. Procedure:

- a. As described above, the Boaz Police Department will have an accident review board to review and make recommendations to the Chief of Police regarding all vehicle accidents occurring while members are on duty.
- b. If members are determined to be at fault by the Accident Review Board due to careless driving, the following disciplinary action will occur:
  1. First occurrence: Documented Verbal Counseling or written warning on a Personnel Action Report and loss of take-home car privileges for 3 working days.
  2. Second occurrence within an 18 month Period: Written warning on a Personnel Action Report, 2-day suspension and loss of take-home car privileges for 10 working days
  3. Third occurrence within an 18 month Period: Written warning/final notice on Personnel Action Report, suspension up to termination and loss of take-home car privileges for 30 days.
- c. If the Accident Review Board determines that the employee was at fault and that policy or laws were violated by the employee, the following action will occur:
  1. First occurrence: suspension; action up to and including possible termination
  2. If suspended, Final Warning given and loss of take-home car privileges for 30 days.
- d. These disciplinary actions fall under the City of Boaz Personal Conduct and Work Rule Violations, under the following:
  - a. Section titled: Verbal Warning and Written Warnings, number 5, failing to follow safe work practices.
  - b. Section titled: Disciplinary suspension or Discharge, number 15, excessive accident record or a demonstrated inability to work safely.
- e. Persons to be appointed to Accident Review Board by the Chief of Police:
  1. Assistant Chief of Police
  2. Captain

- 3. Investigator
- f. Absences
  - 1. In the event that any of the members listed above are unable to attend a board meeting, then a sergeant will be appointed to temporarily fill the position.
- 4. Meetings
  - a. The Accident Review Board will meet when the need arises to review an accident

## **Infectious disease policy**

- 1. Purpose:
  - a. Infectious diseases are a rapidly growing epidemic, however; precautions can reduce the spread of disease. This directive has been developed so the Boaz Police Department to manage those things that we can reasonably expect will occur in the performance of our duties, and protect personnel from unnecessary exposure to disease
- 2. Discussion:
  - a. Public Safety personnel routinely come into contact with members of the public, and, at some point, it is predictable that members will come into contact with a person who has a infectious disease. As a result, extreme caution should be exercised by police personnel at all times or whenever practical. In addition, the following procedures shall be utilized when dealing with blood, items contaminated or stained with blood or other body fluids and when interacting with persons known belonging to high-risk groups:
- 3. Policy:
  - a. Infectious disease precautions
    - 1. Discretion should be used by officers to limit their exposure to contagious diseases.
    - 2. Protective disposable gloves and prudent hand washing/ cleaning techniques should be used by officers to prevent transmission of contagious diseases. Direct contact with blood and other bodily fluids should be avoided whenever possible. All personnel are required to carry and use issued latex gloves while on duty.
    - 3. Officers should not eat, drink or smoke at crime scenes where body fluids are present.
    - 4. Officers should be aware that certain medications suppress their immune system and make them more susceptible to infectious disease. Officers should consult their private physicians if they are taking prescription drugs.

5. All supervisors are charged with the responsibility of ensuring the compliance with this directive.
  - b. Exposure to a possible communicable disease
    1. If any person receives a human bite, scratch, needle prick, or unprotected contact with body fluids or possible contact to a source of a communicable disease he or she should follow the procedure described below to ensure protection, safety, and treatment in a safe and effective manner.
    2. The officer will:
      - a. Immediately notify his supervisor on duty.
      - b. Encourage the wound to bleed by applying slight pressure to the edges.
      - c. Complete a written report concerning the facts and circumstances of the exposure.
      - d. Follow the Supervisor's directives concerning reporting for and obtaining medical treatment and/or serological testing.
    3. The supervisor will:
      - a. Arrange for the subordinate to be transported to an approved medical facility for evaluation by a physician.
      - b. Ensure that an arrestee that is suspected of harboring a contagious disease is isolated alone in a cell.
      - c. Request that a person who has exposed a member of this department submit to a test of bodily fluids.
      - d. Notify the Chief of Police, the Assistant Chief and the Personnel Director.
      - e. Ensure that the proper reports are completed and submitted.
  - c. Infectious disease training
    1. Supervisors within the police department will be responsible for disseminating updated information and arranging for in-service training classes on a regular basis.
4. Procedures
    - a. Supplies:
      1. Shift supervisors shall ensure that adequate supplies are available for infectious disease control within their respective areas of responsibility.
      2. Supplies include:
        - a. Latex gloves
        - b. Bulk soap dispenser (1 per bathroom)
        - c. Spray cans or bottles of germicidal cleanser
        - d. Plastic bags



3. Each Officer is responsible for carrying latex gloves and hand sanitizer in their patrol vehicle.
- b. Custody Procedures
1. Persons of high-risk groups should be treated with caution. Extreme caution should be used when searching these individuals to prevent accidental skin puncture by needles. Caution should also be exercised when reaching into areas, such as under car seats, that are not visible.
  2. After completion of the task or search where latex gloves were utilized, they should be removed and securely placed in plastic bag and labeled as "Biohazard".
  3. Persons with wounds or exposed blood or bodily fluids shall be transported separately from other prisoners whenever possible.
  4. Officers have an obligation to inform other personnel (court, paramedics, firemen, etc.,) whenever a change of custody occurs and the subject has blood or other fluids present on his person or if the subject has made a voluntary statement that he has a contagious disease.
  5. Subjects taken into custody with blood or bodily fluids on their person shall be allowed to shower as soon as possible. Their clothing shall be placed into a plastic bag until it can be washed using a strong detergent. Upon their release, the isolation cell they were in shall be washed using germicidal cleaner.
  6. Officers should indicate on the incident report if a subject makes a voluntary statement that he has an infectious disease. Also note if the person has blood or other bodily fluids on their clothes or person.
- c. Vehicle and cell cleaning/disinfecting
1. Cleaning/disinfecting procedures shall be undertaken immediately after contact with any subject suspected of having or known to have a contagious disease.
  2. Personnel effecting the clean-up shall wear protective disposable gloves and use paper towels. Upon completion of the clean-up, they should wash with germicidal soap. If an inmate assists with cell cleaning, he or she should also use the precautions stated above.
- d. Handling and storage of property and evidence
1. Evidence containing blood or other bodily fluids shall be handled with gloves. If it is dry, the evidence may be placed into a bag or enveloped and submitted as evidence. Evidence containing a wet sample should be placed into a paper bag and allowed to dry then submitted as evidence. Needles and other sharp objects

should be placed into a paper bag with the cap on and put inside a plastic bag and labeled as “biohazard”.

- a. Needles that have been collected as evidence of a drug crime shall be photographed and then placed into a “sharps container.”
2. Members should always wash with germicidal soap and water after handling any items that may be contaminated.

### **Driver’s license and vehicle safety checkpoint policy**

1. Purpose:
  - a. To set the policy for the Boaz Police Department pertaining to driver’s license checkpoints, sobriety checkpoints and vehicle safety checkpoints.
2. Policy:
  - a. It shall be the policy of the Boaz Police Department to conduct driver’s license checkpoints and sobriety checkpoints and vehicle safety checkpoints in a systematic manner within the City Limits of Boaz. Supervisory personnel are responsible for ensuring that the checkpoints are carried out using a neutral and objective plan, and are conducted to promote traffic and public safety.
3. Driver’s License Checkpoints:
  - a. It is the intent of the Boaz Police Department to ensure that those who operate a motor vehicle within the Boaz City Limits are properly licensed. These driver’s license checkpoints are primarily for the purpose of ensuring the operator is properly licensed, but it does not limit those involved in the checkpoint from enforcing other laws of the State of Alabama.
4. Sobriety Checkpoints:
  - a. It is the intent of the Boaz Police Department to ensure all those using the public highways, roadways and streets within the Boaz City Limits are protected from those who are operating a motor vehicle while impaired due to consumption of alcoholic beverages, drugs or any substance that may impair the operator of a motor vehicle.
5. Vehicle Safety Checkpoints:
  - a. It is the intent of the Boaz Police Department to protect others that are using the public roadways within the City of Boaz from those who are operating an unsafe motor vehicle. Officers conducting these checkpoints shall inspect the tires, brake lights, headlights, tail lights, turn signals and windshields. This vehicle safety checkpoint shall not limit Officers from enforcing other laws of the State of Alabama.
6. Publicity:
  - a. The Boaz Police Department will notify the public of upcoming

checkpoints by contacting a local radio station, or the Sand Mountain Reporter, or utilizing the Boaz Police Department Facebook page before conducting the checkpoint(s) at various locations within the City Limits of Boaz.

7. Frequency of Checkpoints:

- a. The Boaz Police Department may conduct as many checkpoints determined to be necessary as long as they are approved by the shift supervisor, Chief of Police or Assistant Chief of Police and for special event checkpoints, such as click-it-or-ticket or other traffic safety programs.

8. Duration:

- a. The duration of a checkpoint shall not exceed three (3) hours in any one location.

9. Procedure:

- a. Supervisory personnel will select and approve the date, time, location and duration of a checkpoint. Prior to the checkpoint a supervisor must approve an appropriate location. Consideration for the location will include, but not be limited to the following:
  1. An area previously known with a history of unlicensed drivers or drivers whose license have been suspended, revoked or canceled.
  2. An area where complaints have been received regarding reckless or other improper driving of a motor vehicle.
  3. An area where traffic accidents have occurred.
  4. An area with a history of DUI's involving motor vehicle operators.
  5. Any other relevant considerations that in the judgment of the on-duty supervisor would warrant one of the three different checkpoints.

The different checkpoints shall be objectively reasonable to accomplish the goals of traffic safety and promote general public welfare. The location of a checkpoint shall be selected based on a combination of public and officer safety and motorist visibility and taking into consideration the requirements listed above. The checkpoint shall also be located in an area with enough room to pull violators off the roadway and not to cause undue congestion.

10. Record Keeping:

- a. A checkpoint form will be completed by a supervisor for each checkpoint conducted by the Boaz Police Department. Section "A" will be completed prior to the checkpoint and Section "B" will be completed by a supervisor present during the checkpoint. In the notes section, the supervisor will write in the date, time and type of media that was used for public notification.

11. Traffic Vest:
  - a. All officers involved in the checkpoint shall wear a traffic safety vest, day or night.

### **Domestic/family violence policy**

1. Purpose:
  - a. To establish guidelines for domestic/family situations.
2. Policy:
  - a. It is the policy of the Boaz Police Department to respond to and diligently investigate all complaints of domestic/family violence, and to provide protection to all participants of the dispute.  
The goals of this policy are:
    1. To prevent and reduce family homicides.
    2. To prevent and reduce family assaults.
    3. To prevent and reduce police call backs.
    4. To prevent and reduce injuries to officers.
    5. To prevent and reduce liability risks to the department.
3. Definitions:
  - a. Family violence: An incident resulting in the abuse, assault, or the attempt or threats thereof, between family or members of the same household. This does not include the “reasonable” discipline of a child by a person with the authority as prescribed by Alabama state law.
  - b. Family/Household Member:
    1. Current or former spouse
    2. Parent or step parent
    3. Child or step child
    4. Any person with whom the defendant has a child in common
    5. Present household member
      - a. this excludes non-romantic or non-intimate co-residents
    6. A person who has or had a dating relationship with the defendant
      - a. dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.
4. Probable cause:
  - a. Facts or circumstances within the officer’s knowledge which are reasonably trustworthy and which would lead a prudent police officer to believe that a subject arrested had or was committing a crime. The officer does not

have to have enough evidence before them at that time to support a conviction.

5. The following factors will not be used in determining probable cause:
  - a. Marital status of the parties
  - b. The existence of a Protection from Abuse Order (except if the violation of such order would constitute a crime).
  - c. The disposition of previous police calls involving the same victim and offender.
  - d. The victim's unwillingness to prosecute the case.
  - e. The police officer's subjective belief that the victim will not prosecute.
  - f. Denial by either party that the violence occurred where there is evidence to the contrary.
  - g. The officer's concern about reprisals against the victim by the offender.
  - h. The race, ethnicity, sexual preference, social class or occupation of the victim and/or the offender.
6. Domestic dispute:
  - a. Any incident between family/household members where, even though no crime has occurred, a law enforcement officer has been called to the scene.
7. Dispatcher procedures:
  - a. Dispatchers can obtain vital information that, when passed on to the responding officers, can reduce the risk of injury or death to the officer. The dispatcher will give family violence calls the same priority as other life-threatening calls and dispatch a minimum of 2 officers.
  - b. During the initial call for assistance, the dispatcher will obtain the following information:
    1. The exact location of the emergency.
    2. A narrative of events.
    3. The caller's name and involvement.
    4. Any injuries and, if so, if they need emergency medical assistance.
    5. Is the suspect present? If not, obtain a description of the suspect, direction and mode of travel.
    6. Are there any weapons present; if so, where?
    7. Is anyone under the influence of alcohol or drugs?
    8. Is there a restraining order?
    9. Are there children present?
    10. Have Law Enforcement officers been summoned on previous occasions?
    11. If possible, keep the caller on the phone until officers arrive.

8. Investigating officers' responsibilities:
- a. Officers will respond to all domestic violence calls in a safe and expeditious manner. All such calls should be considered high risk and sound tactics will be utilized at all times.
  - b. Upon arrival, officers will:
    - 1. Separate all parties involved and prevent further injury or threats of injury.
    - 2. Summon medical assistance when required.
    - 3. When the situation permits, interview all victims, suspects, and witnesses as thoroughly as possible, and obtain written or recorded statements.
    - 4. Protect the crime scene and collect and preserve any and all pertinent evidence.
    - 5. When applicable, photograph the scene and any injuries sustained by the victim and offender.
    - 6. Prepare an incident/offense report for all family violence calls whether or not an arrest was made. If no arrest was made, explain why an arrest was not made.
    - 7. Each officer shall utilize department issued body cameras for every family violence call to record statements and video of the scene.
  - c. The Boaz Police Department **WILL NOT** condone or adopt an arrest avoidance policy resulting from family violence complaints.
  - d. Arrest:
    - 1. Arrest is the preferred response to family violence calls when probable cause exists that the following crime(s) have been committed or attempted to be committed by one of the family/household members against another family/household member.
      - a. Rape 1<sup>st</sup> and 2<sup>nd</sup> degree
      - b. Sodomy 1<sup>st</sup> and 2<sup>nd</sup> degree
      - c. Sexual Misconduct
      - d. Sexual abuse 1<sup>st</sup> or 2<sup>nd</sup>
      - e. Indecent exposure
      - f. Enticing a child to enter a vehicle, house, etc. for immoral purposes
      - g. Assault 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> degree
      - h. Harassment
      - i. Menacing
      - j. Reckless Endangerment
      - k. Criminal Coercion
      - l. Unlawful Imprisonment
      - m. When the officer has reasonable cause to believe that a felony or misdemeanor has been

- committed by the suspect in violation of a  
order issued by a court of competent jurisdiction.
2. If the Subject in the case has departed the scene prior to officer's arrival, all pertinent information will be compiled and an arrest warrant will be obtained and served as soon as possible. If the suspect is located within a reasonable amount of time and probable cause exists, then the suspect will be arrested.
  3. If both parties appear to be the victim, the officer shall:
    - a. Evaluate each complaint separately to determine the predominate aggressor. If determined that one person was the predominate aggressor, the officer need not arrest the other person alleged to have committed domestic violence at that time.
    - b. Evaluate prior complaints of domestic violence.
    - c. The relative severity of the injuries inflicted on each person, including whether the injuries are offensive versus defensive in nature.
    - d. The likelihood of future injury to each person.
    - e. Whether one person acted in self-defense.
    - f. A law enforcement officer shall not threaten, suggest, or otherwise indicate the possible arrest of all parties to discourage the request for intervention by law enforcement by any party or base the decision to arrest or not to arrest on either of the following:(Code of Ala. 13A-06-134)
      1. The specific consent or request of the victim asking not to arrest the offender.
      2. The officer's perception of the willingness of a victim or witness of the domestic violence to testify or otherwise participate in a judicial proceeding.
  4. When an arrest is made at the scene or within a reasonable amount of time, the officer will be the complainant. Charges cannot be dropped by the victim and their only duty is to testify honestly in court.
  5. The investigating officer will give his/her name to the victim and will ensure that the victim is given a "victims' rights pamphlet."
  - e. The investigating officer will compile the necessary evidence For presentation in court. This will include, but not limited to:
    1. Witness and victim statements.
    2. Medical reports.
    3. Photographs of the victim, scene and suspect.
    4. Body Cam video
    5. Copy of the restraining order (if applicable)

6. Any physical evidence collected from the scene
- f. Victims assistance:
1. Notify the victim of the activities that will transpire as a result of the arrest, (i.e. Court procedures, etc.)
  2. Aid the victim in finding a place to stay when necessary and provide transportation if needed.
  3. Advise the victim of available resources from the Domestic Violence Coalition.
- g. Patrol Supervisor Duties:
1. Whenever possible, a supervisor will respond to all domestic calls.
  2. Supervisor shall be contacted in all cases when a felony has been or is believed to have been committed and an arrest is eminent. It shall be the supervisor's determination if an investigator is needed.
  3. Respond to all family violence calls where the victim or offender is a law enforcement employee of any agency. The supervisor will make the arrest of the employee.
- h. Full faith and credit
1. Under the Federal Violence Against Women Act, jurisdictions must give full faith and credit to valid protection orders issued by other jurisdictions to include the court of one state or Indian tribe to another state or Indian tribe as the enforcing state or Indian tribe 18 U.S.C. 2265.
  2. An arrest shall be made based on probable cause, if found to be in violation of a valid protection order issued by a court of competent jurisdiction whether temporary, or permanent, which has been served on the person or which has received sufficient notice that the protection order has been issued. Under this circumstance, the officer may arrest without a warrant, although he or she did not personally see the protection order. Knowledge of the officer to the existence of, or content of or both or presentation to the officer by the complainant of a protection order shall constitute prima facie evidence of the validity of the order. (Ala. Code 30-5-4).
- i. Boaz Police Department Employees
1. If a member of the Boaz Police Department is suspected of domestic violence, the Chief of Police or his designee will be notified and if probable cause exists to make an arrest, the Chief or his designee will make the arrest.
  2. The employee will be placed on administrative leave and any departmental weapons will be turned over to the Chief of Police or his designee until final disposition of the case in court and/or departmental review.



3. If an employee is found guilty or pleads guilty in a court proceeding or if departmental review finds there was a crime of domestic violence committed by an employee of the Boaz Police Department that employee shall be discharged from employment of the Boaz Police Dept.

### **In-car video and body camera policy**

1. Purpose:
  - a. In-Car and Body Cameras are an effective law enforcement tool that can reduce violent confrontations and complaints against officers. They also provide additional documentation of police-related encounters and are an important tool for collecting evidence and maintaining public trust.
  - b. This policy is intended to provide officers with instructions on when and how to use department issued cameras.
  - c. The Boaz Police Department has adopted the use of in-car video and body-cam video to accomplish the following:
    1. Video Camera use allows for accurate documentation of police contacts with the public; including arrests, interviews, witness and offender statements and other incidents. They also serve to support the accuracy of officer reports and testimony.
    2. Video recordings are useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.
2. Overview:
  - a. Cameras should be utilized to:
    1. Collect evidence
    2. Record contacts with the public or other persons
    3. Allow for supervisory review to ensure departmental policies and procedures are being followed and also for training.
  - b. In-car video and body cam video, pictures and audio or anything else produced by the equipment is the property of the Boaz Police Department. The personal use of any information recorded by the cameras is prohibited and may only be approved in advance by the Chief of Police.
3. Procedures:
  - a. Prior to in-car camera and body camera use, officers shall receive department approved training on its proper operation and care.
  - b. In the event that an officer's body camera is lost or not functioning properly, the officer is to immediately notify their supervisor for a replacement. The supervisor is to turn the camera in to the Assistant Chief of Police or his designee for repair.
  - c. Officers assigned body cameras may use the camera at approved off-duty employment, but only in connection of their departmental duties.
4. Operations:
  - a. All in-car video cameras that have the capability, shall be equipped to begin recording when the officer activates the emergency lights. All other in-car cameras should be activated manually before initiating a traffic stop.

- b. At the beginning of each shift, officers will check to ensure the body camera is fully charged.
- c. Officers shall activate body-cameras to record all contacts with citizens in the performance of official police related duties. They are not to be used to record private conversations.
- d. Cameras are not to be used in violation of this S.O.P. or the City of Boaz Employee Handbook.
- e. Recordings are required using in-car cameras on the following situations:
  - 1. All traffic stops and interviews.
  - 2. All domestic disputes.
  - 3. All calls involving distraught, mentally ill, angry or annoying persons.
  - 4. High speed chases.
  - 5. All D.U.I. investigatory stops.
  - 6. All field encounters, field interviews or other contacts with the public that could lead to an arrest or incident report being filed.
- f. Recordings are required by all officer's present using body cameras on the following situations:
  - 1. All traffic stop interviews
  - 2. All domestic interviews
  - 3. All calls involving distraught, mental, angry or annoying persons.
  - 4. All field encounters, field interviews or other contacts with the public that could lead to an arrest or incident report being filed.
- g. In the event an officer fails to record an incident through mechanical, technical, human error, or circumstantially influenced, the officer will immediately notify his supervisor and the circumstances causing the problem. The officer will complete a written report stating the reason and forward to his supervisor who shall then forward it to the Assistant Chief of Police.
- h. Deactivation of in-car video and body cameras shall occur when:
  - a. The event has concluded,
  - b. Victim and/or witness contact has concluded,
  - c. All persons stopped have been released,
  - d. Once an arrestee has been released into jail custody or other custody.
- i. If an officer fails to fully record an entire incident, the officer shall notify his supervisor and document the incident and forward to the Assistant Chief.
- j. Non-departmental personnel shall not be allowed to review the recordings unless written permission is received by the Chief of Police. If a valid subpoena for the same is received in connection with a police incident, the subpoena should immediately be forwarded to the supervisor on shift, Chief of Police, and City Legal Department prior to the release of any footage, documents, or recordings.
- k. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute in any manner body camera images, data or information without prior written approval of the Chief of Police or his designee.
- l. Video cameras shall not be used to record either video or audio of:
  - 1. Communications with other police personnel.
  - 2. In any location where individuals have a reasonable expectation of privacy, such as a restroom, locker room, or break room, etc.

3. Any private meetings, including those for employee interviews or with City officials except those that may be used for criminal investigation purposes.
5. Handling of digital multimedia evidence:
  - a. All files from in-car video recordings shall be forwarded by the officer, as needed or when memory storage is full to the evidence management officer.
  - b. All files from body cameras shall be downloaded by the evidence management officer. The officer shall forward his body camera as needed or when the memory storage is full. **The officer shall turn in their body camera for download by the evidence management officer no later than completion of their shift on Sunday (dayshift) or Monday (nightshift) of their long work week.**
  - c. Officers should immediately turn in in-car video and/or body cam video to be downloaded when use of force options have been used on a person or suspect, or upon request by the Chief of Police, Assistant Chief of Police or the officer's supervisor.
  - d. Recordings from video cameras may be shown for training purposes upon completion of a criminal case, or may be shown to news media but only upon written approval from the Chief of Police or Assistant Chief of Police.
6. Retention and destruction of digital multimedia evidence:
  - a. Downloaded video shall be kept for a minimum of six months, unless it involves a criminal case or needed for other reasons.

## **Outside Employment Policy**

1. Definition: Any employment by an employer, other than the City of Boaz, for which an employee of the Boaz Police Department receives payment. Due to the large number of requests for employees to work in outside employment, it is necessary to establish guidelines for such employment. This policy applies to all employees, sworn and civilians, of the Boaz Police Department.
2. Categories of outside employment:
  - a. Part-time employment: Does not require the use of law enforcement powers. An employee who owns or operates any private business, works on commission, or receives compensation in any form from any person, firm or corporation other than the department for the performance of non-police services is considered to be engaged in part-time employment. Examples include photography, property management, direct marketing, retail sales and other commercial pursuits.
  - b. Regular off-duty: Is conditioned on the actual or potential use of law enforcement powers for an employer other than the Boaz Police Department for a continuous period of 30 days or more. Examples include working crowd control at amusement events or providing security at apartment complexes, malls and shopping centers, financial institutions, schools, hospitals, etc.

- c. Temporary off-duty: Is conditioned on the actual or potential use of law enforcement powers for an employer other than the Boaz Police Department for a period of less than 30 days. Examples include providing security at exhibitions, festivals, parades, construction construction projects, special merchandise sales, sporting events, and other similar events of short duration.
- 3. Final approval for any outside work request will rest with the Chief of Police or a staff officer he so designates. Employees requesting outside employment should be aware that certain policy restrictions apply. These restrictions not only protect the department, but also help prevent conflicts of interest between an employee's professional status as an impartial public servant and those jobs which could tarnish his/her image or prejudice his/her impartiality. These restrictions also ensure that officers remain both physically and mentally capable of performing all functions required of their primary employer—The Boaz Police Department.
  - a. Employees will not be approved to accept employment that would constitute a threat to the status of dignity of law enforcement as a professional occupation. Examples include employment at establishments that promote pornography or obscenity, as defined by applicable statutes; where the principal business is engaged in the illegal sale, manufacture, transport or dispensing alcoholic beverages; where an owner previously has been convicted of a felony or crime of moral turpitude; or where obvious potential for illegal activity exists.
  - b. Outside employment will not be approved for employment requests that pose a conflict of interest. Examples include employment that would require an officer to: work as a process server, repossession, or debt collector, conduct personnel investigations for the private sector, conduct tasks in uniform that are not of a law enforcement nature, assist others in preparing criminal or civil cases or act as an independent contractor of police services. Outside employment **cannot** conflict with official on-duty hours. Members should not use leave or vacation time to perform off duty employment.
  - c. Probationary employees are forbidden from performing outside employment without prior approval from the Chief of Police.
  - d. Employees on probation as a result of disciplinary action are forbidden from performing outside employment for a period to be determined by the Chief of Police or his designee.
  - e. Employees absent from duty because of illness are automatically suspended from performing outside employment on the day of the illness and the following day.
  - f. Employees working part-time or regular off-duty jobs are required to include the approximate duration of the job in the initial request for approval. Employees must update their outside employment status in writing each calendar year between Jan. 1 and 15th to the Chief of Police or his designee. Any material changes of business or employment functions will be reported to the Chief of Police or his designee

- within 10 days of the institution of the change by filing a new request.
- g. Officers or employees are strictly forbidden to solicit part-time business by using the police badge or the “Color of Office” to promote such ventures or to assume the role of an independent contractor for off-duty police officer services.
  - h. Employees may not begin working outside the department prior to final approval by the Chief of Police or his designee.
  - i. Employees injured while working outside employment are not protected by the department’s workers’ compensation coverage.
4. Maximum hours
- a. To ensure that officers or employees remain physically and mentally alert while on duty, the department sets a ceiling for the maximum number of hours an officer or employee may work outside the agency as follows:
    - 1. An officer or employee is restricted from working at outside employment more than 24 hours per week.
    - 2. Officers and employees will not work more than 16 hours in one (1) day, including duty hours.
5. Uniforms
- a. Officers performing law enforcement related services as a condition of outside employment generally will be required to wear the department’s uniform. The Chief of Police or his designee reserves the privilege to circumvent this stipulation when necessary.
6. Compensation
- a. No rate of pay is set for part-time or regular off-duty employment. The local consumer market will determine the rate of pay for a part-time job.
7. Approval procedure
- a. Request for approval must contain the following information:
    - 1. Officer’s name and identification number
    - 2. Date of Request
    - 3. Location of employment or event
    - 4. Telephone number of employer or business
    - 5. Description of duty requirements
    - 6. Clothing to be worn (uniform or plain clothes)
    - 7. Name of person in charge
    - 8. Date (s) and Time (s) of employment.
    - 9. Category of employment
    - 10. Current duty assignment, shift and signature of employee requesting outside employment.
    - 11. List of equipment required if using department equipment.
  - b. All request for part-time employment and regular off-duty employment will be submitted to the Chief of Police or his designee. A copy of such requests will be maintained by the Chief of Police or his designee and the original will then be forwarded to the City of Boaz Personnel

Director.

- c. Under no circumstance will the Boaz Police Department assume responsibility for guaranteeing coverage of off-duty employment request with the exception of the City's sponsored events.
8. Use of municipal equipment
- a. Unless otherwise specifically authorized, the use of equipment owned by the City of Boaz is prohibited in any outside employment, except a sworn police officer may while in uniform wear the city owned utility belt, pistol, and holster in order to complete his or her uniform including a ballistic vest.
  - b. The use of municipal equipment owned, issued or conditional to employment is strictly prohibited in any business, physical location or other capacity, not within the city limits of Boaz.
9. Off-duty location approval
- a. Any time the need for off-duty police security is needed, the business or person making the request must submit it to the Chief of Police or his designee. The Boaz Police Department memorandum of understanding for off duty security must be signed and agreed to by the business or their agent.

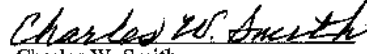
**RESOLUTION 99-775**

**WHEREAS**, the City Council for the City of Boaz, Alabama, realizes that police officers often receive offers for outside or off-duty employment, and


**WHEREAS**, the City Council for the City of Boaz, Alabama, realizes that in addition to the financial benefits the police officer receives from accepting outside or off-duty employment, a private employer also receives benefits by having trained and/or uniformed police officers visible in his or her business.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Boaz that the Outside Employment Policy of the Boaz Police Department, a copy of which is attached hereto as Exhibit "A," is hereby approved and that police officers of the City of Boaz may accept off-duty employment subject to the restrictions and guidelines set out in the off-duty employment policy. Those police officers seeking to accept outside employment must file with the Chief of Police a request for approval of outside employment. This request shall include the location and nature of the outside employment, the date and hours to be worked, the name of the outside employer, the duties of the outside employment, whether the job is a one-time event or is continuous, whether or not the job is to be worked in uniform, a list of any public equipment that may be used during the job, and any other information required by the Chief of Police. The Chief of Police shall approve or disapprove of any outside employment in writing. The Chief of Police may place conditions not inconsistent with the off-duty employment policy upon the acceptance of any outside employment. Public equipment may be used only as approved by the Chief of Police if not set forth in the off-duty employment policy.

**ADOPTED AND APPROVED THIS THE 23<sup>RD</sup> DAY OF AUGUST, 1999.**

  
Charles W. Smith  
Mayor

ATTEST:

  
Earlene P. Taylor, Ph.D.  
City Clerk/Treasurer

## Body armor policy

### 1. Safety Vests:

- a. The Boaz Police Department shall provide all sworn members and corrections officers with a ballistic vest. The department will also provide officers with guidelines for the proper use and care of body armor.

### 2. Policy:

- a. It shall be the policy of the Boaz Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor does provide a significant level of protection, it is not a substitute for the observance of safety procedures.

### 3. Definitions:

- a. Field activities: Duty assignments and/or tasks that place or could reasonably place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

### 4. Procedures:

#### a. Issuance of body armor

1. All patrol officers and corrections officers shall be issued agency approved body armor.
2. Body armor that is worn or damaged shall be replaced or repaired by the department. Body armor that must be replaced because of misuse or abuse by the officer shall be paid for by the officer.

#### b. Use of body armor

1. Officers shall wear only agency approved body armor.
2. Officers that are assigned to the patrol division are required to wear body armor during their shift, while engaged in field activities. In addition, **ALL OFFICERS**, must wear body armor during high risk, tactical situations. Examples of high-risk situations include, but are not limited to: search warrant executions, drug raids, initial crime scene response, and serving warrants.
3. Officers working police-related secondary employment positions arranged through the police department shall also wear body armor.
4. Although it is highly recommended that all officers wear body armor during their tour of duty and off duty police related functions, the following exceptions apply but require immediate access to the body armor:
  - a. Investigations
  - b. Administration
  - c. Officers working traffic control situations where the primary responsibility is directing traffic.



- d. Officers working undercover operations.
- e. When a physician determines an officer has a medical condition that would preclude wearing body armor.
- f. When the department determines that circumstances make it inappropriate to mandate wearing body armor.
- c. Inspection of body armor
  - 1. Each officer is responsible for the care and maintenance of their assigned body armor. Signs of damage or wear should be reported to their immediate supervisor who shall then report damage to the Assistant Chief of Police for repair or replacement. Officers are also responsible for notifying their supervisor of upcoming vest expirations so the vest can be replaced.
- d. Care of body armor
  - 1. Officers are responsible for the storage and cleaning of their assigned body armor. The inner ballistic panels should be periodically inspected and cleaned according to manufacturer's instructions.

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CHIEF OF POLICE

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JAN 26, 2015  
DATE OF ISSUE

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JAN 26, 2015  
DATE EFFECTIVE

## **Vehicle Operations/Maintenance Policy**

### **1. Purpose:**

- a. To establish guidelines and procedures for all government owned vehicles operated by members of the Boaz Police Department
  1. Preventive maintenance: Each officer shall be required to complete a vehicle inspection at the beginning of each shift and notify their shift supervisor of problems
  2. Damage to any vehicle shall be reported to the shift supervisor.
  3. Every employee that is assigned a City owned vehicle shall be responsible for its upkeep and maintenance.
  4. Employees who are allowed a take-home vehicle shall be responsible for carrying the vehicle to have routine maintenance completed.

### **2. Authorized use of city owned vehicles:**

- a. Only an employee of the Boaz Police Department will be allowed to operate city owned vehicles and for official police business only.
- b. Employee must possess a valid driver's license at all times when operating city vehicles.
- c. Unauthorized persons: No personnel other than department employees will be allowed to occupy a vehicle except when such occupancy is necessary to accomplish a police purpose, such as an arrest, or job-related transports, unless authorized by the Chief of Police or Assistant Chief of Police.

### **3. Routine patrol**

- a. During routine patrol, an officer's responsibility to exercise due care is no different from that of every other citizen. Good driving habits and courtesy toward other drivers and pedestrians should be practiced at all times.
- b. Patrol or defensive driving: Ordinary driving from one point to another. Officers will not exceed the speed limit with the emphasis on driving slow enough to observe and to drive safely to help prevent any type of accident.
- c. When parked and unoccupied at the Police Department and on meal breaks the patrol vehicle should be turned off with the exception of freezing temps and K9 units.

### **4. Safety Rules**

- a. When a call is received by an officer indicating an emergency exists, his primary duty is to arrive safely.
- b. When operating as an emergency vehicle, an officer must have his vehicle under control and be prepared to yield right of way

- if necessary.
- c. Seatbelts shall be fastened when operating a law enforcement vehicle and shall be worn by all occupants.
  - d. Avoid driving up closely behind a vehicle and sounding the siren. The motorist may suddenly stop.
  - e. Do not pass to the right of a vehicle in traffic unless absolutely necessary.
  - f. An officer may fluctuate the sound of the siren so the emergency vehicle may be heard.
  - g. Always maintain adequate radio volume.
  - h. Realizing that most accidents involving emergency vehicles occur at intersections, officers should use extreme caution when approaching an intersection.
    - 1. The officer should not assume the other driver will yield right-of-way.
    - 2. Slow to normal speed when approaching and crossing an intersection and be capable of coming to a complete stop to ensure all traffic has stopped.
  - i. Common courtesy and concern for other motorists dictate that a police vehicle must use the extreme right lane when traveling at a speed slower than the normal flow of traffic.
  - j. Officers must signal their intention to turn, change traffic lanes, slow down, or stop.
  - k. When practical, avoid backing vehicles. Park in locations that are easily accessible by pulling forward.

## Pursuit/emergency driving policy

1. Policy: The primary concern of the Boaz Police Department in emergency or pursuit driving situations is the protection of the lives and safety of all civilians and officers, which include arrival at the scene of an emergency in a prompt manner to render assistance and the apprehension of an actual or suspected violator of the law.

Driving under pursuit or emergency conditions **does not** relieve the officer from the duty to drive with due regard for the safety of all persons, nor shall the law or these provisions protect the officer from the consequences of his or her reckless disregard for the safety of others. Section 32-5A-7 (S), Code of Alabama, 1975.

2. Purpose: This order establishes procedures for the conduct of pursuits and emergency responses by officers of this department:
  - a. To reduce the frequency of accidents;
  - b. To reduce the severity of accidents that happen;
  - c. To reduce and eliminate the liability of these accidents for officers, the department, and the city; and
  - d. To help officers arrive on the scene of the emergency promptly.

The directives contained herein both pertaining to safety and policy are for the internal use only of the Boaz Police Department and do not enlarge an officer's civil or criminal liability in any way. They should not be constructed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of these directives, if proven, can only be used as a basis of a complaint by this department, and then only in a non-judicial administrative setting.

3. Definitions: For the purpose of this order, these definitions shall apply:
  - a. Emergency response/operation: Emergency driving is defined as the operation of an authorized emergency vehicle by an officer of the Boaz Police Department in response to an emergency situation, including pursuit driving in such a manner as to be entitled to the exemptions privileges and rights-of-way as stated in Section 32-5A-7 and 32-5A-115, Code of Alabama, 1975.
  - b. Authorized emergency vehicle: A vehicle owned, leased or in the care, custody or control of the police department for the purposes of official use which is equipped with:
    1. A siren, bell, ululating, multi-tone horn or other electronic siren type device approved by the director of public safety, pursuant to the specifications of Ala. Code 32-5-213.

2. A lighted lamp exhibiting a colored light, (red or blue) visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle. The specifications for such a light is designated in Section 32-5A-112 Code of Alabama, 1975.
  - c. Emergency situation: A set of facts or circumstances under which an officer has reason to believe that there exists a situation involving the infliction or threatened infliction of harm to another or the commission or threatened suspected violator of the law necessitating a pursuit or emergency response.
  - d. Vehicle pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police where the officer is utilizing his lights and siren.
  - e. Commanding officer: The highest-ranking officer available on duty.
  - f. Field supervisor: Any supervisor in the field through whom commands can be directed.
4. Generally: A police officer may operate an authorized emergency vehicle in an emergency situation with the following privileges, exemptions, duties:
- a. Privileges/Exemptions: The driver of an authorized emergency vehicle when responding to an emergency or when in pursuit of an actual or suspected violator of the law may:
    1. Park or stand irrespective of the provisions of title 32, Code of Alabama, 1975.
    2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
    3. Exceed the maximum speed limit so long as the officer does not endanger life or property.
    4. Disregard regulations governing direction of movement or turning in specific directions, see section 32-5A-115 (A).
  - b. Duties: The privileges or exemptions of emergency or pursuit vehicle operation do not relieve the officer of the following responsibilities and duties, as listed in 32-5A-7, Code of Alabama, 1975:
    1. Slowing down as may be necessary for safe operation when proceeding past a red or stop signal or stop sign
    2. To not endanger life or property when exceeding maximum speed limits
    3. To drive with due regard for the safety of all persons
    4. To not operate the vehicle in reckless disregard for the safety of others
    5. To not arbitrarily exercise the privileges of right of way.
  - c. Considerations: Before initiating pursuit or emergency response, officers should consider, among other things the following factors:
    1. Whether an “emergency” exists

2. Time of day
3. Traffic, weather, and road conditions
4. The performance capabilities of the police vehicle
5. The seriousness of the violation
6. The risks involved in initiating the pursuit of emergency response
7. Route of pursuit or emergency response

**NOTE:** If initiating or continuing a pursuit or emergency response is more dangerous to the public than not apprehending the suspect(s) or an emergency response not being made, the officer(s) shall not pursue or respond in emergency mode.

5. When to pursue:

**Officers should never pursue just because another officer is doing so.**

The decision to pursue or not to pursue is a difficult one for the law enforcement officer. He or she must refrain from over reacting and take the required few seconds that are necessary to make a rational and safe decision. Some of the factors which must be taken into consideration in the decision to pursue are:

a. Nature and Seriousness of the Offense:

1. No traffic violations or misdemeanor offenses with the exception of what is described in #2 below should be pursued.
2. Hazardous violations which present a continuing danger to others on the road require an immediate and sometimes aggressive pursuit. Driving under the influence of alcohol or drugs, reckless driving, or driving at excessive speeds are examples of hazardous violations. Even though the officer is pursuing a hazardous violator he/she is neither relieved of duty to drive with due regard for the safety of all persons nor protected from the consequences of any reckless disregard for their safety.
3. At any time an officer of higher rank can assume command of an operation, or countermand an order of a subordinate. Before doing so, he or she should consider the expertise of the subordinate and the fact that the subordinate may possess facts unknown to him or her. If an officer of higher rank decides to assume command of an operation, or countermand an order of a subordinate, he or she also assumes the responsibility for the consequences of that decision as the new unit commander. For purposes of this order, if a field supervisor orders the termination of a pursuit or emergency response, this is to be taken as a strong recommendation to the unit commander and unless countermanded, the pursuit will be terminated.

6. Procedures for pursuit driving:

- a. Unit responsibilities: The first unit to become involved in a vehicular pursuit will be designated the primary pursuit vehicle and will have the following responsibilities:
  1. The officer will activate the emergency vehicle's lights and siren
  2. The officer will notify the dispatcher that a pursuit is under way

3. The officer will give unit number
4. The officer will give the location, direction of travel, and estimated speed of the suspect vehicle
5. The officer will give specific reason for the pursuit, including known violations
6. The officer will give the description of the vehicle being pursued
7. The officer will give information pertaining to the number of occupants and their description
8. The officer should broadcast special information such as hazards to other officers, traffic conditions, etc.
9. The officers involved in a pursuit will take necessary steps to allow the dispatcher to understand the officer's transmission
10. The initiating or primary unit shall be in field command of the pursuit and shall bear operational responsibility for the pursuit until relieved by a supervisor
11. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the field supervisor and commanding officer
12. The primary unit may maintain pursuit as long as it is reasonably safe to do so, or until directed to terminate the pursuit by a supervisor; or until the suspect is stopped
13. The primary unit may terminate the pursuit at any time the officer deems it appropriate.

#### 7. Prohibited Practices

- a. Discharging a firearm from or at a moving vehicle is prohibited, unless the occupants of the vehicle are using deadly force against the officer or another person and there is no alternative means of protecting life.
- b. An officer will not pursue violators the wrong way on a freeway, interstate, highway or entrance/exit ramp.
- c. To avoid being arrested, some motorists will take unnecessary risks. Regardless of the extenuating circumstances, **the pursuing officer shall not duplicate these hazards.** Because of the many handicaps that might be encountered, the pursuit officer must recognize and accept the fact he will not be able to apprehend every suspect.
- d. An officer will not attempt to force the pursued vehicle from the roadway by driving alongside or in front of the pursued vehicle.
- e. An officer will not bump or ram or ram a pursued vehicle.
- f. Except for the primary and secondary vehicles directly involved in the pursuit, no other vehicles shall join the pursuit, without supervisory approval.
- g. There will be no attempt to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuit officer or the supervisor.
- h. An officer will avoid intersecting the path of an on-coming high-speed vehicle.

- i. An officer will not pursue a motorcycle unless it has committed a class A felony.

There is always the potential that there would be extenuating circumstances that may require a review of violated prohibited practices mentioned in section 7. (a-i).

8. Back up unit responsibilities:

- a. The backup unit, upon joining the pursuit, will notify communications of its identity.
- b. Backup unit will operate both emergency lights and siren.
- c. If the primary unit is a one-man unit, the backup unit will assume radio communication.
- d. Backup unit should follow pursuit at a safe distance, but close enough to render assistance, when and if needed.
- e. If a support vehicle inadvertently intercepts the suspect vehicle, the support vehicle will not attempt to intervene. The officer in the support vehicle will attempt to obtain the suspect vehicles license number, if not already known, and observe the suspect for identification purposes.

9. Motor units and unmarked units:

- a. Unmarked units may become involved in a pursuit as a primary unit only when they initiate a pursuit.
- b. Unmarked units will turn the pursuit over to a marked unit as soon as possible and serve as a support unit.

10. Dispatch responsibilities:

- a. Record all incoming information on the pursuit and the vehicle being pursued.
- b. Clear radio channel of unnecessary traffic.
- c. Perform relevant record and motor vehicle checks.
- d. Control all radio communications during the pursuit.
- e. Coordinate assistance with other agencies under the direction of the commanding officer.
- f. Notify neighboring jurisdictions when the pursuit approaches their boundaries.

11. Supervisor responsibilities:

- a. Commanding officer of pursuing unit:
  1. The commanding officer of the unit initiating the pursuit shall assume overall command and indirect control through a field supervisor.
  2. Upon being notified of the pursuit, the commanding officer of the pursuing unit shall verify the following:
    - a. No more than the necessary units are involved in the pursuit and order others not necessary to abandon the pursuit.
    - b. Proper radio frequency is being utilized.
    - c. Affected local agencies are notified.
    - d. Review criteria for initiation and determine if the pursuit should be terminated based on available info.



3. The commanding officer will ensure that an overall analysis critique of each pursuit is completed to determine compliance with departmental policy and then forward to the Chief of Police.
  4. The Commanding officer will ensure that all supervisors and officers under their command receive appropriate training in policy and procedures relating to pursuits.
12. Interjurisdictional pursuits:
  - a. If a single police vehicle from another jurisdiction continues a pursuit into, or initiates a pursuit within the City of Boaz, one Boaz unit and a supervisor may join the pursuit.
  - b. If two or more units from another jurisdiction are in pursuit, Boaz units will not join the pursuit unless directed by a supervisor.
  - c. If the pursuit terminates within the City Limits of Boaz, a unit will respond to assist that agency.
  - d. When Boaz units pursue outside the city limits, the dispatcher will notify the proper jurisdiction and relay all pertinent information.
  - e. When units from other jurisdictions join the pursuit, all Boaz units except the primary unit and a supervisor will cease the pursuit.
  - f. It will be the responsibility of the supervisor to determine if the pursuit should continue or cease upon leaving the City Limits.
13. Pursuit terminations:
  - a. If in the opinion or judgment of the pursuing officer or a supervisor that initiating or continuing the pursuit is more dangerous to the public than the suspect remaining at large, the pursuit shall be terminated.
  - b. If the identity of the suspect(s) has been established or determined such that apprehension can be accomplished later and that there is no need for immediate apprehension.
  - c. Traffic, roadway, and environmental conditions indicate danger if the pursuit continued.
  - d. The termination of a pursuit does not prohibit the following of a suspect vehicle at a safe speed or remaining in an area to attempt to identify a suspect.
  - e. Any unit involved in the pursuit may discontinue their participation in the pursuit at any time they feel that continued participation creates an unwanted hazard.
14. Roadblocks/Tire Deflating Devices
  - a. Tire Deflating Devices
    1. Any device that utilizes sharp objects or spikes that when a vehicle passes over will penetrate the tires and cause the tires to deflate at a controlled rate.
  - b. Deflating device operation
    1. Officers will receive training prior to use of deflating devices.
    2. Deflating devices will not be used in locations that could create an unreasonable risk or injury, such as near a river.

3. Deflating devices will not be used on motorcycles.
4. The rope should not be wound around the officer's hand during use.
5. If possible, strategic locations of placement should be discussed beforehand for the protection of all officers and others involved.
6. The placement of deflation devices shall be announced over department frequency and the location can be declined by a shift supervisor.
7. The officer deploying deflating devices shall use any available safety barrier such as guardrails, etc. to protect themselves in accordance with training and operational procedures.
8. If deployment is on a two-way road, oncoming traffic must be stopped at a safe distance from the site.
9. As the pursued vehicle approaches:
  - a. Pull or push the deflation device onto the roadway into appropriate path.
  - b. Let go of the rope.
  - c. Seek a safe position.
10. After the pursued vehicle passes over the deflating device:
  - a. Immediately remove the deflating device from the roadway.
  - b. Notify the pursuing vehicle if the suspect vehicle passed over the deflating device.
11. If deflation device was damaged, it will be turned over to the shift supervisor for replacement.

## **Use of force policy**

1. Purpose:
  - a. The purpose of this policy is to provide officers with guidelines on the use of deadly force and non-deadly force.
2. Policy:
  - a. This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a certain balancing of all human interests is required. Therefore, it is the policy of the Boaz Police Department, that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or another.
3. Definitions:
  - a. Deadly force: Any force that is likely to cause death or serious bodily harm.
  - b. Non-deadly force-Any use of force other than that which is considered deadly force.
4. Procedures:

- a. Parameters for use of deadly force:
  - 1. Police Officers are authorized to fire their weapons in order to:
    - a. Protect the police officer or others from what is believed to be an immediate threat of death or serious bodily harm.
    - b. Officers **shall not** use deadly force to stop a fleeing felon **unless** the following dangers exist:
      - 1. His escape would cause a significant threat to human life if escape should occur
  - b. Before using a firearm, police officers shall identify themselves and state their intent to shoot, where feasible.
  - c. A police officer may also discharge a weapon under the following circumstances:
    - 1. During range practice or competitive events.
    - 2. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.
  - d. Police officers shall adhere to the following restrictions when their weapon is exhibited:
    - 1. Except for the maintenance or during training, police officers shall not draw or exhibit their firearms unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance to this policy.
- b. Parameters for use of non-deadly use of force:
  - 1. Where deadly force is not authorized, employees should assess the incident in order to determine which non-deadly technique or weapon will be best to de-escalate the incident and bring it under control in a safe manner.
  - 2. Employees are authorized to use department approved non-deadly force techniques and approved equipment and weapons for resolution of incidents, as follows:
    - a. To protect themselves or another from physical harm;
    - b. To restrain or subdue a resistant individual; or
    - c. To bring an unlawful situation safely and effectively under control.
- c. Training and qualifications:
  - 1. Deadly weapons:
    - a. While on duty, police officers shall carry only weapons and ammunition authorized by and registered with the department.
    - b. Authorized weapons are those which the police officer has qualified and received departmental training on proper and safe usage and that are registered

and comply with departmental specifications.

- c. The police department shall schedule regular training qualification sessions for duty, and be graded on a pass/fail basis.
- d. Police officers who fail to receive a passing score with their duty weapon(s) in accordance with departmental and state procedures shall be relieved of their police powers and immediately be reassigned to non-enforcement duties.
- e. The officer will be given 3 additional opportunities to receive a passing score. If he or she does not pass after 3 additional opportunities, he or she shall be reassigned to non-enforcement duties only if there is a position available and, if not, the employee may be terminated.
- f. A police officer will not be able to carry any weapon which he/she has not been able to qualify with or certified with during the most recent qualification period.
- g. A police officer who has taken extended leave and who who has missed qualification sessions will be required to requalify, receiving a passing score before being allowed to return to work.
- h. A police officer who has suffered an illness or injury that could affect his/her use of a firearm will be required to requalify receiving a passing score before being allowed to return to work.

2. Non-deadly weapons and methods:

- a. A police officer or employee is not permitted to use a non-deadly weapon unless qualified in its proficient use determined by training procedures.
- b. The following non-deadly weapons are authorized:
  - 1. Oleoresin Capsicum (O.C.) Aerosol Spray.
  - 2. Impact Weapons (i.e., ppct, asp)
  - 3. X-26P Taser and/or the latest Taser CEW
  - 4. Pepperball launcher

4. Reporting uses of force:

- a. Any time use of force is used, a **Use of Force-After Action Report** shall be filled out and forwarded to the Assistant Chief of Police.
- b. A written report prepared according to departmental procedures will be required in the following situations:
  - 1. When a firearm is discharged outside the firing range.
  - 2. When use of force results in death or injury.
  - 3. When a non-lethal weapon is used on a person.
  - 4. When a subject complains that an injury has been inflicted.

- c. A supervisor will be immediately summoned to the scene and will comply with investigative procedures as required in the following situations:
    - 1. When a firearm is discharged outside of the firing range.
    - 2. When a use of force results in death or serious injury.
    - 3. When a person complains that an injury has been inflicted.
- 5. Departmental Response:
  - a. Deadly force incident:
    - 1. Where a police officer's use of force causes death, the officer shall be placed on administrative leave after completing all internal investigative requirements and until it is determined by a mental health professional that the officer is ready to return to duty.
    - 2. The department shall conduct an administrative investigation and have an outside agency conduct a criminal investigation of the incident.
  - b. Administrative review of critical incidents:
    - 1. All reported uses of force except for discharging a firearm will be reviewed by the appropriate personnel that shall include the Assistant Chief of Police, a captain/or a designee from the Assistant Chief, and an instructor of the weapon used to determine if the following occurred:
      - a. Departmental rules, policy or procedures were violated.
      - b. The relevant policy was clearly understandable and effective to cover the situation.
      - c. Departmental training is currently adequate.
    - 2. All findings of policy violations or training inadequacies shall be reported to the appropriate unit for resolution and/or discipline.
    - 3. All use of force incident reports shall be retained as required by law.
    - 4. There will be a regular review of use of force incidents by the appropriate departmental authority to ascertain training and policy needs.
- 6. Use of force continuum:
  - a. The Use of force continuum is provided as a part of this policy to illustrate the various levels of force which an officer may handle a given situation and to reinforce the importance of approaching each situation on the lowest level possible.
    - 1. Physical presence: No force is used
    - 2. Verbalization
      - a. Officers issue calm, nonthreatening commands.
      - b. Officers may raise their voice issuing commands.

3. Empty hand control: Officers use bodily force to gain control of the situation
  - a. Soft technique: Officer uses grabs or holds to restrain an individual.
  - b. Chokeholds and Carotid Restraint holds are NOT approved empty hand control techniques and should not be utilized in non-deadly use of force encounters.
  - c. Hard technique: Officer uses punches and/or kicks to restrain an individual.
4. Less than lethal methods
  1. O.C. spray
  2. X26P Taser and/or latest Taser CEW
  3. PPCT, blunt impact baton, ASP or other contact weapons or projectile to immobilize a combative person.
5. Lethal force

7. Warning:

- a. This policy is for departmental use only and does not apply in any civil or criminal proceeding. The department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. This policy is not intended to give rise to per se negligence or other rule-based standards of heightened responsibility. Violations of this policy will only form the basis for departmental administrative sanctions.

**O.C. spray-circumstance of use policy**

1. Purpose: The purpose of this policy is to establish guidelines for the use of Oleoresin Capsicum (O.C.) aerosol restraint spray.
2. Policy: The Boaz Police Department issues O.C. aerosol spray to provide officers with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of the Boaz Police Department that officers use O.C. when warranted, but only in accordance with the guidelines and procedures set forth here, in this agency's use-of-force policy and O.C. training
3. Procedures:
  - a. Authorization
    1. Only officers who have completed instruction on the use of O.C. are authorized to carry O.C. spray.
    2. Officers whose normal duties/assignments may require them to make arrests or supervise arrestees will have the option to carry departmentally authorized and issued

O.C. spray while on duty.

b. Usage Criteria

1. O.C. spray is considered a use of force and shall be employed in a manner consistent with this agency's use-of-force policy. O.C. is a force option following verbal compliance tactics on the use-of-force continuum
2. O.C. may be used when:
  - a. Verbal dialogue has failed to bring about the subject's compliance, **and**
  - b. The subject has signaled his intention to actively resist the officer's efforts to make the arrest.
3. Whenever practical and reasonable, officers should issue a verbal warning prior to using O.C. against a suspect.
4. An officer may use deadly force to protect himself from the use or threatened use of O.C. when the officer reasonably believes that deadly force will be used against them should they become incapacitated.
5. Once a suspect is incapacitated or restrained, use of O.C. is no longer justified.

c. Usage procedures

1. Whenever possible, officers should be upwind from the suspect before using O.C. and should avoid entering into the spray area.
2. An officer should maintain a safe distance of at least 2 to 10 feet, if possible from the suspect.
3. A single burst spray of between one and three seconds should be directed at the suspect's eyes, nose and mouth. Additional burst(s) may be used if the initial or subsequent bursts are not effective.
4. Use of O.C. should be avoided, if possible, under conditions where it may affect innocent bystanders.

d. Effects of O.C. and officer response

1. Within several seconds of being sprayed by O.C., a suspect will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain and/or impaired thought process.
2. The effects of O.C. vary among individuals, therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect; to include if necessary, other force options consistent with agency policy, if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
3. Immediately after spraying a suspect, officers shall be

alert to any indications that the individual needs medical care. This includes, but is not limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness. Upon observing these or other medical problems, or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.

4. Suspects that have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody until the effects of the spray are gone.
5. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
6. Air will normally begin reducing the effects of O.C. spray within 15 minutes of exposure. However, once the suspect has been restrained, officers shall assist him or her by rinsing and drying the exposed area.
7. Assistance shall be offered to any individuals accidentally exposed to O.C. spray who feel the effects of the agent. All such incidents shall be reported as soon as possible to the officer's immediate supervisor and shall be detailed in an incident report.

e. Reporting procedures

1. Accidental discharges as well as intentional uses of O.C. spray against an individual in an enforcement capacity shall be reported to the officer's immediate supervisor as soon as possible.
2. A use-of-force report shall be completed following all discharges of O.C. spray except during testing, training, malfunction or accidental discharge.

f. Replacement

1. All O.C. spray devices shall be maintained in an operational and charged state by assigned personnel. Replacements for damaged, inoperable or empty devices are the responsibility of the officers to whom they are issued.
2. Replacements of O.C. spray canisters shall occur when the unit is less than half full or the product is about to or expired.
3. Yearly re-certifications and recommendations for O.C. use will be conducted by an O.C. instructor.
4. Officers should monitor their O.C. container for expiration dates. If O.C. spray is within a month of expiration, the officer should notify his supervisor or the member over equipment distribution.



## **Taser-circumstances of use policy**

1. Purpose:
  1. This procedure sets forth the Boaz Police Departments policy regarding use of Tasers.
2. Only those employees who successfully completed the approved departmental user training course by a certified Taser instructor shall be allowed to carry and utilize a Taser.
  - a. Training requirements for the Taser shall be:
  - b. Initial certification and yearly recertification by a certified Taser instructor.
  - c. A certified Taser instructor will be required to attend Taser recertification by a Master Taser Instructor every (3) three years.
3. Tasers may only be carried by on-duty employees and in only department approved holsters.
4. Tasers may be used in the following situations:
  - a. Control a dangerous or violent person when the use of deadly force does not appear to be justified or necessary;
  - b. Attempts to subdue a subject by verbal commands have been or will likely be ineffective in that specific situation;
  - c. When the member has a reasonable expectation that it may be unsafe for officers to approach within contact distance of the subject;
  - d. For gaining compliance of a resistant or aggressive individual under arrest or other enforcement situations;
  - e. To subdue a prisoner who becomes physically violent while being confined in police vehicle or police facility; or
  - f. To subdue an aggressive animal when deadly force is not warranted.
5. Each Taser has a data port which records the date and time of each firing of the Taser. The stored data helps protect the officer against claims of excessive force by providing complete and accurate documentation of each firing.
  1. Only the departmental Taser Instructor, Chief of Police or his designee will be authorized to access stored data from the Taser.
6. Taser Procedures
  - a. Prior to use of the Taser, if practical, the deploying officer should yell "Taser" to prevent unintentional shootings from the Taser.
  - b. Only properly functioning and charged Tasers will be

carried on duty.

- c. Any firing of the Taser, except in training, whether intentional or unintentional shall be documented and investigated. If the firing is at a suspect, a use of force form will be completed and forwarded to the Chief of Police. In addition, a Taser use form will be forwarded to the departmental Taser Instructor.
- d. The Taser is programmed to deliver a 5 second electric shock to gain compliance. This 5 second shock may be shortened if compliance is gained by turning the Taser off.
- e. The Taser has both fixed sights and laser sights. Fixed sights should be used as the primary aiming sight. Laser sights should be used as the secondary sight. Officers are to be aware as the distance to the subject increases, the distance between the probes also increases, approx. 1 foot for every seven feet the probes travel from the taser to the target.
- f. Members should keep hands away from the front of the Taser at all times.
- g. The Taser should not be fired in the following situations:
  1. Anywhere near flammable liquids or fumes. The Taser can ignite gasoline and other flammables. Some self-defense sprays are flammable and should not be used in conjunction with the Taser. **It shall be the policy of the Boaz Police Department, that the Taser will not be used on any subject, if the Member knows the subject has been exposed to a chemical spray.**
  2. In highly flammable crystal meth labs.
  3. At any subject who may receive a secondary injury resulting from its use, i.e. standing on a roof edge or high elevation or possibly falling into a body of water.
  4. Never aim the Taser at the eyes, face, neck or groin.
  5. The Taser shall not be used as a tool of coercion or punishment.
  6. The taser should not be discharged at or from a moving vehicle.
7. The Taser shall be limited to only the minimum number of cycles needed to bring a suspect under control, and each cycle will be noted and individually justified by the officer within the use of force report and on the Taser use report.
8. The Department shall require that the Taser be carried at

all times in a department approved holster on the opposite side of the service weapon. The Taser will be drawn from the holster using a cross draw technique.

9. Post-use procedures:

a. After securing the subject in handcuffs, the probes may be removed, provided that the probes are not imbedded in soft tissue such as the neck, face, groin or female breast. The officer removing the probes shall use personal protective equipment. The removing officer shall inspect the deployment area and the probes to ensure the probes were completely removed. Photographs of the deployment area shall be taken and submitted with use of force forms.

1. If the probes are imbedded in soft tissue, the probes shall only be removed by medical personnel or at a local hospital.
2. Following probe removal, it should be determined if the subject requires additional medical treatment for probe injuries or other Taser related injuries.
3. If the subject is transported to the local hospital, the arresting officer will have the treating physician sign a release stating the subject is suitable to return to jail.

10. The following persons shall be transported to a local medical facility for examination following exposure to the Taser device:

- a. Any time an officer believes additional medical treatment is necessary.
- b. Any time the subject has been struck in soft-tissue or sensitive areas of the body, including the face, neck, breasts or groin area.
- c. The officer was unable to remove the probes or remove all of the probe.
- d. The subject does not appear to be recovering properly following the Taser deployment.
- e. The subject has received more than (3) 5-second exposures to the Taser or (15) continuous seconds or more.
- f. The subject has exhibited signs of extreme uncontrolled agitation, erratic or frantic activity, screaming, disrobing in public, irrationality, aggressiveness or superior strength prior to the Taser exposure.

- g. The subject appears to be experiencing severe cocaine, methamphetamine, or other forms of serious drug or alcohol intoxication prior to the Taser exposure.
- 11. Upon removal, the probes shall be placed with the empty cartridge and secured as evidence. The outside of the bag shall be noted as biohazard.
- 12. If the subject was Tased using a drive-stun method and not exposed to probes, the above procedures concerning medical treatment shall also apply.
- 13. Officers responsibilities:
  - a. Officers:
    - 1. Any time the Taser is deployed, submit a use of force form and a Taser use form to the shift supervisor for approval.
    - 2. Turn used Taser over to a Taser Instructor for the purpose of downloading data from Taser.
  - b. Shift supervisor: Review each use of force form and Taser use form to ensure they are complete. Forward both forms to the Assistant Chief of Police.
  - c. Assistant Chief of Police: Review use of force forms, and periodically, according to department policy, along with the Chief of Police, and the Taser instructor review each Taser Involved Use of Force Form to ensure the Taser use was within department policy and justified.
  - d. Taser instructor:
    - 1. Download data from the discharged Taser unit and forward to the Assistant Chief of Police.
    - 2. Maintain a system to record possession of each Taser using the serial number.
    - 3. Maintain an adequate supply of batteries and cartridges; ensure no parts are expired.
    - 4. Provide annual recertification training for certified users.
    - 5. Provide Taser certifications as needed.
    - 6. Collect and retain all training records for each user along with the Taser Use Report
    - 7. Periodically, along with the Chief and Assistant Chief of Police review Taser use and ensure they were within the department policy and justified.

## **Firearms policy**

1. Purpose: To establish policy for police officers with arrest powers, regarding what weapons are issued, when, where and how weapons will be carried.
2. Police officers shall carry their issued weapons on their person when on duty. Lawfully carrying weapons while off duty is recommended. The duty weapon for all sworn officers of the Boaz Police Department will be the department issued semi-automatic pistol. Tactical team members and other members may be issued special weapons approved by the Chief of Police.
3. Exceptions:
  - a. Officers may remove their duty weapons when required prior to entering court, legislative hearings, etc.
  - b. Officers assigned and working office duties are exempt from wearing their weapons at the office when approved by the Chief of Police.
  - c. Officers may also carry a back-up weapon that has been approved by the Chief of Police and which the officer has qualified with.
4. Procedure:
  - a. Any weapon carried while not in uniform, either on duty or off duty shall be carried in a reasonable, concealed manner and the a police badge should be clearly displayed.
  - b. Personnel may carry approved weapons inside the passenger compartment of their patrol car, whenever they are on duty. Unattended weapons will be locked in the trunk or in other approved locking containers.
  - c. Firearms will be removed from patrol vehicles before entering a repair facility.
  - d. Department weapons shall not be modified or repaired by any person except a factory-trained armorer, or a gunsmith designated by the Chief of Police.
5. Firearms qualifications: Officers shall not remove weapons while on the range unless directed to do so by the firearms instructor and then only on the firing line while weapons are pointed down range. Before each qualification and requalification, department and general firearms safety rules shall be read by the firearms instructor. At all times while on the firing range, the firearms instructor, regardless of rank, is in charge.
  - a. Purpose: To establish acceptable standards for firearms qualifications and competency.
  - b. Rule: In order to ensure that all arresting officers of this department achieve and maintain a reasonable degree of competence with their duty weapons, all sworn officers shall be required to pass the approved qualification courses semi-

annually.

These courses are:

1. Daytime semi-auto course
- c. The following firearms courses will be conducted on a yearly basis:
  1. Shotgun course
  2. Backup/second weapon/tactical weapon.
- d. The dim light/night course will be shot when a location is available.
- e. The following courses will be shot using A.P.O.S.T. approved courses:

1. Duty weapon
2. Shotgun
3. Dim Light/night course using the duty weapon

The following courses will be shot using the City of Boaz approved course.

1. Backup/Secondary Weapons
2. Tactical Weapons and Rifles

f. Failure to qualify

1. All arresting officers will be given (3) three qualification attempts with their service weapons.
2. If after the first qualification session, an officer has not qualified, he/she will be given (2) additional qualification attempts. The first session will be held within 30 days from the first qualification session. If the officer does not qualify on the second attempt, he/she will be given one final qualification attempt within the next 30 day period.
3. Failure to qualify on the third attempt, shall make the officer subject to disciplinary action by the Chief of Police. It may also result in demotion to a non-weapon carrying position as described above, or in the dismissal of the officer from employment, in accordance with the City of Boaz Employee Handbook pertaining to dismissal.

g. Special weapons/tactical weapons

1. Only weapons approved by the Chief of Police shall be carried by an officer while he/she is on duty.

h. Ammunition

1. Officers of the Boaz Police Department shall carry only new factory ammunition as furnished by the department for duty purposes.

i. Firearms security

1. Officers shall not unholster, clean, repair or unload firearms at any place within the police department unless the officer is placing it in a lockbox or has been told to do so by a superior officer or a firearms

instructor, or for duty use. If a supervisor or firearms instructor is inspecting the weapon, both the officer and the supervisor or the firearms instructor will check to make sure that the weapon is clear/unloaded with no chambered bullets.

j. Weapon clearing procedure-(2) two officer concept

1. Shotgun:

- a. Check to make sure the weapon is on safe.
- b. Point the muzzle in a safe direction, away from life, limb, and property.
- c. Remove the rounds by hand from the magazine tube. Do not rack them out.
- d. Open the bolt and visually inspect the chamber. Leave the bolt open to enter the police dept.
- e. No dry firing will be allowed in the building.
- f. There will be (2) two officers present. The second officer is to double check the shotgun.
- g. Loading and unloading will only be done when it's safe to do so.

2. Duty weapon/handgun/backup weapon/rifle

- a. Remove weapon from holster, pointing muzzle in a safe direction, away from life, limb, and property.
- b. Remove the Ammunition clip.
- c. Eject the round from the chamber and lock the slide back.
- d. The second officer is to double check the magazine well and the chamber.

6. Care and cleaning of issued weapons

- a. It shall be the responsibility of the officer to visually inspect on a weekly basis for residue, corrosion or deterioration. Weapons must be properly cleaned and lubricated at all times to ensure the proper functioning and prolonged life of each weapon.
- b. When an officer uses an issued weapon, he/she shall clean that firearm as soon as practical but before their next tour of duty.
- c. It shall be the responsibility of the shift supervisor to inspect each officers' weapons on their shift on a monthly basis and after each training exercise to ensure the weapon is clean.
- d. Officers are personally responsible for all weapons issued to them. Any misuse, carelessness, or improper maintenance of the firearm will subject the officer to disciplinary action.
- e. Any firearm carried on duty by an officer may be

inspected at any time by a firearms instructor, Chief of Police, or Assistant Chief of Police to ensure the weapon is clean and well maintained.

- f. No officer of the Boaz Police Department shall make or allow anyone to make any alteration to their issued weapon without prior approval by the Chief of Police and the repairs will then only be made by a gunsmith/armorer.

7. Discharging of firearms

- a. Purpose: To establish a regulation on discharging firearms during law enforcement duty.

- b. Rules and regulations:

1. Members of this department shall not shoot from a moving vehicle, at a moving vehicle, or an escaping prisoner unless he/she has reason to believe such a person has committed a felony **and** poses a significant threat of serious physical harm either to the officer or others; or when they must shoot to protect themselves or others.
2. Members of this department shall not resort to deadly physical force upon a fleeing suspect unless they have probable cause to believe that the suspect has committed a felony and poses a threat to the safety of officers or a danger to the community, if left at large.
3. After a firearm has been discharged during a law enforcement action, that weapon **will not** be cleaned, unloaded or altered. That weapon will be delivered immediately or with all just haste to the shift supervisor who will inspect it and deliver it to the Chief of Police. At all times, it should be maintained along with a chain of evidence or custody procedure.

- c. Procedure

1. If for any reason, except for target practice, a firearm is discharged, accidentally or otherwise, a supervisor will be notified immediately and a detailed, written report must be made before going off duty to the officers supervisor giving the reason for firing the weapon and injury or damage caused by the discharge. A copy of this report will then be sent to the supervisor, Assistant Chief of Police, the firearms instructor, and the Chief of Police.

- d. All discharges, except for target practice and training shall go before a firearms discharge review board committee within 72 hours after the initial investigation has been completed. The firearms review committee shall consist of the following individuals:



1. Chief of Police
2. Assistant Chief of Police
3. Shift supervisor
4. Firearms instructor

The Firearms review committee shall not make full recommendations, but shall submit a report of its findings which shall consist of:

1. Within policy discharge
2. Out of policy discharge
3. Unintentional discharge

8. Unauthorized Weapons and Devices

- a. Policy: To establish a rule regarding the use, possession, or transportation of unauthorized weapons or devices.
- b. Unless specifically authorized by the Chief of Police, no member of this department, while on duty, will carry on his/her person or transport in a departmental vehicle, any weapon or device prohibited or restricted by state or federal law, or whose possession would tend to discredit the department, or whose use would expose the officer to an unacceptable level of civil liability. This rule includes the following items:
  1. Explosives and explosive devices, to include high explosive, black powder, gun powder, smoke grenades and tear gas grenades.
  2. Non-issued automatic weapons and/or “sawed-off” weapons, as defined by Title 18, United States Code.
  3. Impact devices such as clubs, sticks, blackjacks and brass knuckles.

9. Confiscated and illegal firearms

- a. Purpose: To provide guidelines for the disposition of confiscated firearms.
- b. Rule: In the event any member of this department, confiscates, seizes, or otherwise gains lawful possession or control over any firearm (other than department-issued weapons), the laws of the state of Alabama and department rules shall apply.
- c. Any time an officer seizes or recovers a weapon, the seizing officer will visually inspect the weapon, unload it, and make the weapon safe. The seizing officer(s) will then have another officer look at the weapon and ensure it is unloaded. At all times, officers should maintain the chain of evidence with regard to these items/weapons.
- d. If the weapon is seized, recovered, or taken for safe keeping, the weapon will be placed into evidence and the proper evidence forms filled out.

10. Serious injury or death involving a police officer on or off duty

When any citizen is wounded or seriously injured by a police officer, on or off duty, where such injury results in

death, or possible death, the following personnel will be notified:

- a. The shift supervisor will proceed to the scene and take charge of the uniform personnel in the protection of the crime scene, crowd control, and preservation of evidence. The shift supervisor will notify investigation and will then notify the Chief of Police and Assistant Chief of Police.

11. Injury or death inflicted on a police officer on or off duty

The same procedure will be followed when officers are victims, with the following exceptions:

- a. The ranking officer will notify the officer's family, in person, and will provide all necessary assistance to the family.
- b. Under no circumstances will the officer's family be notified except by a personal visit.

## **Restraint chair policy**

Purpose: The purpose of this policy is to establish guidelines for the proper use of a restraint chair by authorized staff or members.

Policy: It is the policy of the Boaz Police Department that the restraint chair may be used by correctional staff to provide safe containment of an inmate exhibiting violent or uncontrollable behavior and to prevent injuries to themselves, to others or property damage when other control techniques are not effective.

1. Definitions

- a. Restraint Chair-A chair specifically designed with wheels to humanely restrain and transport violent inmates from one area to another.

2. Authorization for use

- a. The jail administrator or designee, a patrol supervisor, or an on-duty jailer may use the restraint chair when deemed necessary and authorize its use.
- b. The restraint chair **WILL NEVER** be used as a form of punishment.

3. Conditions for use

- a. Staff may use the restraint chair in any or all of the following situations:
  1. When an inmate has demonstrated violent or uncontrollable behavior.
  2. To prevent an inmate from injuring themselves, injuring another person or damage to property when other techniques have been ineffective in regaining control of the situation.
  3. Upon recommendation by a psychiatrist, physician or qualified health care professional.
  4. Upon request of an inmate who indicates that they are about to injure themselves and no other method is available.

5. As a means of moving a combative inmate safely from one section of the facility to another.
  - b. Boaz Police Officers and/or correctional staff trained in the proper use restraint chair may place an inmate in it. A minimum of two police or correctional officers will be present to assist in the placement of an inmate in the restraint chair.
4. Application guidelines
- a. After determining that the restraint chair is necessary and its use has been authorized, application will conform to the following guidelines. The correctional staff or another filling in for this person will:
    1. Visually inspect the restraint chair is in proper working order.
    2. Contact a supervisor prior to the placement of an inmate in the restraint chair to help determine if there are any reasons not to place the inmate in the chair.
    3. Place the inmate in the restraint chair following the procedures outlined below:
      - a. Videotape the placement of the inmate in the restraint chair.
      - b. Place the inmate under direct and constant observation.
      - c. Offer the inmate the opportunity to use the bathroom whenever appropriate, but at least every hour and document on the jail log.
      - d. Offer the inmate water whenever appropriate to maintain hydration, but at least every hour and document on the jail log.
      - e. If they observe any use of the restraint chair which would jeopardize the health of an inmate, members will immediately communicate their concerns to their immediate supervisor or higher authority if necessary.
      - f. Every 15 minutes talk with the inmate, check the restraints for comfort and security, and check circulation and limb color, etc; develop a plan for release.
      - g. Ensure that no one is kept longer than 2 hours without the supervisor's or designee's authorization.
      - h. Assess the inmate's mental status every 30 minutes.
      - i. Communicate the inmate's status with the on duty supervisor every 30 minutes.
      - j. Document every update and status on the daily jail log.

### **Canine policy and procedures**

The following are definitions of terms used in this subsection:

1. Definitions:
  - a. Canine (K-9): A working dog, which has been procured and trained to execute a number of specific law enforcement tasks, which utilize the canine's speed, agility, and sense of smell.

- b. Canine (K-9) handler: An officer trained in the care, handling, and training of a dog for law enforcement use.
  - c. Canine (K-9) team: An officer and assigned dog.
  - d. B.P.D: refers to Boaz Police Department
- 2. Supervision of the canine team:
  - a. The B.P.D. canine team shall be supervised directly by the Chief of Police or his appointed officer.
  - b. A K-9-unit supervisor may be appointed when unit growth permits.
- 3. Application of the K-9 team:
 

The following criteria is to govern the application of the B.P.D. K-9 Team:

  - a. The Chief of Police shall make assignments based on manpower and the best possible use of the K-9 Team. When feasible, the K-9 team will respond to assist all officers requesting K-9 services. The K-9 unit may respond to other out-of-city jurisdictions **only** with the approval of the Chief of Police or his designee (example, shift captain).
  - b. The K-9 handlers' primary responsibility is to perform his duties as a B.P.D. officer and to conduct thorough and safe searches.
  - c. The K-9 team will be used as an aid for all search warrants executed by the B.P.D. whenever possible.
  - d. The K-9 team will be used to perform narcotic interdiction in the schools located within the City of Boaz, per agreement with the school system.
    - 1. The School Resource Officer and the principal of the school will be the point of contact of these interdiction efforts.
  - e. Tracking: Canine teams should be utilized at any crime scene where the offender has fled on foot and it is possible that the offender could be located and / or evidence recovered. Canine teams may also be used to search for any lost or missing person.
  - f. Handlers are required to give LOUD and CLEAR verbal announcement before a police canine searches any building.
- 4. K-9 handlers' responsibilities:
  - a. The handler will be responsible for the general wellbeing of the K-9. This includes, but is not limited to, feeding, watering, administering medication as prescribed by the veterinarian, and maintaining current vaccination records.
  - b. The K-9 handler will be responsible for the care and upkeep of all equipment issued to him for the training and control of the K-9.
  - c. The handler is responsible for keeping an up to date inventory of all supplies necessary in the training and operation of the K-9 unit, and for submitting the necessary purchase request forms for needed equipment.
  - d. K-9 vehicles will be maintained in good operating condition. The interior will be regularly cleaned and disinfected as necessary and any damage will be reported immediately and repaired.
  - e. The K-9 shall not be left unattended in a vehicle when unsafe due to cold, heat or other environmental conditions.

- f. The K-9 handler will keep the K-9 clean and free of offensive odor.
- g. Boaz Police Canines shall not be used for the purposes of Breeding.

5. Records and certification:

The documentation of all activities, performance, and training of the K-9 team is essential and the following guidelines will apply:

- a. The handler will maintain a record of all training and searches where the K-9 is utilized through K9TRACK.
  - b. A minimum of 16 hours of maintenance training, to include actual searches will be conducted on monthly basis.
  - c. The K-9 team will maintain a yearly certification through Highland Canine Training, LLC, or an equivalent group or organization.
6. General instructions to the handler:
- a. When the K-9 team is deployed; the handler will take full advantage of the psychological effect of the K-9's presence by arriving quickly and leaving the scene when the K-9's presence is no longer required.
  - b. The K-9 will not be left unattended in such a manner as to come into unsupervised contact with the general public or to be placed in physical danger.
  - c. Under normal circumstances, no one but the assigned handler shall be allowed to feed, exercise, or give commands to the K-9.
  - d. Members of the unit will not tease or agitate the K-9, nor allow others to do so, under any circumstances.
  - e. The handler will allow the K-9 team to be utilized only where it is deemed appropriate and safe.
  - f. The K-9 team will strive to encourage positive public relations in law enforcement and civilian community.

7. **Canine Bite Reports**

A canine bite report will be completed anytime a person has been bitten, whether accidental or as a result of a police action, excepting when the bite occurs in a training exercise with a willing participant. The Shift Supervisor and the Chief of Police shall be notified immediately of any police canine bites.

- a. All persons bitten by a police canine shall be offered medical treatment.
- b. Color photographs shall be taken of injuries inflicted by any Boaz Police canine.
- c. Canine handlers shall be responsible for immediate notification of the Shift Supervisor when their canine has bitten anyone.
- d. The Handler's statement shall be a complete documentation of all events leading up to, including, and following the incident.
- e. The following documentation should be included as part of the canine bite report: Arrest Report, Incident Report, Witness Statements, Officer Statements, any other pertinent information available.
- f. Upon completion, the original report should be forwarded to the Assistant Chief and Chief of Police.
- g. The Assistant Chief will review the use of the canine and report if

the bite was intentional and if so, if it was justified.

8. Use of Force: Police Canines
  - a. Police patrol dogs may be used:
    1. To defend the handler or other officers or third parties from assaults that could result in serious physical injury.
    2. To effect criminal apprehensions of those person(s) the handler has probable cause to believe committed a serious offense; and / or
    3. In circumstances when the use of a patrol dog would prevent escalation of force in apprehending a suspect during flight, escape, or concealment from police.
  - b. Police canines shall be trained by Highland Canine Training, LLC, or an equivalent group or organization guidelines and shall be used for only the degree of force necessary to effect a lawful arrest.

### **Field training officer (FTO) program policy**

1. Purpose:
  - a. To establish the policy and procedures for the training of all new hired employees by placing them with a veteran officer in a standardized Field Training Program and Evaluation Program within the Boaz Police Department. This policy also applies to dispatchers and jailers, although their training period may be shorter than patrol officers and training requirements will be different depending on their jobs.
2. Policy:
  - a. It shall be the policy of the Boaz Police Department to provide newly hired officers with a working knowledge of police work and to provide for the re-evaluation of newly hired veteran officers. During this time the FTO will receive 1 additional hour of pay per shift during the FTO training. The procedures to be followed will be outlined in the Field Training Standardized evaluation program. These procedures will allow the Field Training Officer the opportunity to evaluate the officers' conduct, his/her attitude towards police work, his/her ability to maintain control of various situations occurring during training, proper techniques used in the performance of their daily duties and a working knowledge of federal, state and local laws and the implementation and enforcement of those laws. The policy will also have in place the proper means of documentation of the training. A daily observation report will be used to show evidence that the candidate is either progressing or failing the attempt to be trained. The daily observation report will also include any information evidencing that the employee does not meet the requirements to become or remain a police department employee or member in his or her present role.
3. Procedures:
  - a. Evaluation requirements:
    1. The training program is based on a thirteen-week program with a

graduated training cycle, to include one week assigned to the detective division. The program may be shortened or lengthened as recommended by the Field Training Officer and approved by the Chief of Police. The newly hired employee may be moved from one training officer to another.

2. Each newly hired officer assigned to the Field Training Program will receive a copy of the Standardized Field Training and evaluation program. This program will be set up in the same manner as the training officers' in order to prevent any conflict or confusion during the training program.
3. During the training phases, the new officer will be evaluated on a daily basis using the standardized evaluation guidelines. This guideline uses a numeric scale value to define the officer's progression in learning, improving, and overall knowledge of subject matter which will be covered during the training phases.
4. The shift supervisor who assigns the FTO to the new officer will be directly responsible for ensuring the Field Training Officer and the new officer is allotted ample time for training.
5. The Field Training Officer is responsible for making sure that the new officer receives a basic knowledge on the principles and techniques of police work. The Field Training Officer will follow a master checklist within the Standardized Field Training Program and will attempt to coordinate, direct and assist the new officer in accomplishing his/her goal of becoming a qualified officer. This checklist will cover, generally, all the reports and police situations which the new member is likely become involved with on daily patrol activities.
6. The Field Training Officer is also responsible for completing a daily observation report, regarding his or her observation of the new officer during their patrol activities. This report will also reflect the completion of reports associated with actual cases and or other activity to which the new officer is assigned. The F.T.O. will use the numeric scale rating system to show at what level the new officer is functioning. These guidelines are found within the Field Training Evaluation Program Guide Book.
7. During the course of the training program, the new officer will receive instructions from his Field Training Officer on (31) different behaviors involving all aspects of police work. Along with these instructions, the new officer must take and pass (14) tests, designed to reflect the new officer's knowledge of the material covered by his Field Training Officer. The daily observation report will also reflect his on/off duty extra curricular studies. The new officer must make and maintain

a 70-seventy percent efficiency on these tests in order to be awarded a passing grade and be able to continue with his or her training.

8. At the end of each phase of training, the new officer will complete an end of phase training report. This report will document the specific training, which the new officer has been trained in. The report will also indicate those reports or cases the new officer has been assigned and has shown to be proficient in completing.

9. Once the new officer has successfully completed the Field Training Program, he/she will complete an end of training critique. This critique will give the new officer an opportunity to express his or her feelings regarding the successes and failures of the program and his or her Field Training Officer.

10. The completed new officer training and evaluation guide notebook will be stored within the Boaz Police Departments record division. This will help to insure the integrity of the program, as well as the chain of evidence procedures.

## **Juvenile custody policy and procedures**

Date Issued: May 09, 2016

Purpose: All juveniles taken into custody by this department shall be treated in a manner which provides for: the safety of all concerned; respect for human dignity; the perseverance of the legal rights and property of the individual; accurate documentation; and administrative efficiency. Juveniles, those persons under the age of 18, require special considerations due to state and federal regulations.

Policy: This policy addresses the secure and non-secure custody of juveniles.

Definitions:

Juvenile: Individual under the age of 18

Secure Custody: Being cuffed to a stationary object or cuffing rail, being placed in a secure holding cell or being placed in a locked room. Secure custody physically restricts the movements and activities of persons in custody.

Nonsecure Custody: Defined in the following requirements:

- a. The area where the juvenile is placed in an unlocked, multi-purpose location, such as a lobby, office, or an interview room, which is not designated, set aside or used as a secure area.
- b. The juvenile is not physically secured to a stationary object.
- c. the use of the area is limited to providing nonsecure custody long enough and for the purposes of identification, processing, release or transfer.
- d. The area(s) is/are not designated or intended to be used for residential purposes.
- e. Continual, visual supervision is provided by an officer or facility staff.

Time-phasing: The use of a common area for both juveniles and adults but not at the same



time.

**Sight Contact:** When a juvenile has clear visual contact with an incarcerated adult in close proximity.

**Sound Contact:** When a juvenile can have direct oral communication with an incarcerated adult.

**Status Offenders:** A juvenile who has been accused or charged with conduct which would not be an offense if committed by an adult. Status offenses include runaway, truancy, underage possession of alcohol, or tobacco and curfew violations.

**Non-offenders:** A juvenile who is not charged with an offense and/or an abused or neglected child.

**Accused Juvenile Offender:** A juvenile charged with an act, which, if done by an adult, would constitute the commission of a crime.

**Civil-Type Offender:** A juvenile offender who has been charged with or adjudicated for an offense that is civil in nature. Examples include non-criminal traffic violations and non-criminal fish and game violations. This applies to F.T.A. warrants for these offenses as well.

**Intake Process:** Includes booking and processing juvenile, and waiting for release to parent or other approved person by Juvenile Probation. This also includes transporting juvenile to the probation office for a hearing and transporting juvenile to an approved holding facility approved by juvenile probation. The arresting officer may allow another officer to transport juvenile.

**Procedures:**

### **Status Offenders, Non-Offenders and Civil-type Offenders**

1. Status offenders, nonoffenders and civil-type offenders shall not be placed in secure custody, handcuffed to a stationary object or cuffing rail or placed into a locked room under any circumstances. Status and civil-type offenders may be cuffed to themselves.
2. Status offenders, nonoffenders and civil-type offenders shall be placed in a nonsecure area; lobby, office or general-purpose room, until release arrangements can be made and the juvenile leaves the facility.
3. The arresting officer is responsible to call or have dispatch contact the Juvenile Intake officer on call. The officer will observe the juvenile until the intake process is complete and placement arrangements are made.
4. Status offenders and civil-type offenders may be processed in a secured booking area, provided that there are no adults present and they are removed immediately following the booking process and taken to a non-secure area.
5. Underage drinking and possession of alcohol by a minor are status offenses pursuant to JJDP act requirements. When dealing with an intoxicated juvenile, officers should determine whether emergency medical services are warranted.

## **Accused Juvenile Offenders and Criminal Traffic Offenders**

1. It is the preference of the Boaz Police Department to detain delinquents non-securely while in custody. Exceptions include violent or combative juveniles who cannot be subdued and pose a threat to officers, themselves or others.
2. The arresting officer is responsible to call or have dispatch contact juvenile intake officer on call. The officer will observe the juvenile until the intake process is complete and placement arrangements are made.
3. Accused juvenile offenders and criminal traffic offenders may be temporarily detained, in quarters with sight and sound separation from incarcerated adults for up to (6) hours from the time they enter a secure custody status **or** for (6) hours either immediately before or after a court appearance awaiting release **or** transport to another facility.
4. In cases when a delinquent is securely detained, pending release or transfer, all of the following requirements must be satisfied:
  - a. The secured area is sight and sound separated from adult inmates including trustees.
  - b. There may be no adult prisoners in the booking area when juveniles are present. Separation may be achieved through time-phasing the common areas.
  - c. An entry must be made on the Juvenile Secure Custody Detention Log on all juveniles held in this facility noting whether the youth was held securely or not.
5. The (6) hour holding time limit is for processing and release. It is not to be used as a punitive measure. The (6) hour clock will begin when the juvenile enters a secure setting, until he leaves this facility.
6. No juvenile offenders under public authority shall enter into the secure section of the jail as a disposition of an offense or as a means of modifying their behavior. However, youth visiting voluntarily as part of a school or scouting project are not considered violations.
7. Juveniles formally waived to or transferred to criminal court for a felony may be held as an adult but only after transferred by a Judge.

Release: Release of a juvenile shall occur only after juvenile probation has been contacted and their recommendations of release or custody are followed.

## **School Resource Officer (S.R.O.) program policy**

1. Purpose: To establish guidelines for the School Resource Officer (S.R.O.) program.

- a. The S.R.O. program of the Boaz Police Department is a program aimed at the youth of Boaz. The program is a joint venture between the Boaz City School System and the Boaz Police Department.
- b. General: The S.R.O. is first a law enforcement officer. This fact will be conveyed to all students and constantly reinforced. It is important that the student view the officer in a realistic light and understand that even though the officer likes them and will help them, that if the law is broken, the officer, who is an authoritative position, must and will enforce the law.
  - 1. The program emphasis will be on developing rapport with the students:
    - a. Presenting them with information on various crime prevention subjects.
    - b. Providing law enforcement resource assistance to school personnel, parents and the students.
    - c. Identifying the problem student and handling them accordingly to law and policy.
    - d. Through the S.R.O. Program, the officer will help students, parents and educators develop a better understanding of our judicial system.
  - 2. Youth will come to the S.R.O. from a variety of sources. Teachers, principals, and other school personnel may make referrals. Parents or any student themselves may seek out aid of the S.R.O. In addition, students will come to the attention of the S.R.O. as a result of criminal investigations conducted by other officers within the department.
- c. Program goals:
  - 1. The S.R.O. programs goal is the prevention of juvenile delinquency, the creation of favorable community law enforcement relations, assisting and providing a safe environment for students to learn.
  - 2. Students will develop positive attitudes toward law enforcement officers and it is felt that through better understanding, students will develop respect for law enforcement and willfully obey the laws.
- d. School Resource Officer
  - 1. Command and control:
    - a. The S.R.O. chain of command will be the Assistant Chief of Police and then the Chief of Police.
  - 2. Selection and Assignment
    - a. Assignment to the S.R.O. program will be based on recommendations of the Chief of Police and the City of Boaz School System Superintendent, with final approval coming from the Chief of Police.

- b. The assignment of a member as SRO is not a promotion; it is intended as a lateral assignment and shall continue at the discretion of the Chief of Police and the City of Boaz School System Superintendent.

3. Training:

- a. Primary training for the S.R.O. will include but is not limited to basic police training, basic school resource training, and ongoing in-service training.

4. Investigations:

- a. The S.R.O. investigates criminal violations committed by students on school property. Regarding serious crimes, investigations along with the Chief of Police will be notified.
- b. The S.R.O. will secure crime scenes of all serious crimes until the arrival of an investigator. The investigator arriving on the scene will take charge of the scene and the S.R.O. will assist.

5. General:

- a. The S.R.O. is employed by the Boaz Police Department. However, the officer will be required to cooperate and work with the principals of the schools to which they are assigned during school days and while involved in school activities. The principal is not in the chain of command and as such, may not direct the actions of the officers in any manner.
- b. Moral conduct: Officer misconduct or suspected misconduct will lead to immediate suspension from the S.R.O. program, pending investigation. Officers will not fraternize with students during school hours.
- c. All press release information will be approved by the Chief of Police.

6. Responsibilities:

- a. Perform traditional law enforcement duties within the school.
- b. Project a positive role model for students and faculty.
- c. Perform related law enforcement education.
- d. Provide student counseling.
- e. Act as a law enforcement resource officer for the school staff.
- f. Perform administrative liaison responsibilities between the school and the department.
- g. Assist school administration in matters related

- to law enforcement and discipline.
  - h. Support athletic activities.
  - i. Support youth organizations.
  - j. Formulate educational crime prevention to reduce crimes in the Schools.
  - k. Assist with traffic control around the schools.
  - l. Works with school officials in developing emergency action plans.
  - m. File written reports on all incidents involving criminal activity.
  - n. Other responsibilities as directed by their chain of command.
7. School Resource Officer assignments:
- a. The Boaz Police Department reserves the right to assign officers to the program and to remove an officer from the program at any time, for any reason. The Chief of Police will make all efforts to replace the officer as soon as possible. The Boaz City School system may make a recommendation to the Chief of Police to remove an officer, but the final decision will be up to the Chief of Police.

### **Visitors in dispatch policy**

- 1. Policy:
  - a. It shall be the policy of the Boaz Police Department that no unauthorized personnel are allowed to be in the dispatch center of the Boaz Police Department and follow guidelines that have been established by ACJIS/NCIC.
- 2. Exceptions:
  - a. Visitors may be approved in advance by the Chief of Police or the Assistant Chief of Police. (ex. maintenance, pest control, 911 maintenance, computer maintenance, cleaning, etc.)
  - b. Visitors that are allowed to enter dispatch shall be monitored at all times to ensure they cannot see the NCIC/ACJIS terminal.
  - c. All ACJIS/NCIC rules and regulations regarding unauthorized personnel shall be followed at all times.

### **Internet postings/social networking on and off duty**

- 1. Purpose: To direct the employees of the Boaz Police Department with respect to the use of the internet, the world-wide web, and social networking as a medium of communication impacting this department.
- 2. Policy:
  - a. The internet, blogs, Twitter, Facebook, Instagram, Snapchat, social networking sites, and any other medium of electronic

communication **shall not** be used in a manner which is detrimental to the mission and function of this agency.

- b. It is essential for every member of the Boaz Police Department to recognize that the proper functioning of any law enforcement agency relies upon the public's confidence and trust in the individual officers and this agency to carry out the law enforcement function. Therefore, any matter which brings individual officers or the agency into disrepute has the corresponding effect of reducing public confidence and trust in our ability to work and serve the public. Professionalism is the most significant factor in high level performance which, in turn, builds the public confidence and trust. While employees have the right to use personal/social networking pages or sites, as members of this agency, they are public servants who are held to a higher standard than the general public with regard to standards of conduct and ethics. As such, the policy of this agency is to maintain a level of professionalism in both on-duty and off-duty conduct that fulfills the mission of our agency. Any publication, through any medium which is potentially adverse to the operation, morale, or efficiency of this agency will be deemed a violation of this policy.

3. Definitions:

- a. Social networking site: A web-based service that allows individuals to:
  - 1. construct a public or semi-public profile within a bounded system, and/or
  - 2. articulate a list of other users with whom they share a connection, and/or
  - 3. view and traverse their list of connections and those made by others within the system and/or
  - 4. a site that provides a virtual community for people interested in a particular subject or just to "hang out" together, and/or
- e. create their own online "profile" with biographical data, pictures, likes, dislikes and any other information they choose to post, and/or
- f. communicates with each other by voice, chat, instant message, video conference and blogs, and/or
- g. the service typically provides a way for members to contact friends of other members. The nature and nomenclature of these connections may vary from site to site. These social networking sites, including but are not limited to Facebook, Twitter, TikTok, Instagram, Snapchat, YouTube, blogs, vlogs, and others.

4. Procedure:

- a. Members of this agency are prohibited from using agency computers for unauthorized purposes including surfing the

- internet or participating in social networking sites.
- b. Members of this agency are prohibited from posting, or in any other way broadcasting, information on the internet, or other medium in communication, the business of the agency to include but is not limited to:
    - 1. photographs/images relating to any investigation of this agency unless the pictures are posted to identify a suspect or property and only with the approval of the Chief Investigator.
    - 2. Video or audio files related to any investigation of this agency.
    - 3. Video, audio, photographs, or any other images, etc. memorializing a law enforcement related action of this agency.
    - 4. Logos/uniforms/badges or other items which are symbols associated with this agency.
    - 5. Any other item or material which is identifiable to this agency.
  - c. Members of this agency who utilize social networking sites, blogs, twitter, or other mediums of electronic communication in off-time shall maintain an appropriate level of professionalism and appropriate conduct so as not to broadcast in a manner which is detrimental to the mission and function of this agency.
    - 1. Members shall not use references in the sites or other mediums of communications that in any way represent themselves as a member of this agency. This shall include but is not limited to:
      - a. text which identifies this agency.
      - b. accounts of events which occur within this agency
    - 2. Members shall not use a social networking site or other medium of internet communication to post any material of a sexually graphic nature;
    - 3. Members shall not use a social networking site or other medium of internet communication to post any materials which promote violence or weaponry;
    - 4. Members shall not use a social networking site or other medium of internet communication to post or broadcast any materials which would be detrimental to the mission and function of his agency.
  - d. Members of this agency are prohibited from using their title or any reference to this agency in any correspondence to include e-mails, postings, blogs, twitter, social network sites unless the communication is of an official nature and is serving the mission of this agency. This also includes signature lines in personal e-mail accounts.

- e. New employees: All candidates seeking employment with this agency shall be required to make known their participation in any social networking sites. This candidate shall also provide access to their site or viewable access to their accounts as part of any background investigation.
- f. Administrative investigations
  - 1. Employees who are subject to administrative investigations may be ordered to provide the agency with access to a social networking site when the subject of an investigation is directly, narrowly and specifically related to the employee's performance or ability to perform his or her function within the agency, or when the subject of the investigation is potentially adverse to the operation, morale, efficiency, or purpose of the agency.
- 5. Approval process
  - a. An employee seeking to use any item, object, or material described above on a personal webpage or site shall:
    - 1. Submit a request for approval to the Chief of Police;
    - 2. Describe the proposed reference to the agency and purpose of the use;
    - 3. Provide a list of media to be used on the web page; and
    - 4. Provide a printed layout of the material that is subject to the request
  - b. The Chief of Police will approve or deny the request based upon its compliance with existing agency directives/policies
- 6. Department social networking sites
  - a. The Boaz Police Department may maintain a social networking site to offer citizens multiple ways to receive department information. This site will be maintained by a person or persons approved by the Chief of Police
  - b. Material posted shall be for official business only and factual pertaining to the subject at hand.
  - c. No matters pertaining to any investigation conducted by the Boaz Police Department will be published except by approval of the Chief of Police and the Chief Investigator.
  - d. The Boaz Police Department social networking site should adhere to all applicable state, federal and local laws, regulations and policies of the City of Boaz and the Boaz Police Department

### **Radar policy**

The Boaz Police Department uses a radar as a speed measurement device. Police Officers are to be trained and competent before utilizing the device, and receive any required certification upon the satisfactory completion of their training. The Radar units are assigned to the field for the purpose of speed law enforcement and to reduce the number of accidents throughout the City.

- 1. Procedures:



1. Only trained and certified patrol officers will operate a radar for speed violation enforcement.
  2. When a radar device is used, it will be used in strict compliance with procedures taught in the radar training course.
  3. Each operator shall check the calibration of the radar before beginning each shift by performing a light test, which is an internal calibration check the calibration using the tuning fork test.
2. Radar and calibration logs
    1. The radar calibration shall be checked before it is put in to use, and after each arrest/citation has been made. As the radar calibration is checked, the proper notations shall be made on the radar log.
    2. Should the radar not show the proper speeds within +/- 1 MPH, it shall immediately be taken out of service and turned into the Assistant Chief of Police to be sent for repairs.
    3. All speeding arrests/citations shall be entered in the radar log.
    4. Completed radar logs will be turned in to the Assistant Chief of Police. The radar logs will be maintained by the records clerk.
3. Repairs and maintenance
    1. Radars are to be repaired by factory trained radar technicians only. The officer is to write a detailed report of the problem and turn in to the Assistant Chief with the radar.

## **PART III**

### **NCIC/ACJIS rules and regulations**

1. Every employee of the Boaz Police Department who uses or has access to the NCIC/ACJIS terminal will abide by the policy set forth by NCIC/ACJIS and may be located under their Alacop account titled CJIS Manuals –NCIC Operating Manual.
2. Any employee who misuses NCIC/ACJIS information will be subject to disciplinary action up to dismissal and/or prosecution.
3. Any employee who has access to NCIC/ACJIS Terminals will be required to attend a NCIC Certification Class within a reasonable period of time, when one becomes available.

### **Destruction of Guns & Ammo Policy**

1. No gun or ammo that has a pending case ongoing will be destroyed.
2. If the gun was involved in a suicide and there are no pending charges, the gun will be held for a period of one year. If the immediate family member doesn't want the weapon back it can be destroyed after the one-year period has expired.
3. After the associated case/charges is closed and there has been a disposition on it, the gun will be held for a period of one year after the date of the disposition. After that one-year period is up the gun can be destroyed if it's not applicable to be released to the owner.

4. Ammo will not be released to anyone at any time.
5. Destruction Process: After the appropriate hold time has been reached. A list of the guns to be destroyed will be signed off by the Chief of Police and sent to the Boaz City Municipal Judge for approval. After receiving an order from the Judge with the approval for the destruction, the Evidence Officer will contact The Mueller Company to set up a date and time for destruction. The Evidence Officer will have to be present and video record the actual destruction of the weapons.

**Saving clause**

1. If any provision of this manual or the application thereof to any person is held invalid, the invalidity shall not affect other provisions or applications of the manual which can be given effect without the invalid provision or application and to this end, the provisions of this manual are severable. Any manual content having as its basis law or ordinance may be superseded by interpretations thereof or changes thereto. At any time; law, ordinance or applicable rule comes into conflict with the contents of this manual, such applicable portion of the manual shall immediately change accordingly.

***In all cases the Personnel Rules and Regulations of the City of Boaz will prevail if differences occur.***